

ADDRESS

by

His Excellency the Officer Administering the Government
G. Beresford Stooke, Esq., C.M.G., to the Legislative Council,
2nd March, 1948.

HONOURABLE MEMBERS,

In making my address to this Council I am following the practice initiated by Lord Milverton and placing it in your hands before the opening day of the Session so that you may have time to study my review of the work done during the past twelve months and to consider statements of policy for the future.

At this the second session of the newly constituted Council, you will have before you the first Nigerian budget to be compiled on a regional basis under the provisions of the new Constitution. You will observe that the estimates of the three regions amount to no less a sum than £7,110,570, whose appropriation is the concern of the Houses of Assembly. This marks an important step forward in the association of the people with the government of their country.

Already the Houses of Assembly have shown unmistakably that they fully appreciate the duties and responsibilities which have been laid upon them, and as we pass this important milestone in the history of Nigeria we have every reason to be confident in our ability to march steadily along the road which lies ahead.

We shall no doubt find the road at times uneven. We, together with other countries in the sterling area, are faced with economic difficulties which will only be overcome by determined and united effort. In this, Nigeria with her great resources largely untapped is perhaps more fortunately placed than some of her partners in the Commonwealth, but the key to the gate which will open the way to future prosperity is development, the development of the people in education and improved health and social conditions, and the development of the economic resources of the country for the benefit of the people.

I now turn to matters of finance.

Finance

The latest Revised Estimates for the current financial year 1947-48 indicate that the actual surplus may be of the order of £750,000, instead of the £304,970, foreshadowed in the Approved Estimates:—

	1946-47	1947-48	1947-48
	<i>Actual</i>	<i>Approved</i>	<i>Revised</i>
	£000	£000	£000
(i) Revenue	13,865	16,166	16,650
(ii) Expenditure	13,210	15,861	15,900
(iii) Surplus	<u>£655</u>	<u>£305</u>	<u>£750</u>

The grants under the Colonial Development and Welfare Act are self-balancing with the relative expenditure and are not included in the above figures.

It should be noted that although the revised figures of revenue and expenditure approximate in total the approved estimates, there have been factors within the year which have substantially affected some individual items of revenue and expenditure.

The most important feature is that in addition to the approved estimate of expenditure of £15,861,000, it has been necessary to obtain approval from the Finance Committee for supplementary expenditure of the order of one million pounds (net) to date. It will be appreciated, therefore, that if the total provision (approved and supplementary) had been, in fact, expended, Nigeria would have had to face a deficit in the current year.

The fact is that much of the expenditure has had to be deferred owing to delays in the recruitment of staff and difficulties in obtaining materials and supplies. The budget for the next financial year will, of course, reflect the additional recurrent charges but the amount of special and extraordinary expenditure unspent at the 31st March, 1948, will have to be revoted in the year 1948-49 when the precise amounts have been ascertained.

It is expected that there will be an improvement in future years in recruitment and supplies and therefore it is essential that Honourable Members should not be misled by the fortuitous budget surpluses of recent years.

REVENUE 1947-48.—The principal source of local revenue is import duties and the revised estimate of £7,150,000 shows an increase of £900,000 over the approved estimate. This increase is likely to be partly offset by a shortfall of £250,000 in export duties and by a decrease of £200,000 in respect of the Nigerian share of the profits of the West African Currency Board, which have been substantially reduced by the cost of heavy minting and a revaluation of the Board's investments.

I should mention that the revised estimates assume that collections under "Income Tax" will reach the approved estimate of £3,300,000, but there is some doubt on this point because of delays in the completion of the arrangements for bringing into effect the Double Taxation Agreement recently negotiated with the United Kingdom.

EXPENDITURE 1947-48.—As I have already stated, supplementary expenditure during the year amounted to approximately one million pounds of which the following were the more important items :—

- (a) Increase of £250,000 under the Educational Grants-in-Aid Vote approved at the August Meeting of Council ;
- (b) A non-recurrent grant of £200,000 approved at the January meeting of the Standing Committee on Finance to assist Native Administrations in meeting the cost of arrears of revised scales of salary and wages adopted with effect from the 1st of January, 1946.

It is anticipated that expenditure under approved schemes financed under the Colonial Development and Welfare Act will have amounted to £1,609,000 during the current financial year, compared with the approved estimate of £2,047,300, and supplementary expenditure approved during the year will have amounted to £168,438.

Grants equivalent to actual expenditure are credited to a special Head of revenue.

The financial position at the close of the current year may, therefore, be expected to be roughly as follows :—

	£000	£000	£000
(a) General Revenue Balance as at 31st March, 1947			8,050
(b) Ordinary Revenue 1947-48 ..	16,650		
(c) Colonial Development and Welfare Grants 1947-48 ..	1,609	18,259	
(d) Expenditure from Nigerian Funds 1947-48	15,900		
(e) Colonial Development and Welfare Expenditure 1947-48	1,609	17,509	
(f) Estimated Surplus 1947-48 ..			750
(g) Estimated General Revenue Balance as at 31st March, 1948			8,800

The latest information received indicates that a depreciation of investments as at the 31st of March, 1948, may reduce the General Revenue Balance by approximately £350,000.

THE YEAR 1948-49

The Draft Estimates for the coming year present an unaccustomed appearance, having been framed to give effect to the financial implications of the new Constitution. Each Region has been allocated a share of revenue and has prepared its own Estimates of Expenditure. The latter form Appendices to the main Estimates of Nigeria, and are printed in a separate volume. Doubtless, however, Honourable Members will have availed themselves of the opportunity to become familiar with the Estimates, the details of which are clearly explained in the Memoranda which accompany them.

The references I have made earlier to the potential deficit in the year 1947-48 will have indicated to Honourable Members the difficulties to be anticipated in the new financial year of presenting a balanced budget, particularly in relation to the present economic crisis with which the sterling area is faced, the urgent need for the extension of public services, the increasing cost of staff and the ultimate costs of meeting the recurrent expenditure presently borne by the United Kingdom.

The draft estimates of expenditure for 1948-49 approximate £19,100,000, whereas the draft estimates of revenue based on present taxation reflect a return of £16,650,000 which is the revised estimate of revenue of the current year.

Fund), the net increase is of the order of £283,000, the main departmental increases being :—

	£
(a) Customs and Excise	9,000
(b) Electricity	33,000
(c) Marine	20,000
(d) Printing (including £19,000 for plant for Regional Presses)	21,000
(e) Education	60,000
(f) Medical	16,000
(g) Police	44,000
(h) Provincial Administration	17,000
(i) Public Works Extraordinary	43,000
(j) Other	20,000
	£283,000

The objects of Special Expenditure for which provision is to be made in 1948-49 may, of course, in some cases be of a different nature from those for which provision was made under corresponding Heads in 1947-48, but the figures given above show the net increase in each case.

The main estimates include three items of approved revenue allocations to the three Regions but it should be noted that the Regional Estimates provide regional surpluses of roughly five per cent of revenue and these amount to approximately £250,000. It follows, therefore, that the above analysis of the draft budget under Personal Emoluments, Other Charges and Special Expenditure does not include these surpluses.

In addition it is proposed to provide a contribution of £750,000 (roughly five per cent of Nigerian Revenue) to a Revenue Equalization Fund, a matter which will be explained in greater detail by the Honourable the Financial Secretary, in his budget speech.

COLONIAL DEVELOPMENT AND WELFARE SCHEMES.—Expenditure for the coming year in respect of grant-aided Colonial Development and Welfare Schemes is estimated at £2,681,278. Details of this expenditure are shown in Part III of the Estimates of Nigeria but it should be noted that, as is explained in the final paragraph of the Memorandum on the Estimates, the amount to be expended on regional services and works is “charged off” to the Regions and full details of this expenditure are shown in the respective Regional Estimates under Head 51. The expenditure proposals follow very closely the provision for 1948-49 in the Ten-Year Plan of Development and Welfare and I need not, therefore, enter into further detail here.

LOAN EXPENDITURE.—During 1946-47, the actual expenditure on that section of the Ten-Year Development Plan which is being financed from loan funds was £462,670. The revised estimate of expenditure in the current

year is £1,433,152 and it is estimated that a further £1,437,852 will be spent during 1948-49 upon the following objects :—

	£
(a) Urban Water Supplies	143,992
(b) Building Programme for Development .. .	104,380
(c) Electricity Development	32,900
(d) Development of General Education	56,000
(e) Marine Development	849,680
(f) Nigeria Local Development Board	250,000
(g) Road Development	900
	£1,437,852

I view with some apprehension—which is shared by the Honourable the Financial Secretary—the increasing rate of expenditure which we are compelled to face if the public services of this country are to be expanded. I am satisfied, however, that provided the financial policy which was outlined at the last Budget Session of this Council and confirmed by the Budget Select Committee is implemented at this and subsequent sessions, we can go forward with quiet confidence in the future stability of the finances of Nigeria.

Northern Provinces

The shortage of Administrative Officers to which reference has been made in past years continues. About thirty new administrative cadets have been appointed to the Northern Provinces during the past year but the total strength is still more than fifty short of the authorised establishment. The effect of this shortage has been noticeable in the resulting reduction in touring and in the time available for devotion to development projects. The consequent loss of contact with rural areas continues to be deplored and was the subject of comment in the House of Chiefs.

1947 saw the first and second meetings of the House of Chiefs, the first and second meetings of the House of Assembly together with its first Budget Session. At the Budget Session unofficial members raised questions of general as well as of local interest and examined the estimates with great care and interest in Select Committee. The House also, after debate, expressed general approval of the Memorandum on Educational Policy in Nigeria.

During 1947 there have been some important changes among the Native Authorities. The Emir of Katagum, Umaru, has been appointed to succeed his father, the Emir Abdulkadiri, who retired after thirty-seven years in office. The Tiv tribe has undergone administrative reorganisation at the long expressed wishes of its members and Makari Dzakpe, an Appointed Member of the House of Assembly, has been selected to head the tribe as a Second Class Chief. Their neighbours, the Idomas, have undergone a similar political reconstitution and have selected Ogiri Adoka as their Chief; he too is a Second Class Chief. In the Plateau Province the Bi Rom tribal Council which is the Native Authority, has chosen as President of the Council and Chief Executive another appointed Member of the House of Assembly, Rwang Pam, M.B.E.

REGIONALISATION.—During the year progress has been made with the regionalisation of departments intended to be so organised in future, and the first annual Estimates for the Northern Region have been framed on the basis of the regionalised organisation. The Unofficial Members of the Houses of the Northern Regional Council showed in their speeches their appreciation of the magnitude of this task.

GENERAL.—Field-Marshal Lord Montgomery, Chief of the Imperial General Staff, visited Kaduna on the 17th of November and inspected the Kaduna garrison on parade. A very large crowd watched the parade and gave the Field-Marshal a warm welcome.

It has been decided that the headquarters of Kabba Province shall remain at Lokoja but those of the Igala Division of that Province are to be moved from Idah, one of the oldest administrative stations in Nigeria, to a new site, more salubrious and convenient for administration, at Ateneguma.

A new phenomenon has been the influx of travellers into Northern Nigeria from the United Kingdom by way of the Sahara. During the year 393 persons arrived at Kano on this route using a remarkable variety of motor vehicles some of which had to be abandoned through mechanical defects in the desert. Lack of funds and sickness have caused much hardship to such travellers.

Western Provinces

Meetings of the Western House of Assembly were held in July and December. At the July meeting the House unanimously accepted in principle five Bills, including the Nigeria Cocoa Marketing Bill and the Motor Transport Licensing Bill. A number of amendments were suggested. At the Budget Session in December five Bills and, by resolution, the Memorandum on Educational Policy in Nigeria were accepted in principle by the House. The first Western Regional Budget received a warm welcome. Throughout the proceedings there was no sign of any division into two opposing camps. All members, both official and unofficial, conceived it as their duty to work together as one team for the best interests of the Western Provinces. Criticism there was—always of a constructive nature. This was apparent both in the Budget debate and in the Select Committee on the Estimates, and useful suggestions were made. Unofficial Members particularly showed commendable initiative in introducing an unofficial motion asking Government to take measures to prevent Chieftaincy disputes going before the Supreme and Magistrates' Courts. This is a subject which is presently occupying the attention of the people of the Western Provinces and the speed with which it has found its way into the debates of the House suggests a close relationship between its members and the public. Further reference to this matter is made later in this Address.

In its first year the Western House of Assembly has made a good start and there is every prospect for a successful future. In the Western Provinces there is a general satisfaction with the new Constitution.

I am pleased to record that there has been a steady growth of Official Committees on which Africans are represented, and in some cases, are in the majority: amongst such committees are the Nigeria Cocoa Marketing Board

and its Advisory Committee (which meets in Ibadan), the Produce Inspection Advisory Committee, the Area Development Committee and the various Provincial Development Committees. This use of committees is part of Government's deliberate intention to give Africans an increasing share in the framing of policy and to encourage them to participate to a greater extent in Government now, in preparation for greater responsibilities in the future.

In the Ibadan Division, financial decentralization has placed Ibadan Town and District in some financial difficulties. These are being faced by the Native Authority and it is hoped that they will prove no more than temporary. Oyo Division has followed the lead of Ibadan and with the formation of five sub-treasuries Native Administration finance has been fully decentralized. At Ife the Oni's many preoccupations with Nigerian, as opposed to purely local interests have placed too great a burden upon him. Proposals have recently been approved to lighten that burden by the establishment of two subordinate Native Authorities, one of which will be responsible for Ife Town and Modakeke. Elsewhere similar developments are taking place; for example at Imala in the Abeokuta Province a Subordinate Native Authority with separate Treasury accounts has been set up.

Important developments have occurred in Oyo Division which for a long time has been regarded as somewhat conservative. A Divisional Council has been formed and for the first time representatives from the outlying districts, including men without titles, have become full members of the Alafin's Council. Advisory Boards have also been set up in Oyo, Iseyin and Kishi. In Oyo untitled members have been elected at public meetings and come not only from Oyo town but also from the outlying villages of Ilora, Fiditi, Awe and Akinmorin.

The recently formed Ekiti Council, now the Native Authority for Ekiti Division, is settling down to its work. Elsewhere there are signs of similar federation of small units which cannot economically stand on their own feet.

In the Agbor District of Asaba Division, for example, it is expected shortly to form the Ika Federation; nine of the eleven clans concerned have expressed their readiness to unite and establish a central Native Authority. Similar developments are under consideration in the remainder of this Division, also in the Kukuruku Division and in the Akoko District of the Owo Division. In the Western Urhobo area of the Jekri-Sobo Division the Councils are engaged in framing proposals for reorganisation. They too have decided that the time has come for the federation of small units and the establishment of a single Native Authority for the area.

This spirit of unity is perhaps most clearly seen in the development of Provincial Conferences which are attended by elected members from all the Native Authorities of a Province together with their Provincial Members of the House of Assembly. These Conferences are already in operation in the Oyo, Ondo and Benin Provinces. Discussions at these meetings help to keep Provincial Members in touch with local views and form a most valuable link between the Native Authorities and the Regional House of Assembly.

Unfortunately chieftaincy disputes continue to disturb the peace of some towns in the Yoruba Provinces. Some of these have gone to the Supreme Court and are involving the parties concerned in considerable trouble and

In implementation of the policy of Regionalisation, quarterly conference of the regional heads of regionalised departments with the Residents of the Eastern Provinces were instituted and proved of great value in improving the co-ordination of action between the various branches of Government.

"Man Leopard" murders continued in the Opofo and Abak Divisions of the Calabar Province, but there were encouraging signs, particularly after a tour of the affected area by the representatives of the Ibibio Union, of a growing determination by the people to co-operate with Government in stamping out this evil. In consequence, it became possible to reduce the number of extra police in the area from some two hundred to fifty, to repeal the Curfew Orders and to revoke the Proclamation applying the Peace Preservation Ordinance to the area.

The inauguration of Port Harcourt as a First Class Township awaits the necessary legislation. The proposals for the constitution of the Town Council were fully discussed with the people and have met with warm popular approval: they provide for the formation of a Council with an elective majority under the chairmanship of the Local Authority.

The division of the former Owerri Province into two, the Owerri Province and the Rivers Province, was effected and is proving itself fully justified.

The flat rate of tax was increased by sixpence or one shilling in most areas during the year.

The salaries and wages of Native Administration employees have been revised and the new rates were put into effect as from the 1st of October; it has been decided to pay arrears as from the 1st of January, 1946, as soon as the necessary funds can be found.

Progress on the Development programme has continued to be hampered by shortage of staff and material; the situation is improving slowly, but shortage of heavy engineering equipment in particular has prevented the implementation of many major development projects.

Hospitals have now been completed at Abakaliki and at Victoria, and work has commenced on a new hospital for Onitsha. At Aba a School for Sanitary Inspectors has been constructed, and erection of a Nurses' Training School has commenced. In the Cameroons an Epidemiological Unit has commenced work and has already achieved valuable results.

Work on Leprosy Relief has continued. A start has been made on the erection of buildings at the projected new Leper Settlement at Isoba in the Rivers Province. At Uzuakoli and Oji River Settlements work has been extended and considerable new building undertaken.

Major development in the Eastern Provinces, is, however, to be seen in the road construction programme. The Kumba-Mamfe road has been completed with the exception of one bridge, for which materials are now assembled. The Bansara-Mamfe road is now passable, and will be open to traffic by the end of March, 1948. Excellent progress has been made on the Calabar-Mamfe road, which has now reached Mile 55 from Calabar. On completion these trunk roads will provide the basis for the much needed internal road communications in the Cameroons, in addition to providing land links which do not at present exist between the Cameroons and Nigeria.

The new landing stage at Oron has now been completed, providing improved facilities for communication with Calabar, which has for long been a desideratum. Existing trunk roads have also been improved by a comprehensive tarring programme, on which the sum of £41,000 has been spent to date.

In addition to these road improvements, an extensive programme of feeder road construction has been undertaken by Native Authorities, with assistance from Colonial Development and Welfare funds, and some £75,000 will have been spent on these roads by the end of the financial year.

Work on rural water supplies has been concentrated principally in the Nsukka Division of the Onitsha Province, where considerable improvements in local supplies have been effected by the damming of springs, the improvement of catchment areas, and the construction of storage tanks. This work has recently been extended to the neighbouring Udi Division. Work has also been undertaken on a smaller scale in the Owerri and Ogoja Provinces; in this connection the over-riding factor has been the necessity to concentrate the limited staff and materials available in Nsukka and in Udi. There are signs that with the arrival of additional staff and mechanical equipment, including drilling equipment it will be possible in the near future to undertake much more comprehensive development in this direction. Work on the rehabilitation of existing wells has continued, but the results have not been entirely satisfactory.

Schemes for an improved water supply for Onitsha, and allied to them, a hydro-electric scheme for the town, are now in an advanced stage of preparation, but delays in obtaining the necessary machinery for schemes of this magnitude are such that no immediate improvements are possible. The difficulty in obtaining heavy engineering equipment throughout the year has resulted in little progress being possible on urban water supplies, electricity development, or on telecommunications development.

Three Pioneer Oil Mills are now in operation at Amuro, Azumini, and at Umuchima; a mill being erected at Ahoada is nearing completion, and will be in operation in the near future; four other mills are scheduled for erection as part of the immediate programme and a second programme for the erection of further mills is now under consideration.

Implementation of Town Planning Schemes in Port Harcourt has now commenced, with a view to alleviating the acute shortage of housing there. The Town Planning Authority for Umuahia has drawn up schemes for an improved market and for a cattle kraal. It is hoped that planning authorities to undertake improvements in Onitsha and Enugu will be set up shortly. During the course of the year solid progress has been made with the Bamenda-Cross River Calabar Resettlement Scheme; a considerable acreage has now been planted with oil palm, and the first settlers have established themselves.

Satisfactory progress has been made at the Soil Conservation centre at Agulu, and it is proposed in the near future to extend soil conservation measures based on experience gained at Agulu to other seriously affected areas in the Onitsha and Owerri Provinces.

essential preliminary to any replanning scheme, and steps have been taken to recruit the qualified staff which will be required for its operation. In addition, the Board has drawn up a schedule of work which, when put into operation, will ensure the minimum amount of dislocation while at the same time eliminating some of the worst slum areas of the city. Plans for new buildings within the township have been carefully scrutinised to ensure that they do not encroach on areas scheduled in the Plan for the development of roads, parks and other public amenities.

In the immediate vicinity of Lagos township work is in progress on the new Ikorodu arterial road, and a lay-out plan has been prepared for Apapa which will provide residential accommodation for approximately 15,000 people, with all normal amenities, provision being made also for large numbers of commercial, industrial and produce storage plots. This plan has been published, and has met with the general approval of the public, large numbers of applications for plots having been received already.

The Ikeja Town Planning Authority has functioned successfully during the year. Its attention had been centred chiefly on the prevention of ribbon development and slum elimination in the area around the township boundary, and building has been carefully controlled under existing Native Authority legislation. Provisional lay-out plans have also been prepared for the villages of Mushin, Tinubu, Ikeja, Oshodi and Agege. A considerable amount of propaganda has been carried out with a view to explaining to the people of those areas the reasons for this control and the desirability of ensuring that all future settlements are laid out on hygienic, practical and aesthetic lines. As a result, the Authorities have received a great deal of co-operation from the local inhabitants, who were at the outset inclined to be suspicious of Government's intentions.

Lagos Town Council

The Council's financial position continues to be sound, but the absorption of an increasing portion of the revenue to meet salaries and wages must cramp the progress of more productive development. The triennial elections of Councillors for the five wards of the township took place in June, all the nominated candidates being returned unopposed. Just after the election one of these candidates was convicted of a criminal offence and sentenced to imprisonment, consequently a by-election became necessary.

It is distressing to note that out of the estimated number of 15,000 persons qualified to vote in the municipal election only 1,090 took the trouble to register, and it is difficult to avoid the conclusion that interest in politics is centred in a minority of the population which does not directly bear the financial responsibility of local administration.

In pursuance of the Council's policy to appoint suitably qualified Africans to senior posts, two young men are being trained in England, respectively in Municipal Law and Municipal Accounting, while two Sanitary Inspectors have been granted scholarships for training in food inspection. The percentage of African members of the Senior Staff is already high, and in 1948-49 it is estimated that the proportion will exceed 50 per cent. In March, the Medical Officer of Health, Dr Ladipo Oluwole,

retired on attaining the age limit after twenty-three years of devoted and efficient public service. His place has been filled by Dr Ajose, who was formerly the Assistant Medical Officer of Health.

The Council is gradually accepting additional responsibilities of a municipal nature, and the latest move in this respect is the taking over of the very extensive anti-malarial drainage scheme on the outskirts of the township; this has hitherto been carried out by Government. The transfer of other services is also under consideration, and in the meantime the internal organisation of the Council has been brought to conform as closely as possible to the standards obtaining in municipal administration in England.

One of the serious problems facing the Council during the year has been that of traffic congestion in the streets of Lagos. In so far as was possible this has been relieved by the introduction of one-way traffic in the main thoroughfares, but the situation clearly shows the urgent need for the replanning of the town.

WELFARE.—The decision to adopt the main recommendations of Major Shephard's report on Social Welfare has been given practical effect by the setting up of a Social Welfare Training School, which will provide primary training to selected candidates and so hasten the day when social welfare services—the success of which depends upon the availability of trained officers—will be extended to the Protectorate.

Complementary to the Training School scheme, consideration is being given to the methods by which social welfare can be most effectively and quickly extended to the urban and rural areas of the Protectorate, and in order to make available advice on the technical aspects the services of the Colony Welfare Officer were placed at the disposal of the Chief Commissioner, Eastern Provinces.

Social welfare in Lagos Colony has been steadily consolidated, and now provides an active and well-established system for the prevention and treatment of juvenile delinquency and for the protection and care of children. Plans are also on foot to place the Approved School at Isheri on a permanent basis and to double its accommodation.

It is gratifying that, as the result of reports by an independent observer on the work being done for African seamen in Nigeria, the trustees of the Colonial Seamen's Welfare Fund have been good enough to make a grant of £600 towards the work of the African Seamen's Hostel in Lagos and the recreation room in Calabar.

DIVISIONS.—The recent augmentation of administrative staff has rendered it possible to ensure a closer contact with the people and more frequent visits to the remoter areas. In particular, action has been taken to bring under close administration the settlement of the "Ajeromi" section of the Awori Native Authority area (Badagry Division). This area has for some years been the resort of undesirables from the township of Lagos, and, owing to its inaccessibility from Badagry, together with the lack of any indigenous administrative structure it has been impossible to maintain adequately in that district law and order. This area has now been excluded from the township, and it is proposed to grant to it a separate Native Court.

A start was made in 1947 on a widespread series of demonstrations of the value of lime. It was done in co-operation with farmers on their own land as this is a necessary preliminary to the encouragement of its use. However owing to suspicion regarding the intentions of Government, many farmers who had formerly agreed, later refused to allow lime to be applied to their farms, and so the scale of demonstrations carried out was limited. A total of 13½ tons of lime, produced at Awgu was supplied free to eighty-three farmers in the Onitsha, Owerri and Calabar Provinces and applied to that part of their farms on which soil tests confirmed that lime was required. The suspicion among the people concerning Government's intentions in demonstrating the beneficial effects of lime is diminishing with propaganda and the example of the 1947 volunteers, and consequently a considerable increase in the scale of demonstration should be possible in 1948.

In view of recent developments with synthetic anti-malarial drugs and the probable future restricted scope and demand for quinine, the major experimental work on cinchona in progress at Esosong in Kumba Division of the Cameroons and at Bamenda was closed down in the latter part of the year:

The Entomological Section carried out a locust survey in March and April last year of part of the Lake Chad district of Bornu Province to establish the origin of two small swarms of locusts reported at the end of 1946. It was found that certain swamps and areas of black cotton soil were suitable breeding ground for the migratory locust. As the areas involved are small it is unlikely that any serious swarms will arise there. The anti-locust organisation has been strengthened in view of the possibility of invasion of locusts from adjacent territory. Stocks of sodium arsenite are being replaced by the new insecticide gammexane, some three and a half tons of which have already arrived.

A survey is being made of the incidence of the pink bollworm of cotton. During this survey it has been discovered that other bollworms particularly the red bollworm are probably causing even greater damage than the pink variety. It appears that the control measures in use against the pink bollworm may have to be modified to include measures against the red bollworm. On Moor Plantation experiments have been continued to investigate methods for the control of *Helopeltis*, a serious pest of cotton. Also experiments have been carried out in an attempt to obtain control of tobacco beetle. These include spraying cocoa warehouses with a solution of D.D.T. It does not seem likely that a complete control will be obtained until an insecticide can be developed which in direct admixture with the cocoa will be highly toxic to the insect but harmless to the consumer. Research work on Chrysops species at Benin has resulted in the discovery of the breeding ground of this vector of Filariasis. Attempts are now being made to devise control methods.

The Agricultural Engineer has continued to supervise conservation measures on Northern Provinces agricultural stations and has given advice to provincial development committees in respect of operations at Gyel (Bukuru), Sokoto and Kano. Major work has been confined to demonstration areas on Shika and Samaru Farms where 332 and 85 acres respectively have been protected during the year.

In the Eastern Provinces long-term cultural experiments on anti-erosion and general soil conservation and reclamation measures, were continued at the Agulu Soil Conservation Centre, as well as on departmental farms. Results at Agulu so far, confirm that contour ridging if correctly carried out and maintained, is the best method of preventing erosion on sloping farm land of this type. Of fourteen kinds of shrubs and trees tried at Agulu as ground covers and fallows, *Acacia barteri*, *Baphia nitida*, *Gmelina arborea* and Cashew proved best as regards ease of establishment. The quick growth of Cashew was remarkable, and this tree may have a future as an economic forest crop for the poor soils of Onitsha Province.

Demonstrations of mechanical cultivation were given at Samaru where costs of mechanised farming are being compared with those of hand cultivation. Delays in delivery of machinery have however temporarily held up the plans for large scale trials of mechanically drawn implements.

It has not yet been possible to recruit a trained Irrigation Engineer and apart from the survey work carried out by an officer seconded by the Public Works Department progress on irrigation projects has been negligible.

As part of the normal expansion of the activities of the department, a new Experimental Farm was established near Abakaliki in the Ogoja Province. Work on this farm during the year was of a preliminary nature, and consisted mainly of surveying, laying out, and the construction of roads and buildings, but a small amount of observational cropping and nursery work was also carried out.

At the end of September the number of mixed farmers was 4,068 an increase of 741 during the year. The greatest increase was in Kano Province where 235 new farmers were enrolled. Obstacles to rapid progress are the difficulty of obtaining ploughs, inadequate supervisory staff and the high price of suitable stock. The latter is the most serious factor, for the keeping of stock for fattening and manure production is attractive even though no ploughing may be undertaken.

Work has continued at Shika Stock Farm on the production of improved strains of milk cows and a new record lactation of 7,000 lb of milk was recorded during the year. At Ilorin farm research continues on the selection of a suitable type of animal resistant to Trypanosomiasis. There is evidence to suggest that the N'dama has a higher resistance to this disease than the Gold Coast shorthorn. The recent segregation of positive reactors to contagious abortion under austere conditions has indicated that the N'dama breed is more resistant than either the Gold Coast Shorthorn or the Kaiama breed to tick fever; generally N'dama cattle thrive better than the other breeds under adverse conditions.

The new N'dama cattle multiplication and poultry farms near Oyo were opened during the year and the former was stocked with a foundation herd of eighteen bulls and seventy-five cows especially imported from French Guinea. The intention is to provide stud bulls for the improvement of village herds and breeding stock to farmers, together with stock for investigational work by staff of the Veterinary Department. Multiplication of stock to this end will be carried on as rapidly as possible.

Some progress has been made in the control of village cattle herds in the Ondo and Benin Provinces.

In the Bamenda Division, with its promising prospects for development of cattle husbandry and mixed farming, cattle improvement work on Bambui Farm was continued in close co-operation with the Veterinary Department with the object of producing the type of animal best suited to the settled mixed farmer. Experience has shown that the best of the local breeds is the Cameroons Gudali, and it has recently been decided that both departments will concentrate on this type of cattle. An interesting development at Bambui Farm has been the gradual replacement of Fulani herdsmen by natives of the area, who are proving genuinely interested in cattle work and, with instruction, make capable herdsmen.

Piggeries of the Agricultural Department in the Northern Provinces have supplied breeding stock and pigs for local curing at the rate of about 250 head per month. An increase in production has recently been authorised.

Experiments in crossing local pigs with imported breeds have proved very successful and in the Western Provinces there is a steadily increasing demand for improved breeding stock from neighbouring pig keepers. In the Eastern Provinces where Trypanosomiasis is a serious problem pig keeping under fly-proof conditions offers promising prospects. There are however certain difficulties still to be overcome, notably the shortage of cheap protein concentrates, and until adequate supplies of such concentrates are available no large scale development can be looked for.

Sales of milk at the various departmentally controlled dairies totalled 23,000 gallons.

A census of sugar makers showed that at the end of 1946 there were 164 crushers in operation with an estimated output of 1,810 tons of brown slab sugar per annum. The demand for new mills is heavy, and fantastic offers have been made for secondhand plant. Of 164 new mills on order fifty-eight have arrived during the year. At the end of July railments from Zaria were 844 tons compared with 583 tons in the previous year.

The supply of fresh vegetables has been well maintained, railments from Kano totalling 531 tons at the end of September compared with 399 tons in 1946-47.

A poor rice season in 1946 led to reduced millings at Baro and Badeggi where the production of clean rice at the end of September of last year was only 379 tons compared with 524 tons for 1945-46. Small rice mills have been set up in the Benin, Warri, Ondo, Abeokuta, Ogoja and Onitsha Provinces. These are being operated by the department in the initial stages for testing and demonstrating but it is intended to hand them over to some form of local enterprise as soon as this can be arranged.

Good progress has been made in the provision of water supplies at the Oil Palm Research Station at Benin. The building programme is behind schedule owing to lack of materials, but it is anticipated that a number of buildings will be completed by the end of the year.

Altogether there were eighty-one students in training at the Ibadan school of Agriculture and forty-three of these, including six Gold Coast students, have completed their training. At Samaru there were forty

students and of these nine have completed their training. To remedy the shortage of Assistant Agricultural Officers a new three-year supplementary diploma course was started for giving further training to selected Agricultural Assistants of special ability. At Oyo Farm School twelve scholarships were awarded. The settlers who have been trained at the farm school in improved methods of farming have continued to make satisfactory progress.

The Daudawa Settlement Scheme continues to attract a deal of attention by reason of the greatly increased standard of living which improved methods of farming by bullock cultivation have brought to the settlers.

The department continued to assist the Bamenda-Cross River-Calabar Land Settlement Scheme on the Calabar-Oban road with staff, advice and planting material. One hundred and forty acres of oil palms, planted with improved seedlings were successfully established, and 28,000 improved oil palm seedlings were supplied and planted in nurseries for use next season.

Co-operative Societies

The year 1947 saw steady development in the Nigerian Co-operative movement, the advance being most marked in Calabar Province, where the Thrift and Credit movement expanded rapidly, and among Salary-Earners' Thrift and Loan Societies in the Northern Region. The number of societies under departmental supervision at the end of 1947 was 791, an increase of 141 over the previous year's figure.

The marketing unions of the co-operative cocoa farmers made further progress towards exporter status. In 1946-47 five unions had been classed as "A" shippers, and at the beginning of the present season two other unions were added to the membership of the Association of Nigerian Co-operative Exporters. Thus seven out of the total of twelve unions are now collectively classed as a licensed buying agent (the present equivalent of "A" shippers) and their production exceeds threequarters of the total co-operative production.

Cocoa output by the movement in 1946-47 was disappointing, tonnage falling by 510. This was largely due to a temporary breakdown of the arrangements for financing purchases. In the current season co-operative production, like that of other farmers, has been unusually low, but the societies are maintaining in a poor crop year their percentage of the total Nigerian output.

To summarise, the co-operatives produced 13,253 tons of cocoa in 1946-47 of which they exported 8,569 tons themselves. Sixty-eight per cent of the co-operative output was grade I. Societies made loans of £4,666 to members, of which ninety-three per cent were punctually recovered. Deposits by members in their societies at the 31st of March, 1947, stood at £16,061—an increase of £11,272 over the previous year. Members are thus making more use of their societies as village banks as well as marketing organisations.

The Thrift and Loan movement among salary-earners has expanded considerably, particularly in the Northern Region. In the year ending 31st of March, 1947, the total number of operating societies rose from 224 to 265 and membership from 8,717 to 10,885. Total assets increased from £154,048 to £204,671, most of which is on deposit in the post office savings bank,

At the end of 1947 there were 311 societies operating. Although the management of societies' affairs by their officers in many cases lacked thoroughness, these societies have been performing a very useful service for their members.

The Thrift and Credit movement among traders and farmers in Calabar Province made a big advance. The number of societies, now 198, has more than doubled since March, 1945, while assets at the 31st of March, 1947, were £7,308 compared with £4,110 a year before. This development has been quite spontaneous. Financial discipline and committees' control have been good. The Calabar Province Thrift and Credit Union, the nucleus of the future co-operative bank for this area, satisfactorily extended its business. At the end of the year its membership comprised seventy-eight societies and its assets were £1,077.

The embryo Consumers' Co-operative movement had a difficult year owing to the continued shortage of supplies in most lines of goods. In recent months, however, there has been some improvement and a more liberal flow of textiles and certain other commodities has enabled both urban and rural societies to satisfy their members and stabilise their own finances through the increased turnover. Only twenty-one societies in all were operating during the year. Of these, the Lagos Co-operative Provisions Shop is the largest. This society, after sustaining a serious deficit on trading in yams, has recouped its losses and enters 1948 with good prospects of success.

In the Udi area two Co-operative Maternity centres performed good service for the women of the remote villages. Other centres are in the course of formation.

In the Ondo and Benin Provinces seven co-operative schools have been the means of introducing elementary education into out-of-the-way villages. These schools have been built and equipped by capital and labour provided by members and are maintained by members' annual subscriptions as well as by parents' fees.

Craftsmen's societies operated at Ikot Ekpene (raffia products and soap-making), Benin (woodwork and shoe-making), Awka (woodwork and smithing), Awkete (weaving), Oyo (leatherwork), Kano (production of blood and bone-meal), Agege (fruit, fruit drinks and honey), and Lagos (ebony carving). All these societies have had a good year financially and have turned out a variety of articles which have been much appreciated both in Nigeria and abroad. The Ikot Ekpene Co-operative Raffia Marketing Society, in particular, had a bumper year, selling over £10,000 worth of raffia articles; most of these were disposed of in the United Kingdom. The Agege Farmers' Society has successfully emerged from last year's difficulties and besides doubling its production of fruit drinks has added the refining and export of honey to its activities. The Co-operative Crafts Shop in Lagos was successfully established and sold about £1,900 worth of the various products of the societies mentioned above.

The statutory audit of registered societies was carried out by auditors employed by the Nigeria Co-operative Federation, Limited, which as usual found difficulty both in collecting fees from the societies and in balancing

its budget. The Nigerian Co-operative Supply Association, Limited, underwent considerable expansion. Besides supplying stationery and equipment to all societies, and acting as the agent for the sale of many crafts' products, this association undertook the import and distribution of various consumers' goods—a business which is expected to expand steadily from now onwards.

Shortage of trained staff continued to handicap the department, but all things considered the year's performance has been satisfactory and its future prospects appear to be good.

Forestry

The Forest Department found no difficulty in working upon a Regional basis during the year, but in view of the necessity for a gradual devolution of responsibility a considerable volume of administrative work, which will eventually rest with the Regions, is still dealt with by the Chief Conservator's office.

The recruitment of officers for the senior service has continued to lag very far behind requirements and this factor alone prohibited the immediate development of the Forest Administration plan. The plan has nevertheless proved most useful in preventing any diffusion of effort by laying down a definite objective and a clear line of approach to its attainment, and it can be implemented step by step as officers become available.

It should be observed that this lack of officers is a great handicap to progress in Africanisation, for their tutorial functions are as important as their purely technical and administrative duties. When the establishment of the officer staff is not up to strength the remaining hard pressed members have to devote most of their attention to day-to-day routine and cannot spend the time they should on the selection and training of men for higher posts.

In spite of this the department was ready by the end of 1947 to enter the final stage of training Africans for appointment to the senior service. The creation of the rank of Assistant Regional Forest Officer, filled by promotion from Forest Supervisor or Forest Assistant, Grade I, and forecast in Lord Milverton's last printed Address to this Council, completes the machinery for the selection of potential Forest Officers from the technical grades. Both the Chief Conservator and I place the greatest stress upon the careful selection of men of proved character and ability both to control their fellows and to manage forests in the field, rather than upon the possession of mere academic qualifications which are only a first requirement.

Two posts of the rank of Assistant Regional Forest Officer were filled on the 1st of April, 1947, and it is now hoped that the two officers appointed to them will be sent to the Imperial Forestry Institute at Oxford in October, this year, for a twelve months special course, with a view to considering them, provided they obtain satisfactory reports, for appointment as Assistant Conservators in the Nigerian Forest Service. In addition to this purely departmental source of officer recruits, it is intended to draw in the future upon the new University College for the professional training of selected graduates in Natural Science.

A Forest Assistant, Grade I, who has been specially trained in the subject, has been recommended for a scholarship to read an honours degree in botany at Oxford University, with a view to considering him for appointment as a Botanist or Silviculturist in the senior service.

During the past twelve months the Ibadan Forest School has been expanded. The new buildings, of wood with shingle roofs, have been found very satisfactory as well as pleasing in appearance. The course which ended in December, 1947, commenced with forty students; five resigned, one was invalided, one was dismissed and twenty-five passed the final examination. Of the remaining eight, seven will be given a further opportunity of sitting the examination. A special advanced course for selected Forest Assistants, Grades II and III, was completed in June, 1947, and all five men passed. Four have already been promoted to Forest Assistant, Grade I and the other will be promoted in the coming year. Thirty-five students, including two from Sierra Leone, commenced the 1948 course in January. A higher proportion of students from the Northern Provinces would be welcome.

The Northern Region was the chief sufferer, during the year, from lack of officer staff, and this is the more regrettable because the administration there, including the Native Authorities, is keenly alive to the necessity for forest management and is willing to give every help to the department. However as existing commitments cannot be abandoned to initiate new projects patience must be exercised until the staff situation improves. The Northern woodlands, with their strong coppice growth, are not so vulnerable to man's action as are the high forests of the South, and although forest development is sadly in arrears in the North, no irreparable damage is being caused to the natural timber resources. The lost time can be made good in the future.

One development cannot be passed over without comment. The erection and working of a sawmill by a private timber worker, in the fringing forest of Jema'a, is a pioneer venture which has called for the greatest resource and hard work by him. It brings the Northern Provinces for the first time on to the department's records of production of mill-sawn timber and, it is hoped, will encourage other ventures of a similar nature. The working of the forest which serves the mill is under strict forestry control for a sustained yield.

Machinery was obtained, after long delays, for the working of the savannah woodland in the Anara Reserve, Zaria Province, for small dimensioned timber. The machinery, a simple tractor-driven sawbench and trailer, is now being erected and the coming year will show whether this important experimental development, financed by the Development Board through the Zaria Native Administration, can be expanded. The working of this woodland will be controlled by areas for a sustained yield, with coppice regeneration.

The Fuel Supply Scheme south of the Jos Plateau, to which Lord Milverton referred in his Address last year, has not been as successful as was hoped. In spite of the acute shortage of firewood on the Plateau it has been found that the market for fuel at competitive prices, which are at the

same time economic for a long haul, is limited. Nevertheless it is believed that the scheme has had a considerable controlling effect on market prices and its possibilities will be further examined.

The Western Region is well advanced from a forestry point of view. Reservation is nearing completion, as far as now seems practically possible, although it does not approach the theoretical ideal in extent. Also the control of forests has proved to be profitable. The valuable Benin forests are under planned management and the regeneration operations, under a tropical shelterwood system, now covers close on ninety square miles. It is perhaps not sufficiently realised that the imposition of this planned management in Benin has limited felling during the next twenty-five years to one quarter only of the area over which rights had originally been granted. This could not have been brought about without the co-operation of, and skilful intensification of, exploitation work by important firms. If all the regeneration operations were to fail (but every indication points to the contrary) Benin would still have 75 per cent of its forests intact when present commitments expire. Without this planned control it would have had none.

Such close working, quite new in the heavy forests of Africa, calls for the highest degree of technical skill backed by scientific research and large capital in the extracting agencies. The development of ancillary timber industries based on the large scale and highly technical production of the raw material in bulk would seem to be the most profitable future for this area, so suited for the growth of the finest forests in Nigeria.

The development of forest management and controlled working in Benin was slower than had been expected and it was not possible to make progress in the same direction in the Ondo and Ijebu-Ode Provinces, as had been hoped when Lord Milverton made his Budget Address twelve months ago.

The advantages of concentrated working have been amply demonstrated in Ibadan Division where the working by the Native Administration of the Mamu group of reserves and certain small plantations, totalling no more than forty-three square miles, under strict control for a sustained yield, produced a surplus of £3,139, or £418 more than all the general revenue fellings over the 4,765 square miles of the unreserved lands of the Ibadan Division. Such Native Administration working is of course only possible on a small scale and where the timber is used only for local consumption. It could not be attempted in the large export timber forests where overseas contacts are essential.

The Eastern Region continues to give cause for anxiety. It must be acknowledged that a balanced distribution of forest reserves is impossible in this Region. The heavily populated areas cannot spare the land for forests and there is no choice but to rely upon the large areas of forest reserve grouped in the remote, sparsely populated and hilly eastern part of the Region. In spite of the removal of the Forestry Regulations from the Owerri and Rivers Provinces, expenditure remains high and cannot be balanced by revenue until there is considerable development of forest management. The problems confronting the department in this Region are large and most complicated. If they are to be solved no reduction of expenditure can be foreseen in the immediate future but it is believed that a way has been opened

Kano Province. Work has also been commenced at Jakiri in the Cameroons, where a veterinary farm and training centre already exist, in the building of a livestock improvement centre and a site for a similar project has been selected in Katsina Province.

Good progress has been made in the mapping of some of the major cattle trade routes and much valuable information has been gained of the extent of fly-belts encountered by stock *en route* to southern markets.

The trade in the export of hides and skins is flourishing and reports by both shippers and tanners on the quality and preparation are very favourable.

It is not yet possible to give the 1947-48 total value of hide and skin exports but it is estimated that it will be in the region of three million pounds sterling, approximately twice the value of any previous years' export. It is interesting to record that one of the largest shippers stated his overall figures showed a general increase during very recent years of the average weights of hides, this being due, in his opinion, to a steady improvement in stock management methods and the control or elimination of stock diseases.

The slaughter stock trade continues to increase in numbers and value, and undoubtedly, the householders of the central and southern belts owe much to the stock raisers of the north. It is a pity that the excessive number of middlemen, through whose hands the stock passes on its long trek southwards, results, in the end, in prohibitive prices being charged for meat, so preventing the poorer classes of the community from obtaining a meat meal except on a special occasion. It is hoped that the organization of trade routes, which is being attempted at present, will help by improving the conditions under which stock travel and reducing overheads, to bring the price of meat nearer to the pockets of all classes.

On the whole it can be asserted that the year's work has given very satisfactory results although, as already pointed out, more could have been achieved on long term policy work had adequate staff and equipment been available.

The reduction in the cattle population of the Plateau, through the implementation of the Cattle Control Order, and an increasing local demand for butter and fats, have created difficulties as regards the maintenance of supplies of Vom butter, cheese and other dairy produce.

It was decided early in the year that butter production should take precedence over cheese making, and in consequence there was a fall in the output of cheese from 80,000 lb in 1946 to 47,000 lb in 1947.

Butter production has increased by 5,000 lb over last year's figures and there has been an increase of 6,000 lb in clarified butter fat production.

The output of bacon, pork and other products of the bacon factory was down compared with last year. This was due to a shortage of pigs suitable for slaughter.

The figures for production during 1947 were as follows :—

	Pounds Weight	Value		
		£	s	d
Butter	211,000	16,259	0	0
Cheese	47,000	3,154	10	0
C.B.F.	46,000	3,018	15	0
Bacon	72,684½	6,243	14	0
Pork, fresh	6,118¾	367	12	0
Pickled pork	4,610½	134	8	6
Sausages	6,047	320	19	1
Lard	2,339¼	116	0	1½
Cash sales offal	—	198	5	3½
		£29,813 4 0		

It has been agreed that the Food Production Scheme will be taken over by the Department of Commerce and Industries on the 1st of April, 1948, when it will be operated by them on a commercial basis.

The pig production scheme will not be taken over by this department; it will remain in the hands of the Veterinary Department until further notice.

The production of pigs for pork and bacon-processing by African growers is steadily increasing and every assistance will be given, whenever possible, to encourage this movement.

The erection of a bacon factory either by Government or by private enterprise is still under discussion.

The laboratory produced the following vaccines during 1947.

	doses
Blackquarter vaccine	1,449,100
Pleuro-pneumonia vaccine (cattle)	192,300
Pleuro-pneumonia vaccine (goat)	16,200
Anthrax spore vaccine	405,300
Haemorrhagic septicaemia vaccine	14,040
Rinderpest (goat virus) vaccine	233,500
Fowl cholera vaccine	6,850
Fowl typhoid vaccine	6,750
Fowl pox vaccine	9,000
Contagious abortion (S. 19) vaccine	3,950
Total output	2,336,990

The problem of immunising the highly susceptible cattle of the middle belt against rinderpest has not yet been solved. Further tests using goat virus vaccine in conjunction with anti-rinderpest serum have been necessary. For this purpose 18,600 doses of anti-rinderpest serum were produced during the year.

The existence of contagious abortion, on Government farms in particular, continues to cause grave concern and active steps are being taken to deal with the problem. Diagnostic tests were carried out on over a thousand animals from different parts of the country and the incidence of the disease has risen to over twenty-five per cent. In view of this the test slaughter policy of control has been revised and a more general use of the vaccination method of control has been adopted.

Experiments in the treatment of trypanosomiasis in cattle with the new phenanthridinum compounds were continued during the year. Further confirmatory evidence of the photosensitization effect of these drugs was forthcoming and additional work will be necessary before such drugs can be recommended for general field use. There is evidence that the reduction of the standard dose has led to the production of drug-fast strains of trypanosomes, and this contingency must be avoided if possible.

Experiments have been carried out to show the effect of trypanosome infection on the normal levels of some of the principal mineral constituents and haemoglobin of the blood of cattle.

The Government of Nigeria assumed full responsibility for the maintenance of the veterinary school at Vom on the 1st April, 1947.

The three remaining vacancies for Veterinary Education Officers were filled during the year. This removed the greatest obstacle towards steady progress which the school has had to face in recent years.

Twenty-nine students were in attendance on the 1st of January, 1947, and forty-seven at the end of the year. Three qualified and six resigned. The graduation of the first two African Assistant Veterinary Officers was an event of note during the year and will remain a landmark in the history of veterinary education in Nigeria.

Commerce and Industries

The activities of the Department of Commerce and Industries fall into two main categories :—

- (1) marketing of export produce, and
- (2) development of local industries and internal trade.

Since the inception of the department in February, 1946, much has been achieved, but the work of the department has been seriously hampered by difficulties of staff recruitment.

EXPORT PRODUCE.—The Department of Commerce and Industries has been responsible for the operation of the control schemes governing the main export crops, *i.e.*, cocoa, groundnuts, palm kernels, palm oil and benniseed. These schemes have been continued in accordance with Government's policy and retain in the interest of the producers the advantages of stable prices and orderly marketing. At the same time considerable modifications have been introduced as part of the adaptation of these schemes from war-time to normal conditions.

Of these changes, the most important has been the establishment of the Nigeria Cocoa Marketing Board, which assumed responsibility for all Nigerian cocoa from the commencement of the 1947-48 season. The Department of Commerce and Industries is acting as the executive agent of the Board.

In addition, buying agents under the control schemes are no longer limited to those individuals or firms who were exporting in pre-war years. The minimum conditions which a buying agent is required to fulfil have been fully publicised. The basic requirement is the ability to purchase .25 per cent (*i.e.*, 1/400th) of a normal total crop — the minimum considered compatible with orderly marketing. A number of applications have been received and investigated by the department and in appropriate cases new buying agents have been admitted into the control schemes.

Total purchases of groundnuts for export during the 1946-47 season amounted to 322,699 tons — the second highest crop on record. Of this total, 304,609 tons came from the Kano area and 18,090 tons from the River area. In the Kano area the basic price at railway line buying stations during the 1946-47 season was fixed at £16 per ton, whilst prices in the River area were fixed on a zone basis, the average price being £15 per ton. These prices have remained unchanged for the 1947-48 groundnut season for which crop prospects were considered to be good.

Owing to its reduced carrying capacity, the railway was only able to move to port some 213,000 tons of the 1946-47 Kano area crop, leaving a balance of approximately 92,000 tons unraild at the opening of the new season. This abnormal position created a considerable storage problem which has been met by the provision of tarpaulins on a large scale to cover groundnuts stacked in pyramids in the open as a temporary storage measure.

The prices paid for palm produce under the export control schemes were increased by 50 per cent on the 14th of February, 1947. In the case of palm kernels this meant an increase from £11 2s 6d to £16 15s in the basic port price, whilst the basic price for Grade I palm oil rose from £17 to £25 10s per ton. As a result of these price increases, subsidies previously paid to maintain minimum prices at up-country buying stations were eliminated. Purchases for the export of palm kernels and palm oil during 1947 have totalled approximately 319,367 tons and 154,469 tons respectively as compared with 306,363 and 121,892 tons in 1946.

The flat minimum buying price for benniseed at all buying stations was increased from £7 per ton to £15 per ton on the 28th of March, 1947. During the six months immediately following this price increase, purchases totalled 5,957 tons as compared with a total of only 4,442 tons purchased during 1946.

The main 1946-47 cocoa crop in the western area at 102,000 tons was higher than normal, but the light crop, which produced 6,000 tons, was less than in 1946. During the 1946-47 season, no distinction was made between the main crop and light crop season in the western area but differentiation was solely according to whether the cocoa was of standard weight or light weight. The basic prices operative during the 1946-47 season were £50 per ton for Grade I and £47 10s for Grade II main crop (standard weight). Grade I accounted for approximately 23 per cent of the total purchases.

In the western area there was an abnormal degree of infestation of the 1946-47 main crop cocoa by tobacco beetle *lasioderma serricornis*. Special measures were taken to evacuate infested stocks to port as rapidly as possible

where they were separately stored and shipped under special arrangements. In all some 15,000 tons, mostly from Ondo Province, were dealt with in this way. Despite these difficulties, the bulk of the main crop was shipped before the end of June, 1947.

On the recommendation of the Nigeria Cocoa Marketing Board and in agreement with the Gold Coast authorities, a new grading classification system was introduced for the 1947-48 season. Under this Grade I remained unchanged and three new grades (II, III and IV) were substituted for the former Grade II. The basic port prices payable under the Nigeria Cocoa Marketing Board's control scheme for the 1947-48 crop were as follows :—

		<i>Per ton naked ex-scale port of shipment</i>	
		£	s
Grade I	.. ..	62	10
Grade II	.. ..	60	0
Grade III	.. ..	57	0
Grade IV	.. ..	47	10

for standard weight (main crop) cocoa. It will be observed that the price for the lowest grade is the same as that paid in 1946-47 for Grade II cocoa. The substantial premia now offered for the higher grades coupled with the introduction of the new intermediate grades will, it is hoped, provide the necessary incentive to the farmer to improve the quality of Nigerian cocoa—a matter of great importance and urgency if Nigeria is to attain and hold a proper place in the world's cocoa market of the future. The result of marketing in the first two months of the present cocoa season showed that these hopes were being realised. During this period, over 60 per cent of the total tonnage purchased was in Grades I and II.

During the year 1947, it was found necessary to retain many of the controls applied during the war years to those commodities which were not subject to international control. The destructive effects of unregulated marketing during the transition period will be readily appreciated and serves as a complete justification for the retention of controls.

In the past twelve months it has been found possible to widen the scope of Open General Licence to include two important export commodities, *i.e.*, goat and sheep skins, tanned and untanned. A free market was established on the 24th July as notified by Public Notice No. 158 of 1947. Nigerian skins enjoy a world reputation and the full effect of the removal of restrictions should be clearly discernible in 1948.

Owing to the abnormally light rains during the 1946 logging season, and the consequent difficulties of evacuating logs, it was found necessary in the interest of domestic supply to impose certain restrictions on the export of timber from Western Provinces ports. In order to qualify for shipments to destinations within the United Kingdom, exporters were required to surrender certificates showing that deliveries had also been made to the Public Works Department, Ijora. Specific licences were issued on the basis of these certificates. It was not found possible to relax these restrictions during the year but it must be emphasised that these limitations are of a temporary

nature only and will be relaxed as soon as is expedient. As a result of the economic crisis in the United Kingdom, the Board of Trade in September suspended the establishment of contracts for timber pending the determination of its purchasing policy. Information has been received, however, that purchases will be resumed at the earliest possible moment. Shipments to the United Kingdom against existing contracts were unaffected and exports to the United States of America continue as hitherto.

The steady and wholly unanticipated decline in world rubber prices during the year following the re-opening of the London Rubber Exchange on the 1st January, 1947, confronted producers generally with a serious problem. Material relief was afforded, however, by the abolition of the Customs export duty of 2d per pound as from the 14th of August. Quotations on the London Exchange have recently shown a marked upward trend and the proposed limitation in the use of synthetic rubber should do much to improve the prospect of further appreciation in world prices.

As in the previous year, the British Cotton Growers Association was the sole buyer of Nigerian cotton for export to the Board of Trade. The response to the call for increased production was on the whole satisfactory, but owing to the presence of insect disease and unfavourable weather conditions, the total crop reached only 32,000 bales as against 37,500 bales in 1946. Prices payable at ginnery were increased for the 1947-48 season for 1st Grade Northern Allen cotton from 2.7d per pound to 3d per pound. This figure was also applicable to 1st Grade Ishan cotton. It is hoped that this increase in price will result in an increased tonnage of a higher quality cotton.

Export of capsicums to the United States of America was suspended as a result of a decision by the Pure Food and Drug Administration to prohibit the entry of capsicums containing any degree of insect infestation. As the 1946-47 Nigerian crop was infested to some degree no licences to export to the United States of America were granted. An investigation to find alternative markets is proceeding, the result of which it is hoped will have ensured adequate markets for the 1947-48 crop.

Owing to the critical shortage of caustic soda it was found necessary to reduce exports of soap manufactured in Nigeria to the British West African colonies and to prohibit exports to other destinations.

Locally woven cloth was removed from the prohibited list of commodities for export early in 1947. At present the export trade is concerned mainly with the other British West African colonies but the cloth is gradually gaining wider recognition.

The export prohibition on all imported goods and over almost the entire range of local foodstuffs remained effective during the year. Imported goods are admitted to Nigeria to satisfy a domestic demand and in consequence measures to protect local consumers had to be imposed. The production of local foodstuffs has not yet reached the stage where any surplus is available for export. Until such time as this is achieved no export of these commodities can be permitted.

The publication of Open General Licence (Export) No. 9 further increased Nigerian trade facilities by the delegation of powers to the Residents, Calabar, Cameroons and Rivers Provinces to authorise petty trade with Fernando Po. A noteworthy feature of this order is the exemption of traders from the complex procedure of exchange control as this trade is based entirely on a barter system.

Exports to all destinations outside the sterling area remained subject to the provisions of Defence (Finance) Regulations, whereby exporters are required to repatriate the proceeds resulting from these exports.

LOCAL INDUSTRIES AND QUASI COMMERCIAL ACTIVITIES.—Pioneer oil mills for the extraction of palm oil are operated by the Department of Commerce and Industries on behalf of the Nigeria Local Development Board. Owing to machinery supply difficulties, it has not been possible to bring mills into production as soon as was anticipated. At present four mills are in operation at the following stations :—

(1) Amuro (2) Azumini (3) Umuchima (4) Ahoada.

Five additional sites have also been selected and construction work is proceeding satisfactorily. Production figures from the Amuro and Azumini mills show the following encouraging results :—

Amuro 241 tons of oil produced from 1,192 tons of fruit milled.

Azumini 45 tons of oil produced from 244 tons of fruit milled.

The production periods respectively were the 11th October, 1946, to the 31st December, 1947, and the 29th April, 1947, to the 31st December, 1947.

Tests on the relative efficiency of the mills as against hand presses show the following results :—

Mill extraction : Percentage of fruit milled .. 20.65 per cent.

Hand press extraction : Percentage of fruit milled .. 14.67 per cent.

The most encouraging feature of mill oil production is the low FFA content which to date stands at 4.45 per cent with impurity and moisture content well below Produce Inspection specifications. In the light of one year's experience of the operation of the mills it can be definitely stated that the enterprise can be a commercial success in spite of the fact that the initial operation period of three months can show no profit. When the natural suspicion in the local population of a new process has been dispersed, many of the initial difficulties of fruit supply disappear. It is now generally accepted in those areas where mills have been established that the enterprise will prove of great benefit to the local people, due to the fact that producers are assured of a steady market for their fruit at maximum prices.

Nigeria as a whole benefits through the increased production of oil and kernels and the better quality of the oil as represented by the low FFA content as well as the low impurity and moisture content. Furthermore, the sale of fruit to the mill ensures that all the palm kernels produced are available for export. With hand methods of extraction nuts are often neglected and wasted.

In accordance with the provisions of the Ten-year Development Plan, the department has begun work on the development of the native textile industry. It is proposed to set up eight centres situated in areas where the enterprise can be readily absorbed into the local economic structure. At the moment two textile centres at Ado Ekiti and Oyo are already in operation, one is in process of construction at Auchi, and a site has been chosen for a centre at Minjibir near Kano. The delay in the establishment of the other centres has been due to the serious difficulties of obtaining staff. Results to date have proved most gratifying both from the point of view of cloth produced and response from the local population. Considerable numbers of trainees have already received instruction and returned to their villages where their efforts are directed to the improvement of the local craft. A scheme is at present under consideration whereby spinning wheels and looms will be constructed in the textile centres and distributed to trainees. It is hoped that this scheme will do much to improve further the quality of locally produced cloth. During the recent visit of two members of the Empire Cotton Growing Corporation, it was suggested that it might be of distinct advantage to establish a small spinning factory to provide yarn for the local textile industries and the establishment of such a factory is receiving careful consideration. Local methods of ginning and spinning are extremely wasteful of labour and the wide distribution of cotton seed is liable to spread disease. It is preferable for all seed cotton to be ginned at a central ginnery where the seed can be properly treated.

A survey of the tanning industry in Nigeria was begun in August, 1946, by an officer seconded for the purpose from the hides and skins inspection branch of the Veterinary Department. The principal objects of the survey were to investigate materials used by Nigerian tanners with a view to their improvement, and with a view to the reorganisation of the industry as a whole. The survey has now been completed and the recommendations of the Tanning Officer are being considered.

The arrival of a Fibre Officer in December, 1947, has made possible the investigation of a variety of fibres which had been previously submitted for examination from all areas in Nigeria. On completion of his preliminary tests, this officer will make a survey similar to that for the tanning industry.

On the 1st April, 1948, the department will take over the whole of the activities of the Dairy Production Scheme in the Northern Provinces, and the distribution of the products is already supervised by the department. Meanwhile the expansion of the scheme throughout the Northern Provinces is under active consideration. Supplies of equipment are on indent for the expansion of butter and C.B.F. production and experiments are proceeding for canning these products to assist in their better distribution.

The accounting for the Enugu Pit Sawn Timber Scheme was undertaken as from the 1st October, 1947. The full management will be taken over when the Timber Marketing Officer arrives. The expansion of the scheme is under consideration.

The management of Ikoyi Government Rest House and Restaurant was taken over on the 1st April, 1947. The Rest House provides accommodation for seventy people for whom normal hotel facilities are available, and the

the growth of cichlid perches as well as grey mullets. Results to date from experiments with both ponds and the fish farm have not been conclusive, but much valuable information has been obtained and will prove of considerable benefit when the services of a Fish Farmer are available and the work can be extended. It must again be emphasised that lack of staff is one of the main factors limiting the present experimental work.

Records have been maintained of landings at Igbo and Mekwen beaches, and Five Cowrie Creek over a period. These records will provide information on the fishing gear and seasonal catches—data which is essential to a proper understanding of the effects of native fishing methods on fish stocks.

At the invitation of this Government, Dr E. Trewavas of the Fisheries Section, British Museum, visited Nigeria from January to March, 1947, and at Lagos made an extensive collection of various locally important fish. In a preliminary report, Dr Trewavas stated that immediate results of increases in the fish population, or in revenue, arising from fishing, should not be expected. It was emphasised that so little was known of the natural economy of Nigerian waters at present that there was little basis on which to advise either fishermen or Government. In conclusion, it was considered that the emphasis of development should be focussed on research and liaison between fishermen and Government. Dr Trewavas's final report is not yet available.

The development of a number of industries subsidiary to fishing has also received attention. Work has been carried out on the following:—

- (1) utilisation of oyster shells for lime and poultry grit ;
- (2) utilisation of swim-bladders for isinglass ;
- (3) utilisation of mangrove bark for textile dyes and net preservatives ;
- (4) utilisation of fish livers for vitamin extraction.

Numerous members of the public have inspected the work at the experimental station at Onikan and much information and assistance has been given in reply to frequent private and commercial inquiries.

Customs and Excise

Increased importations of both capital and consumer goods are reflected in a most satisfactory return of import duty revenue. Collections during the period April to November, 1947 showed that they exceeded all previous returns on record for a similar period, as well as showing an increase exceeding £1,250,000 over this period of 1946, which was itself a record year.

Although specific duties provide the major portion of the revenue derived from import duties, it has nevertheless been apparent that increasing world prices have resulted in proportionately greater collections from the range of articles subject to *ad valorem* duties.

There are unconfirmed reports of overstocking of a few imported commodities, but a steady demand continues for such important items as cotton piece goods, wearing apparel, bicycles, motor vehicles and all building materials.

Revenue from exports has been disappointing and shows a decrease on both the previous year and the estimates. This short-fall cannot be entirely attributed to the deletion of rubber from the export duty schedule during

August, 1947, as the failure to evacuate large tonnages of produce, particularly groundnuts, during the period under review has also been responsible to a major degree. It is hoped that returns will show an improvement before the close of the financial year.

At the end of November export duties showed a decrease on the proportionate estimate of over £230,000.

Excise duty is at present collected only in respect of manufactured cigarettes from which over one million pounds duty per annum is collected at small cost to Government. Returns for the financial year to the end of November reveal a slight short-fall on the rather ambitious estimate, but nevertheless there has been an increase of nearly £100,000 above the collections during a similar period of 1946.

The British American Tobacco Company are about to carry out a considerable extension of their factory premises, and state that when completed, a substantial increase in production with a proportionately larger return of excise revenue should result.

Plans for the erection of the first brewery in Nigeria are in an advanced stage and although no date can yet be given when brewing will commence, revenue from this source may be anticipated in future years. If a good quality beer is brewed and marketed at a reasonable price there is no reason why duty lost on account of decreased imports of beer should not be more than compensated for by the increased consumption of excise-paid beer.

The newly appointed Tariff Advisory Committee held its first meeting during November, 1947, under the chairmanship of the Acting Financial Secretary. It proved to be a most helpful and co-operative body and although for obvious reasons rates of duty were not discussed unless the existing rates created anomalies, many tariff difficulties were ironed out and suggested new items drafted. Recommendations made by the committee are being submitted to Government.

A conference of Comptrollers of Customs of British West Africa was held in Lagos during June, 1947, under the chairmanship of the Comptroller of Customs and Excise, Nigeria (Mr W. T. Martin, E.D.) with terms of reference to examine and make recommendations for the unification of customs legislation and procedure in the four territories. Considerable progress was made and a report was submitted to all the Governments concerned.

LAGOS PORT.—The siting and the layout of the landing station of the port of Lagos, surrounded as it is by buildings and main thoroughfares, gives little scope for improvements on anything but a modest scale, and Apapa must be looked upon as the main landing station of the future. Certain improvements to Lagos port have however been, or are being, carried out. These include the extension of one of the transit sheds, the alignment of the fencing of the Customs area, the removal of temporary and unsightly structures, some of which have resulted in the much improved appearance of the Custom House from the town.

ability to give efficient service, and those who cannot be considered, for various reasons, as professional teachers. For want of a better term, graduate teachers, trained and certificated teachers, and a selected number of uncertificated teachers have been referred to as "national grade" teachers. Grants have been made to voluntary agencies to ensure that these too will be paid on the salaries recommended by the Salaries Revision Committee. In the case of "non-national grade" teachers the grant is such that the voluntary agencies or local committees have to find a part of the increased expenditure involved in the salary revision.

The Higher College, Yaba, with its students, staff and equipment, has moved to Ibadan where it will become the nucleus of the new University College. Since the war broke out, the Higher College has led a nomadic life. Students and staff, although regretting, as is natural, the break with their original home at Yaba, have accepted loyally their latest translation; they go to new surroundings and a new tradition. The good wishes of the Education Department, which will cease to have responsibility for them, go with them.

The development plan for technical education has been proceeding steadily. The Technical Institute, Yaba, commenced operations in October last. Eighty-eight trainees are in attendance at day continuation apprentice courses for mechanics and carpenters, while 114 students have joined the evening preparatory technical courses. At the Trade Centre, Yaba, the training of apprentices for the wood trades has commenced, and provision made for twenty carpenters, twenty cabinet makers and fifteen wood machinists. The apprentices will first study the fundamentals of the crafts and later be drafted to actual production work.

The Trade Centre, Kaduna, has been in operation since 1946. Here the training of apprentice carpenters and mechanics is proceeding satisfactorily and arrangements are being made to add at the earliest practicable date bricklaying, cabinet making and wood machinists' training.

The training of ex-servicemen continues at the Trade Training School, Enugu, which opened in February, 1947, and has in operation courses for about 200 men—vehicle fitters, general fitters, carpenters, masons and electricians. The school has to date completed a six month's intensive practical course for 142 ex-servicemen.

The general building programme of the Technical Education Ten-year Plan is proceeding as satisfactorily as can be expected in the present difficult supply situation. At Yaba, workshops, staff quarters, apprentices' hostels and an apprentices' canteen are in course of erection; at Kaduna, a mechanical engineering shop and staff quarters are being built.

The development plan for general education has also made some progress. The buildings formerly occupied by the American Air Force at Kano have been adapted as a girls' training centre and this was opened in July with eighty-six girls from various provinces of the Northern Region. Plans for the building of the women's training centre at Enugu are in an advanced stage; if building can be begun shortly, it may be possible to admit the first batch of students in 1949. Small extensions to the Government colleges at Ibadan and Umuahia have made it possible to accept a larger number of entrants. Plans for the extension of Uyo Elementary Training Centre have

been made and the work put in hand. The new buildings for Kaduna College, at Zaria, are still in the course of erection after delays due to lack of material for the reinforcement of two storey buildings. Lack of building material has hampered the general progress of the development scheme; at Toro Elementary Training Centre the experiment is to be tried of using a larger proportion of local materials for construction purposes.

During the year the plans of voluntary agencies financed from Colonial Development and Welfare schemes have made great strides towards completion; a large number of schemes have been submitted to, and approved by, Regional Development Committees. The sum of £123,900 was disbursed in 1947-48 towards the cost of erecting secondary schools and teacher training centres, and building operations have commenced in several cases.

The general expansion of primary education has continued. New schools have been opened in all areas, and the number of boys now at school in the Western and Eastern Provinces reaches a high percentage of the population of school age. Attention has been directed to the relatively backward condition of primary education in the Northern Provinces, and a thorough revision and overhaul of the existing system is to be undertaken. The first and most necessary step will be an immediate expansion of facilities for training teachers.

The demand for girls' education at all levels is increasing in all regions, but there is still much leeway to make up. During the year two women officers have been posted in "backward" areas, one to Bamenda in the Cameroons Province and one to Plateau Province, with the special duty of exploring the best approach to women in these rural communities. A woman officer will be posted to Southern Benue in 1948. Progress in establishing more domestic science centres has been held up owing to a lack of suitably qualified teachers, a need which will be supplied when the new Womens' Training Centre at Enugu is functioning. The Domestic Science Centre at Lagos has been entirely rebuilt and will be able to cater for much larger numbers of school girls and, later on, for school-leavers and adult women.

Mass education campaigns are now in progress in ten rural areas and in one of the Cameroons plantations. The areas are:—

Northern Region — Zuru, Abuja, Kankiya, Misau, Jecira (Tiv).

Western „ — Ekiti, Ilaro.

Eastern „ — Eket, Ngwa, Udi.

Three more campaigns are about to be started. In each of these areas, comprising about 80,000 people, nearly every village has an adult education centre run and organised by a village committee. It can therefore be stated that in these prescribed areas the total population of nearly a million people now have the opportunity of learning to read and write in the vernacular; or at least, the facilities are there and it is for them to make the effort. Registers show that a total of about 15,000 attend classes with a turnover which indicates that about 50,000 individuals attend during the course of a year. It is the opinion of those on the spot that these campaigns are having the effect of making the people more progressive-minded and prepared to undertake activities for social improvement. These campaigns have been supported by

Surveys and mass treatments of human trypanosomiasis have now been made, eight of these were in the Northern and two were in the Eastern Provinces. Low infection rates were found in the following three areas, Katsina, Bauchi and Benue Provinces ; these regions had not been previously examined. Also, field research on the improvement and treatment on the bionomics of the riverine tsetse was continued. Considerable development has been made in the Katsina Province in order to carry out surveys and encourage the acceptance of the necessary treatment of human trypanosomiasis now that extra staff has been drafted into that area in order to foster such work. A cursory entomological survey of the Cameroons was made and the incidence of filaria and malaria was found to be surprisingly high.

The department gave much consideration to the question of nutrition and malnutrition during the year and surveys were made in the Bida area. The medical field units operating in the Benue and Cameroons Provinces devoted much attention to this problem.

The treatment of mental diseases has at last come under the care of specially trained officers. The small mental hospital at Lantoro, near Abeokuta, has been reorganised and satisfactory progress has been made in the treatment of mental patients. The Alienist has visited many prisons in the country in order to assess the types of mental patients incarcerated in such institutions. Plans are now in preparation for building a large mental hospital at Abeokuta.

The Colonial Research Committee at the Colonial Office has interested itself in West African research problems and has already put into effect certain measures to reorganise the research work being done at Yaba. A Director has been appointed to establish a West African Trypanosomiasis Research Institute at Kaduna in co-operation with the Medical and Veterinary Departments.

During the past twelve months the department worked in close co-operation with the medical Missions in order to combine the activities of both organisations.

Seven students were sent to England for post-graduate training in medicine and for training in general nursing and the nursing of mental diseases. It is hoped that these students on their return to Nigeria will be available to work in rural areas, particularly in connection with rural health centres and medical field units.

Although the building programme has not been kept up to schedule owing to the shortage of supervisory staff and materials, the hospital at Victoria has been completed and considerable progress made in the building of the new hospital at Abakaliki. The extension to the Akure hospital is also making satisfactory progress and temporary extensions have been made to the General Hospital, Enugu, to accommodate a further sixty patients and provide facilities for housing an X-Ray plant.

Work in the hospitals continues to multiply in many areas, particularly in those on the motor roads owing to the increase in the number of accidents, and consequently there is a general and increasing demand for hospital accommo-

dation. However, it should be borne in mind that more and more attention must be given to rural health centres, as both medical and adequate hospital facilities and efficient health services are essential if the people of Nigeria are to develop fully the agricultural wealth of the country.

Chemistry

The continued shortage of staff and equipment hampered development and severely restricted both the inspection and supervision of water supplies and expansion at the three sub-laboratories. One of the two vacancies for qualified chemists for work solely in connection with the examination and supervision of water supplies has at last been filled. The newly appointed officer is expected to arrive shortly and will take charge of the mobile laboratory which has now been completed.

Plans are ready for the building of improved and better equipped provincial laboratories at Ibadan, Kaduna and Enugu which will replace the present small temporary sub-laboratories at Ibadan, Kaduna and Port Harcourt. It is hoped that the building of these will commence shortly.

The total number of samples and exhibits examined during the year was 6,126, compared with 7,603 in 1946 and 4,516 in 1945. Of these 2,600 samples were examined by the three provincial branch laboratories. The samples and exhibits examined were classified as follows :—

Customs	310
Medical and Health	288
Health (bacteriological)	507
Public Works and Health :—	
Water samples : Bacteriological	3,828
Chemical	62
Police and Administrative (criminal cases)	536
Government Electricity Undertakings	24
Railway	8
Miscellaneous	563
	<hr/>
Total	6,126
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The work of the department during the past twelve months has been similar to that of previous years. Investigations and analyses were carried out and advice given to Government departments, army supply services and to a lesser extent to firms and private individuals.

CUSTOMS.—A wide range of samples were examined for assessment of duty or classification. These included 139 wines, spirits and essences, for alcoholic content ; forty-seven medicinal or toilet preparations for determination of alcohol, or for conformity with British pharmacopoeia or British pharmacopoeia codex standards ; methylated spirits and plastic beads for inflammability ; also dry cleaning fluids, detergents, disinfectants, twine, textiles and insecticides were examined. Seventy-five tralles alcoholometers used by Customs officers were checked for accuracy and a number were condemned.

CRIMINAL INVESTIGATION.—Exhibits consisting of garments, clubs, matchets, arrows and daggers were examined for blood and seminal stains. Owing to ever-increasing requests for the grouping of bloodstains, this work was handed over on the 1st of April, 1947, to the Pathologist, General Hospital, Lagos.

Poisons detected in viscera or in connection with cases of alleged poisoning were arsenic, organic arsenicals, bismuth, sobita, strophanthin arrow poison, oxalic acid, sassy-bark, caustic soda, sulphapyridine, oil of chenopodium, spigeria anthelmia and copper and potassium cyanides. A large number of drugs were identified in connection with contraventions of the Poisons and Pharmacy Ordinance. Various local herbal remedies reputed to be abortifacients or poisons were examined and usually found to be comparatively harmless. Over 150 samples of illicit gin were received representing a considerable increase over the previous two years. Possession of Indian Hemp was proved in seven cases involving thirty-four exhibits.

A number of gold, gilded or suspected gold articles were assayed in five cases of contraventions of the Goldsmiths Ordinance.

Other cases involving adulteration, larceny, suspected arson, forgery, counterfeiting, sales of terne-plate utensils, drugs and medicines were investigated.

A metal canister washed up on the beach was found to contain slabs of gun cotton, probably from old army stocks dumped at sea.

WATER.—Daily bacteriological examinations of water supplies at Lagos, Ibadan, Kaduna and Port Harcourt gave very satisfactory results throughout the year. Less frequent tests on Kano, Zaria, Jos, Aba, Enugu and Barakin-Ladi indicated satisfactory operation. Chemical and bacteriological analyses were carried out on other existing and projected supplies and on railway coach water tanks and filters. Analyses were carried out and advice given in connection with steam raising in power stations and locomotives.

Investigations were also carried out for the medical authorities on portable water sterilisers.

PUBLIC HEALTH.—Regular examinations of table waters of local manufacture were continued. Samples received fell below satisfactory standards in a number of cases and the manufacturers were warned accordingly.

Canned goods, flour, bread, gari, local fruit and other drinks were examined and in many cases found unfit for consumption and condemned. Milk from the two Lagos dairies was tested regularly and was found satisfactory throughout the year.

Various drugs and medicines were checked for conformity with prescription. An easy identification test for terne-plate, applicable by a layman, was devised, in order to aid the health authorities in their campaign to prevent the use of terne-plate for domestic utensils.

MISCELLANEOUS.—Various unclassified samples, received from almost every Government department, included chemicals for water treatment, engine oils and greases, sand for filtration and concrete mixing, clays for tile making, chemicals, mineral salt deposits, soil, soaps, coal, briquettes, local kaolin, boiler scale and steel.

Advice was given to commercial firms and individuals on boiler and feed water, lubricating and illuminating oils, petrol, damage by sea and fresh water, oil content of soya beans, tiger, palm and awusa-nuts, tinned goods, charcoal, wood, sludge from tanks, cigarettes, spirits, beer, palm-wine, local white pepper and honey, and on various corrosion problems.

The Nigerian Railway

The revised estimates of Railway revenue and expenditure for 1947-48 show that the revenue may amount to £4,823,265 as compared with the approved estimate of £4,467,980, and that expenditure, which includes a contribution of £430,000 to the renewals fund and £150,000 on account of depreciation of investments, will be £4,798,396 instead of £4,352,580 ; it is impossible to budget for appreciation or depreciation of investments the value of which is calculated at the mean market price on the 31st of March and it will be observed that these investments appreciated by £251,800 during the previous three years and are still worth more than their purchase price.

The estimated amount available for appropriation will be £24,869, and it is proposed, subject to the approval of the Secretary of State, to allocate this amount to the Railway Reserve Fund.

The increase in expenditure can be attributed almost entirely to the extra wages and salaries paid out following the implementation of the Harragin and Miller reports, and to further rises in the cost of fuel and materials.

The increase in revenue has been made possible by the delivery of fourteen Canadian locomotives and by an increase in the freight rates on groundnuts, palm kernels and palm oil which were imposed in advance of the general revision of rates.

As for the prospects for 1948-49 the General Manager's draft estimates forecast a total revenue of £5,693,720 and an expenditure of £5,473,180. Compared with the revised estimates for 1947-48, these estimates show an increase of approximately £870,455 in revenue and £674,784 in expenditure.

In his budget address to this Council in March last year Lord Milverton stated that a comprehensive review and revision of the Railway Tariff would be undertaken as soon as possible. Mr A. J. F. Bunning, C.M.G., was appointed Commissioner for Railway Rates Revision on the 1st July last, and upon his report, which received my approval, has been based the new Railway Tariff which comes into operation on the 1st April. This will produce additional revenue amounting to approximately £400,000, which represents an overall rates' increase of less than 10 per cent, a very modest figure in terms of increases in wage rates and fuel and materials. The balance of the increased revenue is attributable to a more optimistic view being taken of the Railway's carrying capacity ; this is based on the expectation of the early delivery of twenty new main line locomotives and fifty coal hopper wagons from the United Kingdom which should help the Railway to move an additional 188,000 tons during the forthcoming year.

The reclamation vessel *Lady Thomson*, has been fully employed in pumping spoil from the *Lady Bourdillon* on to the swamp area between Victoria Beach and Five Cowrie Creek. During the year 2,345,110 tons of spoil were distributed over the northern part of this area.

To combat the erosion of Victoria Beach, the three experimental batteries, each consisting of three stone mound groynes, were extended as far seaward as was practicable, which was approximately 190 feet from high water to below the low water mark. In their construction, it was found necessary to increase the size of stone up to the maximum that could be handled, and even so rough seas broke down the formation at the seaward end; later the seas breached behind the landward end. In spite of this, the stone that remained had a beneficial effect on the beach, as although the high water line moved landwards, particularly locally where the roots of the groynes were breached, the low water line has remained reasonably static and the formation of "lows" along the foreshore was partially checked.

Another indication of improvement was that the high water line on the western side of each battery of groynes was retained seaward of that on the eastern side.

In the month of June, construction of a spur running from the East Mole in an easterly direction, at a point between high and low water was started, and this was extended to a distance of about 150 feet. The immediate effect of this has been a building up of the beach directly behind it, but it is possible that in rough weather, the exact opposite effect may occur and that the spur itself will become out-flanked and be difficult to maintain. The question of realignment in a north-easterly direction is at present under consideration. It has been decided to have a scale model made at the Delft Hydraulics Laboratory where a number of experiments can be made very quickly, covering many different types of protection works. It is hoped that by this means, an effective defence system may be arrived at, without having to expend large sums on full scale experimental works, which can only be tested over a considerable number of years.

During the past twelve months, the erosion has varied from 10 feet near the East Mole to 50 feet about two and a half miles to the eastward. From there, the erosion decreased to 16 feet over the next mile and a half, until at four miles east of the mole, there was accretion of an average depth of 27 feet. Beyond this, there was slight erosion.

With the arrival of more marine officers and the secondment of two development officers, it has been possible to carry out more waterway clearing than in previous years.

Two parties have been working continuously on the dredging and clearing of the Opopo-Eket Creek and the Sheba Bank. It has also been possible to complete a large clearing programme in the Calabar Division, including the Cross River and all the main tributaries.

The Lagos-Forcados-Port Harcourt launch route, Yewa, Ogun, Sagbama and Oni Creeks have been cleared and work still continues on the clearing of Omu Creek.

The Marine dockyards have been employed to full capacity on repairs and new construction, with the exception of Victoria dockyard which has been completely closed, as it was considered uneconomical to retain it any longer. Repairs to Marine craft based on Victoria are now carried out at Calabar.

Although some of the plant at Forcados has been transferred to Lokoja to increase the facilities at the latter, Forcados has been employed to the limit of its present capabilities. The activities at Lokoja have of course, increased in consequence.

Owing to the continued shortage of supervisory dockyard staff, the output of work has not been altogether satisfactory.

During the year, one touring launch the *Woodcock*, was completed and put into commission. Another touring launch, the *Heron*, and a passenger ferry for Onitsha are awaiting engines, and a third touring launch and two diesel barges are under construction. The firefloat launched early in 1947, should be ready for trials shortly.

Five nesting barges which were sent from the United Kingdom in sections and the small tug *Bee*, all now in service transporting railway sleepers from Okitipupa, were assembled and fitted out at Apapa dockyard.

The construction of smaller craft, such as poling barges is being undertaken at out-station dockyards.

No completed new craft arrived from the United Kingdom during the year.

Apart from the cutting of Omu Creek canal together with preliminary work on the Opopo-Eket-Stubbs Creek route and the opening of certain inland waterways, it has not yet proved possible, owing to the non-delivery of craft and plant, to make much progress on the other projects which had been planned. It is hoped that by the time the craft and plant arrive, the staff position will have improved sufficiently, to allow full use to be made of them without delay.

Public Works

In spite of the difficulties caused by shortage of staff and materials the year has been one of steady if unspectacular progress. In particular inability to obtain, or delays in delivery of, some essential materials have slowed up the completion of many buildings and in some cases caused a complete stoppage of work.

New construction under Public Works Extraordinary is expected to reach, if not exceed £750,000, a figure higher than was anticipated when the establishment of the Department was fixed. This is not entirely due to the increased volume of work, but is partly explained by rising costs of materials and labour. Important works completed under the extraordinary programme include the Secretariat extension at Lagos, Victoria hospital and numerous senior and junior service housing schemes and office buildings. Noteworthy amongst buildings still under construction is the Lugard Memorial Hall at Kaduna, the foundation stone for which was laid by Lord Milverton at the end of June, 1947. It had been hoped that the hall would be ready for this

Session of Legislative Council, but the non-arrival of certain essential materials, especially steel, has deferred completion till 1948-49. For similar reasons the new Secretariat buildings at Kaduna have not progressed as rapidly as was expected. Other big building works started during the year include the Regional Council Chamber, Enugu, the Police Training Centre at Ikeja, Public Works Headquarters extension, new headquarters for the Posts and Telegraphs Department, Lagos, and printing works at Enugu. Numerous medical buildings, post offices and housing schemes are also in hand and the new Provincial Centre at Umuahia is in the course of development.

The expansion of air traffic has led to considerable activity in building construction and acceleration of airfield improvements. At Ikeja a new town has been planned and is in course of development. Many buildings and quarters are now being erected to house or serve the needs of the numerous staff both senior and junior who must live in close proximity to the airfield. As for the airfields themselves, the extensions at Tiko and elsewhere are making good progress. A new apron and hangars have been constructed at Ikeja, and during 1948 it is planned to provide a permanent bituminous surface to No. 2 runway. Radio facilities are being provided at all airfields used by the internal air service.

Turning to the development programme, an expenditure of some £1,700,000 was provided for in the 1947-48 Estimates, but it is not expected that much more than £600,000 will be expended. The biggest share of this expenditure is in the Northern Provinces, where it is about equal to that of the Eastern and Western Provinces, combined.

The best progress which has been made in the department has been on road work. The Shagamu-Asha-Ibadan road is nearly complete, the Calabar-Mamfe and Bansara-Ikom-Mamfe roads are both forging ahead and it is hoped the latter will soon be usable for light motor transport to the Cameroons. The first bridges, including one 120-foot span, have been completed on the Lagos-Ikorodu road, but there is heavy constructional work ahead. There is also progress to record on the Kano Eastern, Yola-Wukari and other roads in the programme.

The most important building projects in hand under the development programme are trade schools at Yaba and Kaduna and the improvement and extension of the American Air Force buildings which have been taken over by the Education Department for use as a Women's Training Centre at Kano, the Technical Institute, Yaba, the secondary school at Zaria, the Agricultural School at Samaru and the hospital at Onitsha. There has been some delay in starting the educational establishments at Enugu owing chiefly to difficulties over sites. Progress is also being maintained on leprosy control and oil palm research buildings in the Eastern and Western Provinces.

Urban water supply schemes at Minna, Warri and Lagos are not yet complete but progress is being made in so far as staff and materials permit. A start has been made at Sokoto. The rural water supply organisation has now been fully transferred to the Public Works Department, but it continues to work under the advice and with the assistance of the Director of Geological Survey and his staff. With the arrival of drilling gear and plant in increasing

quantities it has been possible to start drilling for water on a serious scale mainly in the Northern Provinces but shortage of expert drilling staff is a handicap to rapid progress. Drilling on a large scale by contract in selected areas is under active consideration.

Mention must be made of the new University College at Ibadan. The Principal and some of the staff have been appointed. The architects selected to design and prepare the plan for the layout and buildings have been appointed. Meanwhile the buildings of the 56th General Hospital at Ibadan have been converted for temporary use as classrooms, laboratories, hostels and quarters, while other staff quarters of a permanent type are being built in Ibadan under contract.

No account of construction with which the Public Works Department is concerned is complete without mention of the numerous works being built by the Native Administrations. Of these, for which the department is responsible both for design and supervision, the most noteworthy is the new Kano Mosque which is now at an advanced stage.

Equal in importance to the actual works of construction are the provision of plant and motor vehicles and the erection and equipment of the workshops to deal with maintenance and overhaul. Good progress has been made generally in these directions. The Lagos and Regional workshops are approaching completion and the necessary equipment is beginning to arrive. Some of the provincial workshops are in hand and it is hoped to deal with all of them in due course. It is unnecessary to stress the importance of this work as well as that of providing Regional and Provincial wood-working shops. They are all necessary for the smooth and efficient progress of constructional work.

The volume and importance of routine maintenance is sometimes overlooked. It is unspectacular and often uninteresting, nevertheless it is the first responsibility of a Public Works Department. In the present financial year the total estimated cost of Public Works Recurrent amounts to some £1,100,000 of which £800,000 approximately is in respect of actual works, some of which are revenue-earning, and the balance for services such as supply of electricity to public buildings, unallocated stores, manufacturing accounts, etc. Most of this expenditure cannot be reduced and in fact must inevitably increase as development proceeds. Roads especially, form an important part of the commercial life-line of the country and their maintenance and gradual improvement to carry increased traffic, is as important as extensions to the road system. Due to heavy and abnormal rains in parts of Nigeria there was some deterioration of road surfaces, but every effort is being made to make this good. A considerable mileage of bituminous surfacing has been put in hand under both Extraordinary and Development heads of expenditure and it is proposed to continue with this work as fast as possible.

It is disappointing that shortages of staff and materials are ever recurring themes in any account of Public Works departmental activities, but they are facts that have to be faced. The position as regards building staff of the inspectorate grade is not too unsatisfactory, but the failure to recruit experienced engineers for the supervisory staff who are equally essential

The production of gold has been limited during the year to some degree as a result of the high price of tin, partly owing to a number of small operators granting options over their holdings to the large, adequately capitalised mining companies so that their areas could be scientifically prospected by fully qualified mining engineers and geologists and partly to the policy of granting large areas under Special Exclusive Prospecting Licences for gold to such companies. London and African Mining Trust, Ltd., a member of the same London mining group as the companies interested in the lead-zinc areas, took up approximately two thousand square miles. Amalgamated Tin Mines of Nigeria, Ltd. took up some two hundred square miles. An associated company of the same London mining group, London Nigerian Mines, Ltd., has applied for an additional two thousand square miles. Copies of all data, plans and aerial photographs of Special Exclusive Prospecting Licences are supplied to the Chief Inspector of Mines and the Director of Geological Survey, so that a valuable permanent record is obtained.

The Cameroons Mining Corporation, Ltd. was conceived in 1947 for the purpose of carrying out mineral prospecting operations in the Cameroons. The Government of Nigeria and London Tin Corporation, Ltd. are equally interested in the financing of the new Corporation which has a capital of £60,000. The chairman and half the directors will be appointed by the Government and the other half by the London Tin Corporation, Ltd. Preliminary aerial reconnaissance has commenced already and it is hoped the legal formalities will be completed shortly.

Geological Survey

There has been little improvement in the staff position of this department during the year, the numbers remaining at fifty per cent of the establishment. It has not always been possible, therefore, to provide geologists to meet the increasing demands for geological investigations. Dr C. Raeburn assumed duty as Director of Colonial Geological Surveys in July last year.

Considerable attention has been given during the year to the examination and mapping of the black coals of the Enugu escarpment and of the lignites in the Benin and Onitsha Provinces. This work, still in progress, is being done in co-operation with a team of technicians from the Powell Duffryn Research Services Limited. Many coal and lignite samples have been collected for analysis in the Powell Duffryn Laboratory in London.

The re-mapping of the Plateau tinfields continues and is making good progress. The mapping of the Oyo goldfield has continued and interim reports on the results there and on the tinfield are being published. The services of the Mining Geologist, who is stationed at Jos, have been much in request for day-to-day work on mineralogical problems concerning tin, columbite, lead-zinc and gold. The chemical and petrological laboratory maintained by the department has been fully employed on economic examinations of rocks and minerals.

Although no longer responsible for the construction of rural water supply works, prospecting for water occupies much of the department's time. Work of this kind has been carried out in Bornu, Katsina, Kontagora,

Bauchi and Kano Provinces. Special water investigations were made in connection with the scheme for increased groundnut production.

Colliery

The Colliery's output for 1947 was 581,528 tons which was a decrease of 56,713 tons on the previous year. The output during the first ten months of the year was very adversely affected by the shortage of railway rolling stock which became progressively worse throughout the year owing to the gradual deterioration of existing rolling stock and the slow delivery of new wagons. In November and December the colliery labour, having worked well throughout the year, adopted a "go slow" policy as a protest against what were considered to be inequalities in the new rates of pay under the Miller Report; with the assistance of a Conciliator this question was eventually settled. The "go slow" policy during November and December resulted in an estimated loss of 35,000 tons.

The retirement of the Chief Underground Manager and the Colliery Engineer, and several resignations of recently appointed senior service officers have resulted in a number of vacancies in the senior service staff, but it is hoped that these will soon be filled.

Owing to geological disturbances in the vicinity of the Iva mine the output during the year was reduced to 600 tons per day but this reduction in output at the Iva mine has been compensated by an increase in the output of Obwetti mine which is now capable, on demand, of producing an output of 1,800 to 2,000 tons per day. The construction of the coal storage bunkers with their ancillary equipment has been held up by delays in the delivery of equipment from the United Kingdom but these bunkers should be in full operation before the end of 1948.

The new Valley Road Housing Scheme was completed and the houses occupied during the year. The temporary camp which was built in 1946 has almost been replaced. There are still, however, a number of workmen living in temporary quarters and it is hoped to begin work on the new Hill Top Housing Scheme during the year in order to provide accommodation for these and other workmen.

The mechanisation of the mine, particularly on the coal face, has been retarded owing to the delay in the delivery of equipment ordered from the United Kingdom, but this material is now beginning to arrive and it is hoped that sufficient will be received during 1948 to allow for the complete mechanisation of one underground unit which should be capable of producing 600 tons of coal per day when the labour operating this equipment becomes more skilled in its use. Arcwall coalcutters and electric drilling equipment have arrived and are now in use. The Colliery Manager reports that a number of workmen have shown remarkable skill and aptitude in operating this machinery.

It is hoped that deep core boring equipment together with a trained operator will arrive in Nigeria early in 1948, and it should then be possible to assess the measures necessary for the extension of the Colliery immediately in advance of the present workings.

In the Eastern Provinces the following important surveys were carried out. Acquisition for water supply and aerodrome extension, Calabar; Uwani layout, Enugu; new site for Ahoada Government station; additional plots in Creek road extension layout and Government Reservation area, Port Harcourt; extension to Leper Settlement, Uzuakoli; Railway siding plots, Omoba; and pioneer oil mills, Azumini. A number of smaller surveys were also carried out.

Among surveys in the Western Provinces the following may be mentioned. In Abeokuta Province the radio distribution station at Abeokuta, and the Western Preventive Service headquarters at Idiroko. In Ijebu Province the radio diffusion centre at Ijebu-Ode. In Oyo Province the land for the weaving institute at Oyo, and the detail survey of the site for the University College at Ibadan. In Warri Province a new layout in the Government residential area, Sapele.

Among the surveys carried out in the Colony were the layout of three blocks in the new Government residential area at Ikeja; new layout of Jinadu Village, Ikoyi; residential plots at Yaba; acquisition for the extension of railway yard, Ebute Metta; revision of two eighty-eight feet sheets at Ikoyi; Military hospital site at Igbobi; and electric sub-station at Agege.

In the Lagos drawing office the following represents the principal work undertaken :—

- Air route map of Nigeria, 1 : 1,000,000.
- Abeokuta town plan, 1 : 12,500.
- Ikoyi 1 : 4,800—revised.
- 131 title deed tracings.
- 199 title deed drawings
- 261 tracings for Land Registry.
- 1,639 prints coloured.
- Small scale map of the world.
- New map of Nigeria 1 : 3,000,000 (in hand).
- 6 sheets Oyo town plan 200 feet to 1 inch (revision in hand).
- Maps of Cameroons 1 : 1,000,000 and 1 : 2,000,000 revised.
- 142 miscellaneous small jobs.

Owing to the serious paper shortage only one new map was reproduced during the year. The map referred to is the Air Facilities Map of Nigeria, scale 1/1,000,000, comprising four sheets. One hundred copies in six colours were printed for the Director of Public Works.

Two hundred and twenty-two requisitions by other departments for small quantities of prints were dealt with.

The total output of the section was :—

Number of printing jobs	..	..	..	..	436
Plates prepared	..	..	..	..	1,062
Finished printed copies	..	..	..	..	88,157
Impressions	..	..	..	..	93,295
Flat mountings	..	..	..	..	769
Pocket mountings	..	..	..	..	250
Sunprints	..	..	..	..	1,753

Arrangements were made for the transfer of the Survey School from Oyo to the University College at Ibadan in January, 1948. The school will enter fully into the ordinary life of the college and will share teaching facilities with it. From this interim arrangement it is hoped that a full university degree course suitable for intending surveyors will emerge.

Provision has recently been made for twenty Government Survey Studentships, and the survey course for this class is due to start at the University College in January, 1948.

Two survey students who had already taken the first two years of the diploma course at the Yaba Higher College recently completed their second year at the Oyo Survey School and have successfully passed their survey diploma examinations. Five other students from the Higher College have now completed their first year at the survey school.

A new class of fourteen students from Native Administrations in the Northern Provinces and Cameroons started a course in elementary survey work at Kano in May, 1947. Two of the students on the previous year's course were retained for a further month's instruction.

The continued and increasing shortage of surveyors in the senior service gives cause for growing anxiety. Since the end of the war only two probationers have been recruited, but on the other hand the department has lost six of its most experienced officers. The number of senior service surveyors now available to the department comprises only half the normal establishment, whereas survey requirements have increased beyond measure. The shortage of surveyors is not confined to Nigeria, but undoubtedly West Africa has suffered more severely in this respect than other parts of the Colonial empire, where such staffing difficulties are gradually being overcome. The long-term solution of this problem is of course the Africanisation of the department.

Labour

The difficulties of recruiting adequate staff have again militated against the efficient administration of the Labour Department, even though reductions were made in the original staff framework. There are still more than twelve posts remaining unfilled in the senior service and this, though preventing the filling of a number of duty posts and retarding the regionalisation of the department, has nevertheless allowed a measure of breathing space to the senior officers whose duty it is to ensure adequate training of the new officers.

It is more satisfactory to note that three African Assistants have been promoted to the senior service during the year and that they are showing themselves worthy of the responsibilities which have devolved upon them. The training of Assistant Labour Officers is proceeding satisfactorily. With these difficulties in recruitment it has not been found possible to establish a factory inspection section of the department. Efforts are still being made to recruit a Senior Factory Inspector from the United Kingdom or elsewhere, and in anticipation of an appointment of this nature, draft legislation has been prepared.

The Secretary of State for the Colonies is at present arranging with the Ministry of Labour and National Service a suitable course of training for Assistant Labour Officers who may in future be sent to the United Kingdom for a further course of training; this will replace the social science course which was arranged previously. The new course is designed to give the Labour Officers of the future, in addition to their theoretical training in the London School of Economics, a practical knowledge of labour problems by attaching them to various sections of the Ministry of Labour and National Service, where they will have direct experience of a highly organised labour machine.

LABOUR ADVISORY BOARDS.—The activities of the Labour Advisory Board for Lagos and Colony during the year under review were mostly centred on the inquiry into stevedore and dock labour. The main problem facing the Board was not so much that of laying down a minimum wage as that of controlling the present allocation of labour so as to guarantee full monthly employment to workers in the industry. The recommendations of the Board, covering all aspects of wages, conditions of employment, and control of labour at the docks, have now been framed and submitted to Government for consideration.

The Orders-in-Council Nos. 25 and 26 of 1946 fixing the minimum wages and conditions of employment of industrial workers on the rubber plantations came into force on the 1st of January, 1947, but their implementation has been suspended for some time pending further inquiries.

Further inquiry into the minimum wage rates obtaining in the tailoring trade was also completed by the Board. The existing rates which were laid down by the Order-in-Council which came into force on the 1st of April, 1945, are now, in view of the increased cost of living, considered by the Board to be too low, and new recommendations have been submitted to the Governor in Council.

The need for fixing a minimum wage in the motor industry has been engaging the attention of the Board, and recommendations covering drivers, garage hands and apprentices have been submitted to the Governor in Council.

The Board has also commenced inquiries into the rates of wages and the conditions of employment of all persons employed in the retail and ancillary trades within the area of Lagos and the Colony.

Consequent upon the appointment of a new chairman, the Plateau Minesfield Labour Advisory Board has resumed its inquiry into the rates of wages and conditions of employment of unskilled labourers and task workers on the Plateau Minesfield. The inquiry has been completed, and recommendations submitted.

The revision of draft regulations covering the establishment and control of labour camps in labour health areas in the Northern Provinces was completed and submitted to Government for consideration. An inspection carried out in the area disclosed an urgent need for more rigid control of these camps in the matter of lay-out, health and sanitary arrangements, and the provision of facilities for medical and hospital treatment for the workers.

INDUSTRIAL RELATIONS.—Further steps have been taken to implement the Fair Wages Clause in Government contracts. After consultation with contractors in Lagos, increases were recorded in the daily pay of building trade labour and of railway labour employed on contract.

The Secretary of State has approved the adoption of the majority of the recommendations made in the report of the Salaries Commission under the chairmanship of Sir Walter Harragin, C.M.G. The new terms and conditions of service were made retrospective to the 1st of January, 1946.

As the Harragin Commission Report did not cover the unestablished and daily paid staff, a committee was appointed by Government to conduct an inquiry with the following terms of reference: "to report on the necessity for the consolidation of wages and cost of living allowances of unestablished and daily paid Government employees and to make any recommendations that are considered desirable". The committee recommended, among other things, the division of unestablished and daily paid staff into three main categories: general labour, special labour, and skilled artisans, and of the country into six geographical areas for wages purposes. Consolidated wages and increments were recommended for each category with retrospective effect from the 1st of January, 1946. The recommendations of this committee were accepted by Government.

Complaints and petitions from trade unions continued as in the previous year. In a number of cases trade union leaders disregarded existing machinery for negotiation and called out their men on strike at very short notice which precluded any inquiry into their members' demands. Unconstitutional methods of this kind do considerable damage to the understanding that should exist between the two sides in industry and, as a general rule, do more harm than good. There are signs that the unions are beginning to realise this. Twenty-five industrial disputes resulting in strike action and involving a total of 20,626 men occurred during the year. Twenty-one of these disputes were due to demands for better working conditions, three to alleged victimisation of union members, and one to non-payment of wages. The longest strike lasted nineteen days.

The most noticeable of these disputes were those connected with the U.A.C. employees at Burutu, the Posts and Telegraphs linemen and wiremen, the employees of the Plateau tin mines, and the workers on the Cameroons plantations.

About 1,500 employees of the U.A.C. at Burutu ceased work for one hour on the 26th of April as a demonstration against delay in increasing their wages following the report of the Harragin Commission on the rates for established Government staff. On the 28th of April there was another demonstration lasting two hours. The management informed the workers that any time lost in demonstration would not be paid for. On the 9th of June, the workers gave seven days' notice of their intention to go on strike unless their demands were granted. A strike was eventually called on the 16th of June. All efforts to get the men back to work failed.

On the 19th of June, it was conveyed to the strikers that unless they resumed work, they would be regarded as no longer in the Company's employment. They refused to return to work and demanded the payment

of wages due to them and repatriation to their homes within seven days. The employers agreed, but there were difficulties in effecting early payment since the Company's clerks were also on strike. On the 21st of June, a disturbance broke out and the police had to intervene for the purpose of maintaining law and order. Two workmen were wounded. When the strikers still refused to return to work an appreciable number of them were held by the Company to have broken their contracts of employment. They were paid their wages and repatriated to their homes. At a later date a number of the men who had been on strike were re-engaged on new contracts.

One hundred and twenty-three Posts and Telegraphs linemen and wiremen in Lagos struck on the 14th of July. They demanded a higher classification under the Harragin and Unestablished Staff Reports. All efforts to persuade them to return to work failed. On the 15th of July, they were informed that unless they returned to work before 10 a.m. that day, they would be regarded as having voluntarily terminated their contracts of employment. They refused to return to work at the stated time and Government therefore regarded them as having terminated their appointments. The strikers, finding shock tactics unsuccessful, reapplied for their jobs and those found suitable among them were re-engaged.

Two trade disputes in the tin mines affecting a total of 10,200 workers, were the result of demands for improved conditions of service and retrospective payment of cost of living allowance. Through the intervention of the Labour Department the strikers resumed work pending a final settlement. After continued negotiations agreement was reached and a memorandum of such agreement was signed by the parties to the dispute.

Plantation workers to the number of 1,606 at Ekona and Molyko Plantations in the Cameroons went on strike on the 10th of October as a result of non-payment of arrears due under the new salary scales. The men demanded immediate payment. When assured payment would be made on the 17th and 18th of October, the strikers went back to work in groups from the 14th to the 17th.

Other disputes which did not involve stoppages of work were settled by the intervention of Labour Officers or by the normal process of conciliation through the Labour Department.

A new step has been taken in labour-management relationship by Government establishments. Joint negotiating committees have been set up in many departments. These make it possible for departmental officers and their staff to discuss problems and matters affecting the efficiency and smooth running of the department.

Resulting from unrest among casual labourers engaged on loading and unloading of ships along the Northern River ports for commercial firms, a survey of labour conditions in the river areas of the Adamawa, Benue, Kabba, Niger and Ilorin Provinces was carried out. A similar inquiry is now being undertaken in respect of the timber industry in the Western Provinces.

General dissatisfaction in the Government Colliery, at Enugu, over the basis of conversion under the new wage scales, grew into a major dispute on the 3rd of November. After considerable procrastination, some of which

was occasioned by the unorganized and unrecognized state of the Colliery Workers' Union which had no machinery for the discussion of grievances with the management, a Trades Union Officer was sent to Enugu to assist in the re-organization of the union into a state in which it would be possible for constructive meetings with the Colliery Manager to be held. After progress by the Trades Union Officer, the Senior Labour Officer was appointed conciliator and satisfactory interim agreements were negotiated.

OUTSTATIONS.—With the opening of a Labour Office at Buea in the Cameroons at the beginning of the year, the number of outstation offices of the department was increased to seven. The main function of this new office is the supervision generally of labour conditions in the Cameroons and particularly in the former German-owned plantations recently acquired by the Cameroons Development Corporation. A labour force of about 16,000 is employed on these plantations in the production of bananas, rubber, palm oil, dried bananas, tea and pepper. In addition to these duties, the Labour Officer-in-Charge supervises the work of the Calabar and Enugu Labour Offices each of which is under an Assistant Labour Officer.

The position in regard to the other offices is as follows :—

LAGOS.—The activities of this office consisted of settling industrial disputes and visits of inspection to industrial establishments. The office gave assistance in the drawing up of a total of four industrial agreements during the year and also visited forty-nine cases of industrial accidents in the General Hospital, Lagos, in order to advise on their claims under the Workmen's Compensation Ordinance.

JOS.—By the middle of the year a Labour Officer was posted to take over the duties of the Jos office which hitherto had been performed by the Resettlement Officer, Jos. The office continued to supervise the conditions of labour in the minesfield.

CALABAR.—This office under an Assistant Labour Officer, continued to supervise the recruitment of labour for the Spanish territories of the Gulf of Guinea. It is also engaged in other activities such as the settling of labour disputes and the inspection of industrial establishments as well as the handling of resettlement matters in the area.

During the past year, this office dealt with the recruitment of a total of 2,781 labourers and the repatriation of 1,565 others who had completed their contracts in Fernando Po and had returned to Nigeria. These figures represent a decrease of 32 per cent in the case of those recruited and 3 per cent in the case of repatriates, over the figures for the previous twelve months. The estates of deceased labourers handled by the office during the year were valued at £350 2s 4d.

BENIN.—The officer-in-charge dealt with the application of Orders-in-Council Nos. 25 and 26 and the general supervision of labour conditions in Benin Province. Warri and Ondo Provinces were later in the year included in the area covered by the office. 367 complaints of non-payment of wages, alleged illegal termination of appointment and other minor complaints were dealt with. Attention was given to the settlement of certain major industrial disputes which occurred in the Benin and Warri Provinces during the year.

A total number of 415 interviews was held with employers and employees and wages amounting to £834 19s 2d were recovered with the assistance of the Labour Office. In addition, visits of inspection were paid to rubber plantations and timber concessions and through the co-operation of employers certain improvements in the housing and general conditions of service of workers were effected.

FERNANDO PO.—The British Labour Officer at Fernando Po serves in the dual role of British Vice-Consul and Labour Officer.

There have been improvements in the housing conditions, feeding, and general treatment of Nigerian labour serving in the Spanish territories and an increase of fifteen and twenty pesetas has been granted in the wages of agricultural and sylvicultural labour respectively. Towards the end of the year food supplies became scarce and the question of a temporary cession of recruitment of labour is under consideration.

LABOUR SUPPLY AND REGISTRATION.—During the year the field of registration has again been extended by the opening of the Registration Office in Sapele for the registration and control of labour in Sapele and adjoining areas, and, the School Leavers' Registry at Enugu, to receive and consider applications for employment in Government service.

The opening of the proposed Registration Office at Jos for the control of labour on the minesfield had to be deferred owing to difficulties of construction. The buildings are now in hand and completion should be effected at an early date.

There has been a marked decrease in the number of persons registered in Lagos and Colony during the year owing to the restrictions which have been placed on the registration of workers in order to prevent over-crowding in the town by the influx of people from the provinces seeking work, and in order to control the registration and employment of workers in the labour market. The "live" register on the 31st of December contained 3,796 names as against 5,024 on the 31st of December, 1946.

With the opening of yet another Juvenile Employment Exchange at Sapele, juvenile employment becomes gradually more easily controlled. Juveniles in the areas where exchanges now operate have less incentive to leave their own district. They gain confidence in their local exchanges which can give them individual attention.

The usual interviews of school leavers were carried out in the Eastern and Western Provinces and the Colony with a view to placing such young men in the type of employment best suited to their abilities.

Testing of employed, unemployed and ex-service tradesmen continued during the year. The Nigerian Railway and the Public Works Department continued to provide facilities for carrying out trade tests. Approximately 936 persons have been tested, with passes in Classes II and III. No Class I certificate has as yet been obtained.

The special registration of the Port Section of the Marine Department was completed during the year. The total number registered was 716. The registration of the Public Works Department employees continued during the year. The aim of this departmental registration is to prevent the

continual turn-over of labour resulting in inexperienced men being brought into industry and as far as possible to provide regular employment by ensuring that men stood off for no fault of their own are re-engaged when opportunity offers. The field of registration offices for the Public Works Department employees has been extended to Lagos, Ibadan, Oshogbo, Ile-Ife, Jos, Kaduna, Sapele, Benin and Ondo.

RESETTLEMENT.—During 1947 the Trade Training School for ex-service tradesmen was opened at Enugu. This school provides a refresher course over a period of six months, the intention of Government being to give further training to ex-servicemen who already have army experience in their particular trade in order to place them on an equal footing with their civilian contemporaries. The scheme has proved very popular among ex-service tradesmen.

The concessions granted to trainees are free board and lodging, pocket allowance of six pence per day, and marriage allowance of nine pence per day to wives of married trainees. On the completion of the course an endorsement is made in the service discharge book of every trainee showing classifications of general conduct and proficiency. Although there can be no definite promise of employment for those who satisfactorily complete the course, records of such men are passed to their respective Area Resettlement Officers.

Since the establishment of the training school in February, 1947, 109 trainees have satisfactorily completed the course and have found their way into the labour market as fully skilled tradesmen.

A number of ex-servicemen have recently been taken into the Oyo Native Administration Farm School. Here they are provided with accommodation for themselves and their families together and with subsistence allowance. Instruction is given in three types of farming—hand cultivation, plough cultivation and cultivation helped by the possession of the smaller livestock. Pig breeding is also taught. Cattle is kept for milk and for ploughing purposes. The full course lasts two years, at the end of which time the men go back to their own villages to put into practice the methods which they have learned. In order to ensure the maximum value to the greatest number, arrangements have been made to institute weaving classes for the wives of men attending farming courses.

The number of ex-servicemen employed as supernumeraries to departmental establishments has decreased during the year as the men were gradually absorbed into established posts. Allocation of the necessary funds to the departments concerned will be made for the ensuing year, and it is to be hoped that it will not be long before all the remaining supernumeraries are absorbed.

The Nigeria Ex-servicemen's Welfare Association founded in 1946 has appointed a full-time secretary and the organisation is now well under way.

The Association grants loans to deserving ex-servicemen to enable them to establish businesses on their own account. Distressed ex-servicemen are being assisted by financial grants and disabled ex-servicemen are being placed on regular monthly pensions in addition to their normal military disabled

pensions. Ex-servicemen requiring legal assistance are being financially helped by the Association. The return to their homes of destitute and incapable ex-servicemen has been undertaken by the Association. Such men are being provided with free transport and subsistence allowance while *en route* to their home towns.

Up to and including the 30th of November, 1947, 112,417 ex-servicemen have been demobilized. Of these 75,478 have registered as seeking employment and 29,273 have actually been placed in employment. 3,647 are recorded as having re-enlisted in the Army.

Although many major development works, in which lie the hope of many unemployed ex-servicemen, are not yet in actual operation owing to the shortage of staff and materials, it should be noted that the Nigerian Government's response to its many and varied resettlement problems has not been less than that obtaining in other dependencies of the British Commonwealth in spite of the fact that Nigeria's industrial development is yet in its infancy.

Public Relations

The Public Relations Department broke new ground with the opening of a regional office at Ibadan. The experiment was entirely successful and the office ended its first year with a "Regional Public Relations Week", during which more than forty delegates, representing reading room committees and literary societies in all parts of the Western Provinces, gathered in Ibadan to hear talks from departmental officers and to discuss matters of mutual interest. Provision is made in the 1948-49 draft Estimates for the opening of regional offices at Enugu and Kaduna.

The *Nigeria Review* and the *Children's Own Paper* continued to be in popular demand. There was a big increase in the amount of assistance given to the press, the number of "releases" issued being almost trebled. There was a similar increase in the volume of written and photographic material sent overseas for the purpose of "projecting" Nigeria in other countries. Relations with the local press throughout the year were most cordial.

The staff of the department has become much more mobile and senior officers have toured the provinces, giving lectures and answering questions on Government plans and policy.

The Cinema Section covered a wide area of the country with its four vans, showing instructional films to large and appreciative audiences. A start was also made with the local production of sixteen millimetre films.

A new wire distribution station was opened at Calabar and the stations at Jos and Ijebu-Ode will be completed shortly.

Police

Mr M. K. N. Collens, Superintendent of Police, was promoted Deputy Commissioner with effect from the 13th September, 1946, in place of Mr T. V. W. Finlay, Deputy Commissioner, who had succeeded Mr W. C. C. King, C.M.G., as Commissioner, on the latter proceeding on leave preparatory to retirement.

Mr A. C. Luck, Superintendent of Police, was promoted Assistant Commissioner on the 2nd January, 1947, to fill the vacancy created by the retirement of Mr G. M. Farrel, Assistant Commissioner, and Mr R. V. D. White, Superintendent of Police, was promoted Assistant Commissioner to fill the new duty post which had been created in the Western Area in conformity with the regionalisation of the administration. This comprises the Police Provinces of Oyo-Ondo, Warri-Benin, and Abeokuta-Ijebu.

Recruitment for the Force has been very satisfactory. As a result of the improved rates of pay applications for enlistment in the Southern Provinces exceeded requirements. The resources of the Southern Training School continued to be taxed to the utmost in providing trained constables to fill all the vacancies occasioned by substantial increases in establishment combined with normal wastage. The school also continued to train members of Native Administration police forces. Over 400 recruits were enlisted during the year of whom 125 were ex-servicemen.

In the Northern Provinces most of the members of the Force who had been released for military service have now been re-absorbed and recruits are again being enlisted. The improved conditions of service have attracted a better and more educated type of Northerner to the Force.

Although most of the vacancies in the officer establishment were filled during the year both by Colonial Office appointments and by the promotion of members of the junior service, the introduction of the revised conditions of service recommended in the Harragin Report resulted in the retirement of some officers at an earlier age than was previously permitted and it was not possible, as had been anticipated, to fill all duty posts. At the close of the year the Force was six officers under establishment.

Three officers are attending the second course of training in the United Kingdom for officers of the Colonial Service and it is anticipated that three officers of the Force will be nominated to attend the next course. Unfortunately there is, at the moment, no institution in the United Kingdom to which members of the inspectorate can be sent for specialised training with a view to their promotion to the senior service, but it is hoped that with the establishment in 1948 of the new Police College in England, a number of vacancies will be allocated to the junior ranks of the Colonial Police Forces.

Although the statistics for the year indicate a general increase in crime in most of the Southern Provinces and in the Colony it is not considered that crime has, in fact, increased to the extent indicated, and the rise may be attributed to the expansion of police services throughout the area which has resulted in considerably more offences being reported by the public than before. It is gratifying to be able to say, however, that the incidence of crimes of violence has decreased.

While there has not been any appreciable increase in crime generally in the Northern Provinces there has been a noticeable increase in the number of offences against property in the Zaria and Plateau Provinces. This may be attributed to the large number of ex-servicemen who are at present unemployed.

The number of offenders who have been detected in relation to offences reported and who have been prosecuted to conviction has been satisfactory, and a large percentage of property reported stolen has been recovered.

For the purpose of dealing more speedily and effectively with cases of crime committed in Lagos, a control room was inaugurated in October to which emergency telephone calls could be directed at any hour of the day or night by members of the public reporting the occurrence of crime or requiring police assistance. This has resulted in prompt action being taken by the despatch by motor vehicle of the police and equipment necessary to deal with the type of offence reported.

In 1948 it is hoped to extend and improve this system by providing a number of motor vehicles which will be fitted with wireless apparatus and be in radio telephonic communication with the control room, to patrol the Lagos area and thus enable the police to proceed to the scene of any crime with the minimum delay.

There are indications that this system, although still in its infancy, is being appreciated and is being increasingly made use of by members of the public.

I wish to take this opportunity of emphasizing that it is the duty of the public to co-operate in every way with the police in the maintenance of law and order and in the protection of life and property. This is a civic obligation imposed on every law-abiding citizen and unless each and every one of us is prepared and is willing to assist to the utmost of our ability we cannot expect the police, no matter how efficient they may be, to succeed in their onerous duties: to do so would be to expect the impossible.

The continued perpetration of the "leopard" murders in the Abak and Opoobo Divisions of the Calabar Province has necessitated the Special Investigation Force being maintained in the affected area throughout the better part of the year. Two permanent police posts have also been established at Ibesit and Ikot Afanga. As a result of a decline in the number of murders committed following an extensive tour of the area by delegates of the Ibibio Union this special force was, in October, 1947, reduced to two officers and fifty rank and file; also the curfew order imposed during 1946 was raised with a view to re-establishing normal administration as soon as possible. There has since been an increase in the incidence of these murders which may be attributed to the reduction of the special force. Thirty-nine executions of leopard murderers were carried out during the period under review.

Rank and file from the Western and Eastern Provinces attended Close Combat courses instituted at the Southern Training School. Refresher courses in criminal investigation and detection will form part of this year's programme. In the Northern Provinces it is hoped that the new Police College buildings at Kaduna will be completed in 1948. The college will accommodate seventy-five Nigeria police and an equal number of Native Administration police recruits. Selected members of the various Native Administration police forces are being trained as instructors and will undertake the instruction of Native Administration Police recruits as soon as the new college is opened. During the year police officers of the Senior Service

have been attached in an advisory capacity to the Kano, Bornu, Jos, Ilorin, Ibadan and Abeokuta Native Administration police forces and have been responsible for their supervision and training. Provincial police officers have continued to take a keen interest in other Native Administration police forces and this has resulted in excellent relations and close co-operation between the Nigeria and Native Administration police forces.

The annual musketry course for the rank and file and the revolver course for officers and the inspectorate were fired during the year with satisfactory results.

There has been a marked increase in the number of motor traffic offences and motor accidents during the period under review, and it is evident that the standard of driving in Nigeria generally, and in Lagos in particular, has deteriorated considerably. This may be attributed to the greatly increased number of vehicles on the roads, many of which are imperfectly serviced and unroadworthy ; often they are driven with little regard to either their condition or to the other traffic, both vehicular and pedestrian, using the highways. In the Colony the prosecution of offenders by the police has resulted in a most congested cause list with which the bench has been unable to deal, and up to the end of November, 1947, there were 3,650 cases awaiting trial. The position would have been worse had many justifiable prosecutions been instituted for further offences, but realising that to do so would only result in further congestion police "warning notices" were issued instead. This congestion, necessitating as it does numerous postponements and adjournments, has greatly inconvenienced those members of the public who came forward as police witnesses and has taken up, by unnecessary attendance at court, the time of constables who otherwise would have been employed on traffic control. The need for the establishment of a court solely for the purpose of adjudicating in motor traffic offences is evident and is receiving consideration.

The inauguration of one way traffic in a number of streets within the Township of Lagos has eased, to some degree, the congestion of traffic on the principal thoroughfares and has contributed to greater safety on the roads. It is hoped to extend this system during 1948 and to introduce a system of "stop" streets.

During 1948, it is hoped to replace the existing traffic control posts by mobile motor traffic units supervised by superior police officers. These units will operate on the highways throughout the country ; they will exercise greater and more effective control of traffic and will be instrumental in curbing the prevalence of motor traffic offences and reducing the high incidence of accidents.

Despite an acute shortage of building materials good progress has been made during the year in providing permanent and semi-permanent two-roomed quarters for members of the rank and file. A number of recreation rooms have also been built in the provinces. Existing buildings were maintained in good repair.

Early in 1947 there were two minor disturbances in Lagos in which the police had to resort to baton charges, and one of a more serious nature in which order was restored only after the use of tear smoke.

In February, a serious Tiv-Hausa fracas occurred at Makurdi over a chieftaincy dispute. The Tiv initiated the trouble instigated by a number of ex-soldiers and it was necessary for the police to fire nineteen rounds. One person was killed and sixty casualties were treated in hospital. Nine other persons involved in the riot died as a result of injuries. Four Tiv and four Hausas, who were charged with riot, were sentenced to terms of imprisonment ranging from two to four years.

A strike occurred in May and June, 1947, on the Plateau which involved some 10,200 artisans and labourers. Apart from one very minor incident the police were not called upon to deal with a breach of the peace.

Another small disturbance took place in May at Oke Ode in the Ilorin Province. Order was soon restored on the arrival of the police.

In June there was a serious riot at Burutu. A strike involving about 1,500 U.A.C. labourers developed into a riot and the police were compelled to fire two rounds after a crowd comprising about 500 persons had attacked and injured three peaceful citizens and damaged property; also many members of the crowd had refused to disperse and return peacefully to their homes following repeated commands to do so by a superior police officer.

In August a passenger lorry was held up on the Jos-Maiduguri road near the latter town by an armed band whose members fired arrows. One passenger was killed and others were stripped of their clothing and money. In October, a similar hold-up was attempted, logs being placed across the road as before and arrows again being fired. In this case the lorry was driven over the obstruction and got away. As it has not been possible to identify the perpetrators no arrests have been made.

In October there was considerable labour unrest in the Cameroons due to the delayed payment of arrears by the Corporation. Extra police were drafted to the area but no breach of the peace occurred.

In November-December a "go slow" policy was adopted by the labourers engaged in the Colliery at Enugu and police had to stand by on a number of occasions.

In December police were drafted to Abeokuta as a precautionary measure in connection with an anti-tax demonstration by market women. The presence of the police had a sobering effect and it was unnecessary to resort to the use of force.

Between the 1st of January and 30th of November, 1947, 4,156 non-Africans entered Nigeria and 3,591 departed. It is anticipated that the incidence of arrivals and departures of non-Africans for the year will be approximately the same as in 1946, and will show an increase over figures for 1945 by about twenty-five per cent. This increase may be attributed to the need for bringing the staffs of Government departments and of certain of the larger commercial enterprises up to establishment.

The revised Immigration Ordinance came into operation on the 1st of January, 1947. It provides that no non-African may enter Nigeria without the permission of Government.

During the year applications from persons applying for permission to take up residence in Nigeria were carefully considered and only those persons who were in a position to improve the social, scientific or economic welfare of the country were granted permission to enter.

During the year 393 persons arrived at Kano from the United Kingdom by road *en route* to South Africa. A number turned back, while others had to be repatriated at Government expense.

During the year the rank and file employed on railway police duties were formed into a separate Police Province under the command of a senior officer who had his headquarters at Ebute Metta, and Regional headquarters, each under a superior police officer, at Enugu and Zaria. For the short period during which this force has operated, it has more than justified its establishment. Up to the 30th of November, 1947, the revenue from passengers' fares alone had exceeded the amount collected over the corresponding period in 1946 by £105,436. There has also been a marked decrease in the incidence of theft of railway property and of goods in transit.

Three awards for gallantry, five King's Police Medals and one Colonial Police Medal have been earned by members of the Force during the period under review.

The morale of the Force is at a particularly high level. This is due to many factors, amongst which may be mentioned the generous terms of the Harragin Award and improved housing, together with better terms of service and re-engagement.

Prisons

For the first time in many years, it is possible to record that there is no longer an acute shortage of staff, and it has consequently been possible to progress with major schemes of penal reform. During the year the warder establishment was increased by almost two hundred, and at the same time a large number of senior posts were created. The latter have given great satisfaction to the junior warders many of whom can now be reasonably certain of promotion in the future. The position with regard to superior officers is extremely satisfactory as there now remain only two vacancies to be filled.

The year saw the establishment of a training school for warders—the first of its kind in Nigeria—and it is under the command of a Senior Superintendent. Henceforth, all recruits will undergo a period of four months' training before they are finally accepted for the prison service, and from time to time, refresher courses will be held for serving warders. The curriculum is broad and comprehensive and covers every aspect of prison administration. In spite of the high physical and educational standards required, there has been no difficulty in obtaining suitable recruits, and there is a long waiting list of candidates. The school has accommodation for recruits, and next year it is proposed to admit a limited number of recruits at present employed in the Native Administration prisons.

This increase of staff coupled with the provision of additional staff has made it possible during the past year to introduce reforms in the treatment of offenders.

Early in the year, it became possible for long term first offenders to earn a small monthly wage for work performed in excess of a fixed task, and approximately five hundred prisoners now enjoy this privilege. Such a scheme has proved to be a valuable incentive to good conduct and industry, and may later be extended to include well-behaved recidivists who are serving long sentences.

During the year the policy of segregating first offenders and habituals was expanded and, in spite of structural difficulties, classification was introduced for the first time in many of the smaller prisons.

Five permanent chaplains, representing the principal denominations, have been appointed to the convict prisons, and religious instruction has been organised on modern lines. The chaplains not only hold regular services on appropriate occasions, but also advise the Superintendents on all matters concerning the spiritual welfare of the prisoners.

The question of the employment of qualified teachers in the prisons is now under active consideration, also it is hoped to establish next year small libraries in the convict prisons.

A well-behaved prisoner, who has served two years of his sentence, can now be visited by a limited number of relatives at Government expense once during the course of his imprisonment. This concession has been made to enable the prisoner to maintain home ties as very often the relatives are too poor to afford the fares resulting from the long distances which such visits involve.

An official organisation has been formed for the rehabilitation of deserving ex-prisoners, and three paid whole time after-care officers have been appointed.

It is satisfactory to record that during the past twelve months the daily average population of all the prisons did not appreciably exceed that for the preceding year.

Arrangements are now being made to re-organise prison industries, and provision has been made for the appointment of a Technical Instructor who will be responsible for this branch of prison administration. Orders for modern machinery and equipment have been placed with the Crown Agents, and skilled prison labour will be directed into more useful channels. The prisons will not, however, compete with the small outside craftsmen, and the new power-driven machinery will be utilised principally for work in connection with Government projects.

In March, 1947, when the approved institution at Enugu was converted into a training school for warders, the boys were transferred to new premises on the site formerly occupied by Hill Top Barracks, approximately four miles from Enugu. Every effort has been made to administer this new establishment as an ordinary school, and it is without walls or other penal features. The school is administered by an officer transferred from the Borstal service in the United Kingdom, and modern machinery for the treatment of juvenile delinquents is slowly but efficiently being introduced.

Legal

The department has been fortunate in obtaining two further appointments to the office of Crown Counsel bringing the number up to seven with one vacancy still to be filled.

The difficulty of obtaining experienced Legal Officers for the posts of Senior Crown Counsel continues but the appointment of Mr J. S. Manyo Plange, O.B.E., who was transferred from the Gold Coast, and the promotion of Mr R. A. Doherty brings the number of posts filled to four, leaving two vacancies.

It is most satisfactory that it has been possible to appoint Africans to these two posts and it is hoped that a suitable local candidate will offer himself for the vacant appointment of Crown Counsel.

The work of this department is necessarily tending to become regionalised to some extent and it is hoped eventually to be able to keep two officers at each regional headquarters, but while the existing staff is almost adequate for this purpose the fact that no fewer than seven officers were appointed within a few months of each other makes it difficult to adjust the leave roster so as to maintain outstation requirements.

The flow of work into the department tends to increase steadily, but it has been possible to give a greater measure of attention to the administration of criminal justice and it is hoped in the future that arrangements will be made whereby Crown Counsel will appear at most of the criminal assizes.

Legislation during the year was about equal in volume to that of 1946, forty-five and forty-three ordinances respectively being placed on the statute book, which indicates a steady return to normality, especially in comparison with 1945 in which year no fewer than seventy-three ordinances were passed through the Legislative Council.

Judicial

During the past year the courts have continued to work under great strain owing to the increase in crime and litigation, the shortage of judges and the consequent repercussions on magistrates. The increase has been most marked in Lagos where the existing arrears in both the Supreme and Magistrates Courts have reached such proportions that these courts cannot function efficiently unless there is an increase in both the number of judges and magistrates.

The Supreme Court at Opobo constituted to hear "Leopard Society" murders has been in session throughout the year. It is gratifying to note that the large number of arrears in that court have been disposed of and unless there is a fresh outbreak of murders in this area the need for an additional judge at Opobo may shortly disappear. Three magistrates have successively sat as acting judges at Opobo to try these cases. In addition it has been necessary to appoint an acting judge to fill the vacancy created by the long illness of Mr Justice Brown; until the 30th of September, 1947, a magistrate filled this appointment, but when the Chief Registrar was appointed to act as a judge it proved necessary to provide a magistrate to act as Chief Registrar.

As regards aeradio services the year 1947 has been reasonably successful. This was largely due to the arrival of new staff, which enabled the long needed overhaul of equipment to be carried out and allowed supervision to be given to operating circuits, with a consequent improvement in efficiency.

Radar blind landing aids — the BABS Mark II system — were installed at Kano and Ikeja. The installation at Kano has already had considerable use. With the introduction of the Halton trans-Sahara flights it was necessary to open long distance air-guard services to keep in touch with planes operating across the desert, as well as establishing more long distance point-to-point wireless telegraph circuits to enable information to be given for the operation of these flights. The increases in flying generally, made it necessary to open up more point-to-point communication circuits with the neighbouring French territories. Wireless equipment has also been installed at a number of minor aerodromes.

Electricity

The position with regard to permanent and temporary staff has shown little improvement and the continued shortage of engineer officers has retarded the progress of extension works and the development of new projects. A Bill to establish an Electricity Corporation to take over all existing Government electricity undertakings and to promote and develop the generation, distribution and sale of electricity in Nigeria and the Cameroons under British trusteeship has been drafted. It is hoped that this legislation may be enacted this year thereby enabling the Corporation to come into operation in 1949.

Applications for the supply of electricity to new premises were dealt with so far as the plant and mains' capacity permitted, but the position has now been reached where restrictions regarding the connections of new supplies must, unfortunately, be imposed. Every effort is being made to minimise these restrictions by the installation, as a temporary measure, of supplementary oil engined generating sets as these become obtainable.

Delivery dates for all classes of plant and materials have appreciably worsened and prices are high. Future prospects are not good as there is every indication that no improvements on delivery dates can be expected for a long time and manufacturers' prices have not yet reached their peak. The delivery dates when quoted now stand at from two and a-half to three and a half years for generating plant and associated equipment, whilst for other electrical materials the dates range from nine to twenty-one months. The laying of an 11 kilovolt underground cable and the erection of a sub-station at Iju to provide supplies to two new electric motor driven pumps at the Iju Waterworks has been completed, but the pumping sets have yet to be received from the manufacturers. Other works of a permanent and temporary nature to provide supplies to new residential and business premises in the various areas which require them have, and are, being carried out as materials and plant capacity permit.

Operating costs rose sharply during the year owing to further advances in the cost of fuel, salaries, wages, general maintenance materials and annual capital charges. The net profit of the combined Government electricity undertakings has in previous years been sufficient to meet these increased

operating costs without recourse to an increase in the electricity selling tariffs, but this fortunate position no longer obtains and it will therefore be necessary to revise the existing tariffs to meet the increased operating costs. This revision will come into operation during the financial year 1948-49. In the case of the Native Administration electricity undertakings an upward revision of the Abeokuta electricity tariff has already been introduced, and it is probable that other Native Administration authorities may find it necessary to follow suit.

Under the Development Plan indents have been forwarded to the United Kingdom for the supply of generating plant for the Njoke River (Cameroons) and Nkissi River (Onitsha) hydro-electric schemes, whilst orders have also been placed for the materials required for the Maiduguri, Sokoto, Abakaliki, Bukuru and Sapele distribution systems. Investigations into the prospects of an electricity scheme for Aba have been completed and the necessary indents are being prepared. The appointment of a hydro-electric engineer during January, 1948, has enabled a survey to be made of overhead transmission line routes from the proposed power station at Njoke River to the distributing areas of Buea, Tiko and Victoria. Work on the new scheme for Maiduguri township and airport has continued so far as the supply of materials has permitted. Investigations for electricity projects at Ijebu-Ode, Ilorin and Sokoto have had to be suspended owing to the resignation in July, 1947, of the Electrical Engineer in charge of construction, and the inability to spare the services of a suitable experienced officer of the permanent staff for such duties.

Printing

The introduction of the Regional system and the Regional Councils together with increased activity in all departments, has added greatly to the heavy burden which the Printing Department has, with inadequate buildings, plant, equipment and materials, been obliged to carry for so many years. It is unlikely that this burden will be eased until new plant, which has long been on order, is received, the new Regional presses are established and the parent press in Lagos enlarged. Unfortunately the supply position in the United Kingdom is such that it is feared some years will elapse before any appreciable improvement as regards machinery can be expected. The delay in the delivery of paper, stationery and other necessary materials is the cause of much inconvenience, not only to the Printing Department, but to all who rely upon it for printed matter and office requisites.

During the latter part of 1947 the new typewriter depot was established at Apapa. So far it has been possible only to deal with a few machines requiring minor repairs, the principal preoccupation of the Typewriter Engineer being the training of mechanics, condemned machines being used for instructional purposes. However, until equipment and tools arrive and the staff is properly trained repairs on a large scale cannot be undertaken.

Owing to the congested condition of the Lagos building it became necessary at the end of last year to transfer the Central Stationery Depot to a vacant building at Apapa so as to provide additional working space for

The centralisation of accounts and other records in Regional Treasuries initially will require large stocks of stationery and new forms. It is hoped that the necessary requisitions can be met as otherwise it may be necessary to defer overdue accounting reforms and to modify existing plans.

The Treasury Training School was established in November, 1946. The object of the school was to provide elementary and advanced, or promotion, courses of instruction. Since then, ten elementary courses have been held and there can be no question that they have proved of great benefit not only to the department but to the students themselves. One place in each course was reserved for other departments or for Native Administrations. Elementary courses will be held at Regional Treasury headquarters in future and, commencing in March, 1948, advanced courses will be held at headquarters, Lagos. The object of the advanced courses is to raise the general standard of efficiency and, secondly, to provide a qualification which, although in itself not establishing a claim to advancement, will assist when the claims of officers for promotion to the Senior Service are considered.

The staff position in the Junior Service below the grade of Accounting Assistant, Grade II, is still unsatisfactory. This is due to the abnormally high percentage of officers with less than six years service and the resulting difficulty in filling the gaps in the grades of First and Second Class Clerk caused by normal wastage. This position will correct itself in due course, but it is necessary in the meantime to call upon junior staff to carry out duties for which they are not yet fully qualified by knowledge or experience.

Recruitment for the Senior Service is more satisfactory than it was a year ago, and it seems probable that Staff Indents will be completed by March this year. This is a matter of satisfaction as, consequent upon staff requirements for the Regional Treasuries and the necessity for seconding officers to other departments, it was feared until recently that shortage of staff might prejudice the re-organisation programme.

It is with pleasure that I record the proportion of Africans in relation to the establishment of Senior Accountants and Accountants in the Treasury is at present approximately 25 per cent. This policy will be continued subject to the proviso that all officers whether European or African must prove themselves qualified in every respect to hold such appointments. I wish to emphasize yet again that merit is, and will remain, the governing factor.

Currency stocks at the beginning of the groundnut and cocoa seasons totalled nearly £7,000,000. This figure, while falling short by approximately £800,000 of the reserve of one-third of the stabilised level of currency circulation, showed a very marked improvement on the position at the same time last year when stocks totalled only £3,000,000.

Currency in circulation in Nigeria on the 30th September, 1947, totalled approximately £23,500,000 compared with £18,500,000 on the corresponding date in the previous year, and £6,000,000 in 1939.

The proportion of notes in circulation continues to increase. This trend is particularly noticeable in the Western Provinces, but there are signs, slight at present but nevertheless welcome, that they are becoming more

acceptable in other parts of the country. The proportions of notes, alloy and nickel in circulation are now 22.9 per cent, 67.5 per cent and 9.6 per cent respectively compared with 4.3 per cent, 80.8 per cent and 14.9 per cent in 1939.

Progress was made during the year in the statistics sub-section of the Treasury notably in the preparation of statistics relating to revenue and expenditure. As a result of this the Accountant-General is now in a position to furnish Government with an approximate statement of revenue and expenditure for each month and an approximation of the surplus and deficit account within three weeks of the close of each month.

Progress was also made in the compilation of currency statistics. These provide up-to-date information concerning currency stocks and circulation with particular regard to the effect on the currency position of purchases of primary products during the produce seasons. This branch of the Treasury is being developed with a view to widening the scope and accuracy of the forecasts and to building up statistics covering previous years.

The Lagos and Colony Treasury is accommodated at present at Treasury headquarters. This most unsatisfactory arrangement has existed for many years owing to the shortage of accommodation elsewhere, but a building has been allocated for occupation in 1949, and this will obviate the inconvenience which the present arrangement causes the public.

Ultimately, every transaction of each department is reflected in the accounts maintained by the Treasury. Owing to the general expansion in Government services there has been a marked all-round increase in the normal duties and responsibilities of the Treasury during the year. This is reflected by the increase of 13 per cent in the total of receipts, payment and journal vouchers (excluding supporting documents) over the previous year. In addition, many special duties, such as the 1946 Salaries Revision and the re-assessment of pensions under that revision, have devolved upon the department.

Audit

The year 1947 proved to be one of continuous expansion in Audit activities both as regards the audit of Native Authority accounts and Government accounts. The programme of work has increased each year and will undoubtedly continue to increase further as development continues. The available staff has however remained substantially the same over the last twenty years.

Branch offices were opened at Kano and Enugu. A continuous audit of the Kano Native Authority accounts was maintained and a beginning made in the audit of the Native Authority accounts in the Eastern Region.

It was not found possible to open the branch office at Ibadan during the year, but temporary arrangements were made whereby for the first time Native Authority accounts in the Western Region were audited by this Department. It is expected however that the Ibadan office will be in operation in May, 1948.

The audit of Government accounts is reasonably up to date. Although outstation inspections in the Western Region are somewhat in arrears it is hoped in 1948 to rectify this position.

No sooner had the staff position shown signs of righting itself when the unavoidable transfer of some senior officers to other colonies caused several further vacancies which although they will be filled in due course, have caused a shortage of staff which has severely handicapped the department.

The considerable arrears in the audit of Native Authority accounts in the Northern Region have not been made good during the year, but steps have now been taken which it is expected will materially improve the position and enable these accounts in the course of the next two years to be brought up to date.

Statistics

The Department of Statistics figured in the Estimates of Nigeria for the first time in 1947-48. Starting a new department under the present circumstances of shortages in every direction is a serious undertaking but, despite the difficulties, such a department was so badly needed in Nigeria that it was felt that an attempt should be made to overcome them.

The Department was provided with temporary offices at Apapa in the middle of October and was thus enabled to recruit a nucleus staff to begin active work. It will move shortly to larger temporary offices at Ikoyi. Statistical machinery and equipment is beginning to arrive and operators are being trained to utilise it.

The Department has assumed responsibility for the annual Blue Book and other annual and periodic statistical reports to the Colonial Office and international bodies. Shortly, the publication of the monthly Nigeria Trade Summary will be transferred to the Department. It has taken over the statistical work of the Customs and Excise and Inland Revenue Departments, and plans to assist other departments similarly in the future. In association with the departments of Labour and Agriculture, it has commenced the collection of retail prices of foodstuffs in the markets throughout the country. This is part of a much wider long-term research project which will include the calculation of retail and wholesale price indices, cost-of-living and minimum standard of life indices and the collection of family budgets, the estimation of retail and wholesale margins and costs, and the study of internal trade routing and marketing.

The acting Government Statistician is greatly hampered by a lack of qualified and experienced assistants. Unfortunately, there is a world-wide shortage of fully qualified and experienced statisticians and economists and they are unobtainable in Nigeria. Active steps are being taken to recruit expatriate officers whilst at the same time every effort is being made within the Department to train partially qualified Nigerians and to provide them with a wide range of experience.

Conclusion

I can do no better than repeat the tribute paid last year by Lord Milverton to the members of all branches of the Government Service. Both in my daily work and on my travels in the Provinces I have been greatly impressed by the zeal displayed by officers with whom I have come into contact, and above all by their faith in the future of this country.

G. BERESFORD STOOKE,
Officer Administering the Government

Kaduna, 2nd March, 1948



NIGERIA

Legislative Council Debates

Second Session

2nd, 3rd, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th,
23rd and 24th March, 1948.

VOLUME II

10th, 11th, 12th, 13th, 23rd and 24th March, 1948.

Legislative Council

Diphtheria

Report

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Debates in the Legislative Council of Nigeria

Wednesday, 10th March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 10 a.m. on Wednesday, the 10th of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E., Presiding Member.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Attorney-General,
The Honourable G. L. Howe, K.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Commissioner of the Colony,
The Honourable E. A. Carr.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Oyo Province,
Commander the Honourable J. G. Pyke-Nott, R.N.

The Secretary, Eastern Provinces,
The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable Akinpelu Obisesan.
- The Second Member for the Western Provinces,
The Rev. and Honourable Canon S. A. Delumo
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Aderemi I, C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Bowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The Second Nominated Member,
The Honourable P. J. Rogers,

- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

ABSENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.

UNOFFICIAL MEMBERS

- The Third Nominated Member,
Major the Honourable J. West, M.C.
- Temporary Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

The Honourable the Presiding Member opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 9th of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

NOTICE OF QUESTIONS AND MOTIONS

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

Your Excellency, I rise to give notice of a motion which reads as follows:—

“That the thanks of this Council to the Government be placed on record for allowing representatives of the Press to travel to this session on the special train arranged for Official and Unofficial Members. It is hoped that the concession will continue to be made for them”.

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; No. 16 by the Honourable the First Member for the Eastern Provinces; No. 22 by the Honourable the Member for Calabar; Nos. 35, 38, 44, 51, 52 and 53 by the Honourable the Member for the Colony; Nos. 56, 59, 60, 61 and 63-66 by the Honourable the Atta of Igbirra; Nos. 67, 68 and 74 by the Honourable the Second Member for the Western Provinces; Nos. 76 and 78-80 by the Honourable the

(f) 2 N.A., 2 Private, 4 from Pharmaceutical Companies.

(g), (h), (i), (j)—Nil.

(k) 155.

(b) The conditions of entry are as follows:—

(a) Candidates must have passed the London Inter. B.Sc. Examination in Chemistry, Physics, Botany and Zoology, and must be accepted by the Board of Medical Advisers after an interview.

(b) There are no private students.

(c), (d) and (e)—There are no private students.

(f) First year students must have passed London Matriculation, or gained exemption therefrom, must attend an entrance examination and a personal interview; Second Year students must have taken recognised course leading to the Inter. B.Sc. Examination in Chemistry, Physics, Biology or Botany.

(g) School closed down.

(h), (i) and (j)—There are no private students.

(k) It is required in the case of private students that they shall be industrial apprentices between the ages of 16-18 years. They must hold a Standard VI Certificate, or better education qualification. Selection is by examination and personal interview.

Supplementary Question to No. 107 (b). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Your Excellency. Why are private students not admitted to study in the School of Agriculture since this is an agricultural country and the need of agricultural education is pressing.

Answer—

The Hon. the Director of Education:

Sir, I think the Honourable Member's use of the term "private" is a little confusing. Private individuals may seek admission to the School of Agriculture (I speak subject to what my honourable friend the Director of Agriculture may say) and may be admitted on their merits but in point of fact all the students at the School of Agriculture have their subsistence paid for by Government. I think, perhaps, Sir, that the honourable member may have intended the term "private" to connote fee payers at that School. If that is so, there are no fee payers.

Supplementary Question to No. 107 (k). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Is the age requirement absolutely necessary in view of the shortage of technically trained men in the country?

Answer—

The Hon. the Director of Education:

Sir, on the point raised, the age is a general indication of the time of entry of applicants concerned. It is not absolute.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it proposed to have each of the above schools established, (a) in the Northern Provinces, (b) Eastern Provinces, (c) Western

Provinces, (d) the Cameroons, and (e) the Colony, where they are not established at present?

(b) If not, what is the reason?

Answer—

The Hon. the Director of Education:

(a) and (b).

Following the lettering of Question 106, the answers are:—

(a) No, Sir. The supply of students suitably qualified is not large enough to warrant the opening of more than one medical school.

(b) No, Sir. The existing two schools (at Ibadan and Samaru) satisfy the present requirements for all regions.

(c) No, Sir. It is considered that the small number of students can best be trained in one centre.

(d) No, Sir.

(e) No, Sir. The Veterinary School courses at Vom are intended for potential Government and N.A. employees and it is not proposed to have similar schools in the other regions and the Cameroons since the capacity of the existing school is ample for the proposed departmental and N.A. establishments.

(f) No, Sir. The supply of students suitably qualified is not large enough to warrant the opening of more than one school of Pharmacy.

(g) No, Sir. This type of training has been abandoned.

(h) No, Sir. Such provision is considered unnecessary.

(i) No, Sir. Such provision is considered unnecessary.

(j) Yes, Sir. When teaching staff is available.

(k) It is proposed that the Trade Centres at Enugu and Kaduna shall develop into Technical Institutes. For the present the Western Provinces will be served by the Yaba Technical Institute. The question of the establishment of a Trade Centre in the Cameroons is under consideration by the Department of Education in conjunction with the Cameroons Development Corporation. It is the intention in due course to establish faculties in Medicine, Agriculture, Forestry and Veterinary Science at the University College, Ibadan.

Supplementary Question to No. 108 (g). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Sir, what is the type of training of the Marine Technical Institute? What is the type of training that has been abandoned?

Answer—

The Hon. the Director of Education:

Sir, as the Institute has been closed down, no training is undertaken.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is Government aware that there are not sufficient primary and secondary schools in the Eastern Provinces, particularly in

the Aba area and the existing schools are not sufficient to accommodate many children?

(b) If so, what remedy is proposed by the Education Department?

Answer—

The Hon. the Director of Education:

(a) Yes, Sir.

(b) The educational facilities at the disposal of the people of Nigeria are being expanded as rapidly as the limitations imposed by finance and the shortage of trained staff permit.

BILLS

(Second Reading)

The Presiding Member (The Hon. the Chief Secretary to the Government):

The Council will resume the debate on the second reading of the Appropriation Bill. I call on the Honourable the Second Lagos Member to continue his speech.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, I come now to the discussion of the Royal West African Frontier Force. Personally, I regard the Royal West African Force as a nucleus of a Nigerian Army. But unfortunately, throughout its long and brilliant history—brilliant in the sense that it had played a very important part in World War I and World War II—in spite of this brilliant exhibition of martial prowess, it is regrettable for me to say that the Royal West African Force has fostered and encouraged racial segregation and discrimination in many ways. The uniforms of African soldiers are not designed on the same basis as the uniforms worn by their non-African opposite numbers, whether they are non-commissioned officers or not. The word uniform implies similarity or oneness of some kind, but it is strange that an African corporal wears a different uniform from a non-African corporal, whilst they both serve in the same army. Besides, in the Royal West African Frontier Force, since the founding of the Nigeria Regiment, I have yet to learn of any Nigerian combatant or any person of Nigerian or Cameroons descent, who is or was a combatant who has been commissioned. I feel that this state of affairs needs impartial scrutiny. Sometime last year, during an interview with the late Governor of this country, assurance was given to a deputation led to Government House by Sir Adeyemo Alakija that the whole question of commissioning of Nigerian and Cameroonian soldiers was receiving the active consideration of the Government. Personally I have not heard anything further on this score. Perhaps Government will be disposed to make a statement.

Such conditions are very challenging because they make it clear to us that no matter how intellectually or physically qualified a Nigerian or Cameroonian may be, he finds to his chagrin that he is not required in the army of his country. The testimonies given by

the military leaders of the world, after the first world war and the second world war, about the martial ability of our soldiers are very commendable indeed. Their valour and gallantry in action have been praised, so I cannot foresee and I cannot appreciate what is the reason at the back of such a reactionary policy.

Usually, it is said that our soldiers lack initiative and lack leadership qualities. I remember some years ago, during the war, Lord Swinton visited this country and gentlemen of the Press had an interview with him. This issue was raised by me and the noble lord explained that if we had the men with leadership ability and initiative there could be no doubt that our soldiers would be commissioned. Up till to-day, no one appears to know the criteria of initiative and leadership. I say this because the evidence of science at our disposal shows that martial quality is not innate and it is not inborn in man. It has to be acquired and it has to be developed. Throughout history there can be no doubt that persons of African descent have distinguished themselves as leaders of men in war, and I need not embarrass this House by a recital of the famous generals of African descent who had played an important role in the history of the world, in ancient, mediaeval and modern times. I hope, Sir, that this Government will be more circumspect on this subject and see that this disparity is removed so as to enable our youth to seek a career in the army of their country. I am yet to be convinced that people of Nigeria and the Cameroons would not seek a career in the army. If that impression exists it is because of the discouraging conditions, and once these are removed, there can be no doubt that so many of them will flock in, as they did in the early days of the war when we had a Local Defence Force Ordinance and our youths believed that with a secondary education and their military training they would be eligible for commissioning in the army. Unfortunately, that Ordinance was repealed for reasons best known to the Government. It is very challenging to notice that in our military establishment Africans, no matter how educated or accomplished, can only attain to the rank of Sergeant-Major; even an African Sergeant-Major is regarded as inferior to his opposite number who may be a non-African.

During the last war efforts were made to bring it home to the African soldier that he was inferior to Europeans. I regret having to raise this point, but as I said yesterday, if these are not exposed, it is impossible for Government to appreciate why some of us feel very discouraged and bitter when we think of the future of our country. In a directive issued to European soldiers instructing them not to fraternize with African soldiers, it was said *inter alia* (I am quoting from that directive):—

“Fraternization or excessive familiarity between the African and European population of conquered territories must be discouraged.” This was a directive entitled “Instructions on the treatment of Black People in the Central Mediterranean

Forces." This curious document continues:—"At the present stage of his development the African will derive no benefit from fraternization. On the contrary he may suffer much harm because he is bound to make a comparison between social equality which the type of Italian he meets is ever ready to afford him and the inequality which he has to contend with in his own country. Furthermore, dealings with the degraded type of European he meets can result in the lowering of his estimation of the white man, which would be detrimental to the policy adopted by the Government of the Protectorates and might have unfortunate repercussions in the neighbouring European States, where a great per cent of these young men find employment."

Your Excellency, I disagree *in toto* with this directive because, scientifically it is faulty, and I do not believe that any type of European is necessarily inferior. The Italians belonging to the Mediterranean sub-race of the Caucasoids cannot be said to be inferior, even to the other types, that is Nordic or Alpine, from the point of view of anthropological science, but here it has been used to prevent fraternization on the part of the African soldiers who are fighting for democracy. What we need is equality of opportunity in our army and respect for human personality, irrespective of race, colour, creed or sex or station in life.

I will now call attention to an incident which occurred in 1946. It was alleged that Nigerian troops who were returning from India mutinied at Port Said. On the 7th of February, 1946, my Honourable Friend, Dr Olorun Nimbe, who was then Third Lagos Member, was sent by the Democratic Party to interview the Governor and to ascertain the facts. His Excellency referred him to the Officer Commanding the troops at Apapa. My Honourable Friend was informed that it had been decided to hold a commission of enquiry. To my knowledge, this commission has not been held and, if it had been held I should be obliged if a statement be made clarifying the position. All we know is that the soldiers who were alleged to have mutinied at Port Said were imprisoned at Enugu where I presume they are still incarcerated. I understand from my Honourable Friend that he will give notice later to make a motion on this subject before the House.

Ex-servicemen have been making complaints from time to time about their pensions. Before saying anything about this, I want to say that I agree with Theodore Roosevelt, a former President of the United States, who said "A man who is good enough to shed his blood for the country is good enough to be given a square deal afterwards." I understand, Sir, that permanent disability resulting from loss of both limbs would entitle a disabled ex-serviceman of Nigerian or Cameroonian descent to draw £1 10s a month, and that if he were in the Navy he would be entitled to £2 5s a month. Now, Your Excellency, I do not believe that either £1 10s or £2 5s

can be said to make it possible for any human being, a soldier who had been to war, to live above the minimum of subsistence level. I hope that the payment of disability allowances or pensions, whatever it is called, will be investigated and something more reasonable and humane will be offered these men who have paid the supreme sacrifice. After all, the State was in peril and they were called upon to fight in order to preserve democracy. Surely, £1 10s a month cannot be said to be worth the sacrifice of limbs or sight or permanent disability for life. In connection with our ex-servicemen or troops, I do not know if I am in order in saying something at this stage about the troubles in the Gold Coast, in view of the fact that an Honourable Friend had asked a question the other day and the learned Attorney-General explained the position of the Government in the matter.

The Presiding Member (The Hon. the Chief Secretary to the Government):

I think it would be preferable, if the Honourable Member wishes to raise that matter, if he would do so by separate question or motion.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

All right, Sir. Now, I want to discuss the aims of taxation in this country and whether we have succeeded in making use of the funds collected by taxation for the benefit of the greatest number. It is said that the aims of taxation are the maintenance of law and order and the maintenance of social services. I am quite aware of the difficulties confronting us in this country because we have not the funds and to an extent we have not the trained personnel. I need not go over that in detail but I wish to call Your Excellency's attention to certain problems confronting us to-day which are germane to this problem of taxation.

In Ogoja Province there have been insistent complaints about arbitrary assessment of taxes. I should be obliged if His Honour the Chief Commissioner, Eastern Provinces, would give me reliable information on the following. In the past two years, how many people in Ogoja Province complained of unfair assessment of tax? Secondly, how many of these were allowed or were told that they had a right of appeal to the Resident, as provided by law? I am informed that there are widespread complaints about unfair taxation there and that some of the taxpayers complain that they do not understand why they should be taxed, because they have no good water supply, no electric light, no Police or fire protection, no good educational facilities, insufficient means of communication, there being very few Post Offices and they are under-staffed. I personally remember during my tour of Ogoja Province, in 1946, visiting a Post Office where they had a staff of one. He was responsible for selling stamps and postal orders, handling telegrams and savings banks and I asked him: "If you were on the sick list,

what would happen?" He said: "Well, the Post Office would be closed down!" I think that if people pay taxes, it is the responsibility of Government to provide them with what they call amenities, but what are *necessities*. I categorize these necessities as follows: Education, Health, Welfare, Communications and Public Works.

I need not discuss the problem of education at length. I discussed same yesterday, but I do hope that in implementing the policy contained in the Memorandum on Educational Policy, the Education Department will bear in mind that we should look ahead towards the time when education will be compulsory and free to all, irrespective of class, sex, colour or creed, and such education should be designed to fit the citizen to his environment and world environment, to enable him to fulfil his obligations as a citizen of the State and an inhabitant of the world. Education should encourage and not stifle self-expression. I am making this statement because I know that during the controversy in the press about the students of Kaduna College not being allowed to wear shoes, some of them were threatened with victimisation and some were actually victimized; so I am told. I am asking my Honourable Friend, the Director of Education, to give me assurance, or give this House an assurance, that the remarks made yesterday about students prostrating before their Principal will not be used as a means to victimise them. After all the facts are well known and there is no reason why the students should be saddled with the responsibility. I only want an assurance.

On the question of health, it is unfortunate that this country has a very big population and inadequate funds to meet our health services. According to figures at my disposal there are 176 hospitals, all told, in this country, and if we take 25 million as the present population of the country, it means that we have one hospital for every 143 thousand persons. According to official information we have 6,968 beds in Nigeria, that is, one bed for every 3,800 persons. There are 257 medical practitioners in Nigeria, that is, one medical practitioner for every 97,000. There are twelve dentists, that is, one for every 2 million. There are 542 nurses, that is, one for every 46,000. There are 301 midwives, that is, one for every 83,000. Now these figures speak for themselves. I have no doubt that the Honourable the Director of Medical Services is doing his best to see that our health and medical services are accelerated, so as to bring them within the reach of the average individual. I submit, Sir, that taxpayers cannot read these figures and be happy to pay taxation. In the light of this I urge upon the Medical Department, both in its immediate and remote programme, to bear in mind the following reforms: that hospitals should be established at every important municipal or rural area in Nigeria. It is the right of the taxpayer, and wherever hospitals are not available then an extensive dispensary service should be established. I am aware that there are some hospitals and dispensaries, but what

I am saying is that these are hardly sufficient for the teeming population of this country, although I will concede that I fully appreciate and endorse the recently announced policy of the Medical Department to support private hospitals. After all, it is the duty and responsibility of the State to care for the health of the citizens. In years gone by the efforts of the missions and of private individuals to run hospitals on behalf of the State were not appreciated, but such hospitals, whether they are subsidized or not, should be regarded as a State concern and should be supervised and subsidized, just as the Education Department is doing, so far as our schools are concerned.

In view of the need for medical practitioners in this country the Medical Ordinance should be relaxed in its applications. It should be possible for any medical practitioner who is diplomated by any recognized college or university in the United Kingdom, America, Europe, or Asia to be licensed to practise medicine in this country. I think that the practice at present is to allow only those from British Universities to practise in this country, and the others are allowed restricted practice. Such restrictions should be liberalised. I do not intend now to emphasise appointments of West African medical practitioners to the West African medical service, for I notice that changes are taking place. I hope that these changes will fit in with the idea in this country now, that none should be regarded as inferior on the basis of race. A familiar subject which I am happy to say was touched yesterday by a medical practitioner is that of private practice. For years in this country we have criticised it and I think it is pertinent to mention it again. I am aware of the recommendations in the Report of the Harragin Commission, but the sooner this practice is done away with the better for the profession and also for the health services in this country.

I am wondering whether the time has not come for the socialization of medicine and midwifery in this country. I do not know what is the opinion of the medical fraternity but as one interested in this aspect of social problems I feel that if we had some sort of socialization, say a panel of all medical practitioners in the country, and they attend to patients at the initial stage and send them to the general hospitals, later, that would bring medical service within the reach of the average taxpayer. The nursing service which hitherto has been run on a bi-racial basis, I notice too has modified this discriminatory practice, because some Africans have been appointed, although more Africans could still be appointed to the upper bracket of the nursing service. I hope that my friend the Honourable the Director of Medical Services will bear these in mind in running his department, because the figures which his department have given out would give a totally wrong impression of what is being done, in view of the greatness of this country and the density of our population.

In connection with the subject of communications, this is one of the duties of the State for which taxes are imposed. It is unfortu-

nate that our communications system leaves much to be desired. It is true efforts are being made to make it more efficient. Take the postal service for example. In some Post Offices much delay is occasioned in the purchase of stamps and postal orders, transaction of business in the savings banks and delivery of mails. I do not know whether this is due to insufficiency of staff or inefficiency. Whatever it is, the taxpayer is suffering. The same too applies to the telegraph service. There is considerable delay in the delivery of telegrams and mutilation is also the case in some respects. If it is due to under-staffing, I see no reason why that department should not ask for more staff, and if it is due to inefficiency then the head of that department should investigate and take necessary action, but the taxpayer is not satisfied with the telegraph service of this country. The same applies to the telephone service. I think, Sir, that the time has come when we should have house to house delivery service extended to all important towns. I know that certain towns in the last year or two have had this privilege, but it should not be regarded as a privilege, it is a right of the taxpayer, and with so many ex-servicemen out of work, I see no reason why this should not be a means of providing employment for them. I am just wondering why it is not yet possible for any businessman in Lagos to be able to hold discussions over the telephone with his opposite number at Calabar, Port Harcourt, Kaduna or Kano. I know that the Director of Telegraphs might say that that is due to technical reasons, but that has been the excuse year in and year out, and I am wondering whether the time has not come when our trunk services should be made more efficient.

After all we are asking business people to pay more taxes and yet our transport and communications systems make it difficult for them to transact their business more efficaciously. If we want more taxes from the country then we must provide efficient communications and transport. I feel therefore that in asking that our trunk services and telephone services should be extended and made more efficient, one is not being unreasonable. During my visit to Idah, the people there made certain complaints with reference to their communications system. It is true that they have a Post Office there, but they have to cross the River Niger in order to send telegrams at Agenebode. There is no pontoon or bridge between Idah and Agenebode, which is in the Benin Province. There is need for a bridge or ferry across the Niger between the two places and if possible, a telegraph station should be incorporated with the Idah Post Office, if not already done.

I do not wish to elaborate on transport excepting that the taxpayers of this country are beginning to have misgivings about the allocation of cars and lorries. During an interview with the Controller of Motor Transport he told me that the lorry position is bad. I am inclined to agree with him, but in connection with cars I told him that there is a growing impression in the country that only certain races and classes of people are allocated cars above

eighteen horse-power. I would like that department to remove that impression as soon as possible. I also complained to him that certain regions complained that whereas some regions have many cars above eighteen horse-power other regions find it very difficult to do so. Besides some of the traders, those who add to the wealth of the country, find it difficult to get such cars, whereas employees of firms of both races apparently obtain their cars with ease. Since it has been decided to retain motor transport control this department should satisfy taxpayers that no discrimination of any sort is being practised in the way cars are being allocated, either racially, individually, regionally, or zonally.

I come to the Labour Department. There is not much to be said, at present, until we go to the Select Committee but I wish to call the attention of Your Excellency to complaints being made by civil servants throughout the country about General Orders 40A and 40B depriving civil servants of rights of discussing politics or participating in politics. I know the position in other countries, in England and in the United States, and I appreciate the stand taken by this Government to make it difficult for civil servants to participate in politics, but in a country of this nature, where our best brains may be said to be in the civil service and the country cannot be said to be free politically, I think that these considerations make it necessary that we should consider the civil servants not only as a civil servant but also as a taxpayer. Some of them are victimised—and some of them give cause for punishment to be meted out to them—but that is no justification for having in our General Orders such a drastic provision which deprives them of what I would regard as an elementary human right. I hope that the Government will reconsider this problem. It may not be within the jurisdiction of this House to interfere with General Orders but surely whatever branch of Government is responsible for it is entitled to know the feelings of civil servants in this respect.

I should have raised the point with reference to advance for the purchase of cars when I discussed transport but I think that I should discuss it in connection with civil servants. The general impression among taxpayers is that today if you belong to the Senior Service you can receive an advance and purchase a car with ease. You are entitled to basic transport allowance. I think it is £120 a year, in addition to mileage allowance. So that in four or five years, if one does not pay anything at all from his own pocket, one can with his basic transport allowance refund the advance given to one for purchasing that car. I do not know whether this was devised in order to accelerate the sale of cars but I know that those who introduced that policy were activated by honest motives, that is, to make it possible for civil servants to move to and fro without inconvenience. If it is considered necessary to allow civil servants to have an allowance to purchase cars, and it is necessary that we should give them basic and mileage allowances sufficient for them to refund the cost of the car within three to five years, then

I submit that civil servants in the Junior Service should also be considered. After all, before a civil servant gets to a stage where he earns £300 per annum he must have served about twenty-five years, unless he is exceptionally lucky or very brilliant. Therefore, I suggest that this privilege of allowing civil servants to obtain advances in order to purchase cars should be extended to civil servants drawing salaries of not less than £300 per annum. That would make it possible for civil servants on the whole not to have cause to grouse about certain branches of the civil service being privileged to enjoy the use of cars and others denied such a privilege.

Uniforms designed for our Police, Forest Rangers, Native Administration Court Messengers and Prisons appear to me to be archaic and should be changed to be more in accord with the "streamlined" fashion which is the vogue today in different parts of the world. I have mentioned already that of the soldiers. Those of the Police were mentioned two days ago and I agree that it is desirable that we should change to an extent the uniform of our Police. The use of helmets will help a great deal in Nigeria and the Cameroons, since we are in the tropics; and fez caps may be all right for one reason or another, but I think that helmets are much more important either from the point of view of utility or of aesthetics. I feel that uniforms of prisoners particularly should be considered. The old idea of regarding prisoners as anti-social beings who should be banished for their crimes is antediluvian. We should regard prisoners as problems of society and treat them as human beings. There are some prisons where prisoners are not allowed to wear shoes even though they may be used to wearing shoes. Some of them are not allowed to wear caps even in the sun. I have raised this question before and, as a matter of fact, when the deputation to London, of which I was a member, approached the Colonial Office officials some time ago on this point, we were told that in the opinion of those concerned it was not necessary. I feel that it is humanitarian that prisoners working in the sun should have their heads covered whether it is the practice or not. We should not go back to the level of those who do not know better, rather we should stoop down and raise the fallen to a higher level of existence.

I do not know what is the intention of the Labour Department in connection with domestic servants, but I do know that in the Gold Coast they are registered and licensed. There are complaints about inequality of treatment. I do not know whether the Honourable the Commissioner of Labour is in a position to give me information about this? If he is, I would be obliged, because conditions of domestic servants in this country deserve consideration so far as their salaries, etc., are concerned. I have a telegram here which was sent to me from the Domestic Servants' Union in Lagos, my constituency, calling attention to the matter and asking me to raise it here. Hence I have taken the liberty to do so.

At page 16 of His Excellency's Address mention was made about the problems concerning the position of His Highness the Oba Falolu of Lagos. We who represent Lagos feel that in the long history of Anglo-Nigerian relations, the British Government has not always been fair in its dealings with the House of Decemo. I know that there have been instances where official action was justified, but we cannot continue to maintain a policy of victimization—I use the word “victimization” advisedly—especially where an old man is concerned. The Oba has no means of earning a livelihood. He is not recognized as a Native Authority and he exists as a mere figurehead. In view of the Treaty of Cession which made Lagos a Crown Colony, I agree with those who say that the Government of this country and of the United Kingdom owe it as a moral obligation to maintain the House of Decemo. His Excellency mentioned that, for certain reasons, official recognition of the Oba Falolu was withheld and his stipend was suspended, but said that in view of a change of mind by the end of the year reconciliation was almost complete. I do not know all the facts about this reconciliation but I do hope that this reconciliation will bring about a reconsideration of the recognition of Oba Falolu and also return to him of his stipend with possible arrears. He is a very old man now and he depends on his stipend to eke out a living. Unlike his great-grandfathers, he has not power to impose taxes; as far as I know he exercises no political jurisdiction in Lagos whatsoever and I feel that the case of Oba Falolu deserves the sympathy of a benign Government. I want to suggest that if in future the Government feels that a natural ruler of his status has done something wrong, efforts should be made towards reconciliation instead of punishment. If we start out by being punitive, even with the best intentions in the world, we can be misunderstood. I feel that if Oba Falolu's case had been considered in that light much of the tension now in Lagos would have been eased.

His Highness the Oba of Benin in discussing rubber called attention to the way the outside world is ignoring our rubber. This is unfortunate. In time of trouble Nigerian rubber was very much wanted. We speeded up the production of our rubber. Today it appears that our rubber is no longer wanted. His Highness suggested that if it is impossible to obtain an outside market, then a rubber factory in Nigeria should be encouraged. I agree, but I understand, Sir, that a Czech firm wanted to come out and start a factory to make use of our rubber in manufacturing crepe soles, etc., but, unfortunately, the immigration laws proved to be a barrier. If that is the case I hope that this matter will be reconsidered and opportunity given to an outside firm to come to our country and make use of our raw materials since we are not able to do so.

We have been told that we cannot transact business with the United States because of the dollar crisis. To the average rate-

payer, talking about the dollar crisis or the sterling group is Greek. I would like the Honourable the Financial Secretary to tell this Honourable House what was the dollar earning capacity of Nigeria during 1946-47? That should enable us to know whether these restrictions and prohibitions are justified. We have the agricultural and mineral products which find a ready market in the United States, and I cannot understand why it should be difficult for us to have exchange so far as dollars are concerned.

I agree with my friend the Honourable Member for the Colony that it is time this Government considered making the Commissioner of Income Tax to be resident permanently in Nigeria. If the Governments of the Gambia, Sierra Leone and the Gold Coast wish to have a Commissioner of Income Tax, there is no reason why they should not ask their taxpayers to provide for same. We want our Commissioner of Income Tax to be resident in Nigeria, to apprise himself of the peculiar nature of Nigerian fiscal problems. I do not think that to have the Commissioner living in Accra and coming here once in a while, is conducive to the better administration of our Inland Revenue Department.

The West African Court of Appeal deserves some mention as well. The demands upon the time of the various Chief Justices of British West African Dependencies make it clear that a change is overdue. I think others have made the suggestion, and if not I am making the suggestion, that it is better to have a panel of judges, in England, and then on an equality basis, they could tour the various West African Colonies and adjudicate, periodically. Naturally, having jurisdiction, their job will be clear cut and well defined and in cases of matters requiring technical or expert advice those fully qualified can be co-opted to assist them. This would help in the administration of justice in this country. With these men from the United Kingdom being on such panel and adjudicating cases which are not local to them, they would come with open minds. I do not say that the present Chief or Associate Justices have not open minds but I mean that they would not be subject to local influence. They would come and study the cases at their face value. This plan should save our Chief Justices from frequent travelling, which makes it impossible for the average Chief Justice to spend sufficient time in his area.

The women of Nigeria deserve better consideration than what they are having today. In some parts of the country they are taxed, but some of them are not like cows, which are usually patient and allow themselves to be milked; rather some of them are behaving like mules and are beginning to kick. I feel that it is commendable for the Government to have adopted the policy to enfranchise the women of Port Harcourt, so that at the next municipal election women will vote there. Much can be done elsewhere, for wherever women are taxed in this country they should also exercise political rights. A contradiction exists in Lagos and Calabar, where there

is limited franchise, but women who may pay income tax are prevented from voting, according to the Nigeria Legislative Council Order in Council, 1946. This is unfair and unreasonable; women should be enfranchised. In this connection, I wish to raise very strong objections to a new General Order which disqualifies women from becoming civil servants as soon as they become pregnant or married. Permit me to say, Sir, that this is not a progressive policy, in comparison with the practices in vogue in the outside world. Women, after all, are not responsible for their physical condition. It is for the State to regard their condition as a social problem and find a solution. There is no justifiable reason why women, particularly married women, should lose their jobs simply because they are pregnant or married. In some parts of the world women have proved the equals, if not superiors, of men, and I think that our women should be given an opportunity to develop their personalities in this country. Every kind of discrimination based on sex should be abolished subject, of course, to the religious susceptibilities of our friends in the North.

I raised the question some time ago about the system of regional registration. My friend the Commissioner of Labour told me that a system of regional registration does not exist. The English word is very difficult, but frankly I don't see the difference between "system of regional registration" on the one hand and "registration system in any area." What I have at the back of my mind is that when any Member of this House asks a question, Heads of Departments should not think that there is any attempt to embarrass one. If one makes a mistake one should be corrected; I should be very happy to be corrected if I make any mistake in questions or matters of procedure. But I feel that to beg the issue, so far as certain questions are concerned would not help, and perhaps my Honourable Friend will enlighten me, in which case I assure him that I should be too happy to have his correction, if he would explain to me the difference between "system of regional registration" and "regional registration in any area."

The debates of the Legislative Council are getting to be rather lengthy (laughter) I appreciate the joke, but lengthy debates are not unique in this country for I know some parts of the world where senators or members of parliament speak for many days! Nigeria is a great country with a population of over twenty-five million. Why should I come all the way from Lagos and spend five minutes to address the House and then sit down? If there are subjects of importance to be discussed, I should take the opportunity and discuss them and I see no reason why I should be apologetic. I feel, therefore, that future reports of this House may be bulky, and in the interests of those who wish to study the reports of our deliberations more critically, it is time our debates were indexed. I hope the Department concerned will act on this advice. If the various reports of our debates are indexed, from time to time, I think that in the years to come it would be worth the endeavour, because

Nigeria is becoming such an important factor in Imperial and World affairs, that a study of Nigeria from any aspect should reward research in the future. However, for our own use and the use of the outside world I advocate that our debates and other official documents should be indexed.

In connection with prayers I do not know whether, in view of the innovation under this New Constitution, whether we should not bear in mind also the religion of a considerable large number of our population. I know that Christianity may be said to be the State religion, but I am just wondering whether out of deference to our Northern and Muslim brothers, we should not have Christian prayers said one day, then the next day prayers according to the religion of Islam. I am also wondering whether in the prayers the wording should not be amended to include the preservation of the indigenous rulers of this country? At present we pray for the preservation of the life of our Sovereign and the people of this country; I know that our indigenous rulers are included among the people of this country, but I am wondering whether we could not also single them out and ask Almighty God to preserve them as well.

I want to say that I appreciate very much the part played by the Government Printer. Only those who do not belong to the printing fraternity are ignorant of the amount of sacrifice and the tremendous work done overnight in order to get the Orders of the Day and Minutes of this Council ready. Some of the printers work after midnight, and I feel, therefore, that for expediting the printing of our papers, that the Printing Department in general, and the Government Printer in particular, deserve the appreciation of this House. Printing is one of the few professions which fails to catch the headlines. It is one of hard work, skilled hands, patience and efficiency. These characteristics of the printer have been manifested in the way printed matter has been made available to Honourable Members of this House.

I am particularly pleased with the remark of His Excellency in respect of sports. Some of us feel that it is not necessary, but we do know that, in recent years, progressive nations have paid more attention to the health of their people in accordance with the adage that a healthy mind in a healthy body assists to make the individual a worthwhile citizen. I endorse the sentiments of His Excellency and I am very grateful that the Government has decided to vote a certain amount in the estimates in order to finance the movement of athletes representing Nigeria when they travel to other countries. I might as well say here that I was particularly pleased when I received my mail from Lagos a few days ago, to read in an English paper that plans were made to send a group of eight athletes from Great Britain to compete with Nigeria, but later it was decided that a team should be sent from Nigeria to compete with British athletes in one of the British trials for the Olympics. Sports assist in

promoting goodwill and fellowship; for the Government of this country to manifest interest in this way deserves commendation, and I hope that when this team of athletes goes abroad to represent Nigeria; they will do their best, because that would also help to place Nigeria on the map.

I am very jealous of our police and military bands. Last year, when I was in England I felt a bit humiliated that the Gold Coast Police Band was sent over to play in England. Wherever they went they were received wholeheartedly and they made a favourable impression. I feel that we could take a leaf—not necessarily follow what the Gold Coast had done—but we ourselves should plan such goodwill tours. After all, it would help to advertise Nigeria, and it is significant today that more people in the world are knowing about Nigeria as a result of the activities of Nigerians and the Public Relations Department. The Gold Coast should not be ahead of us in this direction. We should also play an important part in such cultural relations.

I come now to the Cameroons. So far this House has not touched the Cameroons, but it is part and parcel of this country. I see no reason why it should be brushed aside. It is true their representatives are here from the Eastern House of Assembly, but there are certain problems of a general nature affecting the Cameroons which should receive the attention of this House. My attention has been called to the activities of an Administrative Officer at Kumba, by the Cameroons Federal Union at Lagos—a part of my constituency—and they have asked me to present before this House their complaint about certain activities which make it very difficult for people living in this Trust Territory to enjoy life and to be secure in the enjoyment of same. I do not wish to read the whole document, but they made a resolution which I am just leaving in this House for the information of His Honour the Chief Commissioner, Eastern Provinces, to enable him to study same and possibly make a statement. I think a copy of this resolution was sent to him and also to the Government. I should like to be informed what action has been taken or is proposed to be taken in order to prevent a recurrence, if the allegations against the officer in question are founded on facts.

Under Article 75 of the United Nations Charter, signed at San Francisco on the 26th of June, 1945, provision was made for the establishment of an international trusteeship system for the administration and supervision of Trust Territories. According to the paper laid by the Honourable the Chief Secretary to the Government on the table of this House last week, on December 13th, 1946, a trusteeship agreement was signed between the United Kingdom and the United Nations, making the Cameroons trust territory. According to Article 76 (b) of the charter, "the basic objectives of the trusteeship system, in accordance with the purposes of the United Nations, shall be to promote the political, economic, social and educational advancement of the inhabitants of the trust

territories, and their progressive development towards self-government or independence, as may be appropriate to the particular circumstances of the people and the freely expressed wishes of the people concerned and as may be provided by the terms of each Trusteeship Agreement."

Article 6 of the Trusteeship Agreement affirms the above, although Article 5 (a) grants the administering authority full powers of legislation, administration and jurisdiction in the Territory and to administer it in accordance with his own laws as an integral part of his territory. After a tour of the whole of the Cameroons in 1946 and a series of conferences with the people and Chiefs of the Cameroons, including leaders and people representing various shades of opinion, I have been requested, Sir, to submit to this Honourable House the following requests:—

Firstly, there is a demand on the part of the people of the Cameroons that that should be represented on the Executive Council. The Executive Council, after all, is responsible for advising His Excellency the Governor so far as the administration of the whole country is concerned and it is significant that the Cameroons have been overlooked. The people of the Cameroons feel that they should be represented on the Executive Council.

They suggest that there should be established a House of Assembly for the Cameroons to discuss purely local problems as distinct from the problem of the Eastern Provinces as a whole which is the case at present. They state that they desire direct representation of the Cameroons on Legislative Council. They feel that to tell them that the Members of the Eastern House of Assembly, who through the electoral college system were selected to come over here, is all right for representation of the whole of the Eastern Provinces, but that specifically the Cameroons, as an integral part of this Dependency and also as a Trust Territory should be given direct representation on this Honourable Assembly. They request that the people of Cameroons descent who are duly qualified should be appointed on the judiciary and other senior posts in the civil service.

They demand that there should be in the Cameroons at least one secondary school, in accordance with Article 12 of the Trusteeship Agreement, which reads as follows: "The Administering Authority shall, as may be appropriate to the circumstances of the Territory, continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training." I feel, Sir, that this request is not far fetched, because according to the information at my disposal there is only one secondary school there, under control of a missionary organization.

The people of the Cameroons demand unification of the Cameroons, North and South. They call attention to the practice, when between 1919 and 1922, certain portions of the Cameroons were sliced and given to Bornu, and other portions to Adamawa and other portions to Benue. They suggest unification of North and South, so as to make the Cameroons easier for administrative purposes, although it is conceded that at the time when the dismemberment took place it was to facilitate administration on the part of the mandatory.

They request that there should be less interference by Administrative Officers in the workings of the local administrations, and that their Chiefs should not be intimidated because Administrative Officers are supposed to co-operate with chiefs and indigenous rulers as guides and advisers. They demand reforms in land tenure in order to be consistent with Article 8 of the Trusteeship Agreement, which lays it down that any permanent laws relating to the holding or transfer of land and natural resources, "the administering authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources shall be transferred, excepting between natives, save with the previous consent of the competent public authority." The question of land tenure in the Cameroons is very complicating, in view of the historical background. The part played by the Basel Mission and other missionary organizations, including Imperial Germany, has continued to alienate the natives from their land. Perhaps the Administering Authority would be disposed to study again the system of land tenure in the Cameroons and see what could be done to make it more consistent with Article 8 of the Trusteeship Agreement, if that is not the case.

Lastly, the people of the Cameroons feel that the Cameroons Development Corporation has not lived up to expectations. They demand that at least three popularly elected aborigines of the Cameroons should be appointed members of the Board of Management, and that the Corporation should take immediate steps to fulfil the provisions of its charter, by building schools for the children of its workers, by providing scholarships annually for the people of the Cameroons for technical and agricultural education abroad, and that local talent should be used to the utmost to fill administrative and other posts in the Corporation. I am asking that these representations be taken into consideration, because that will make the people of the Cameroons feel that, after all, we are not overlooking their claims, that they also belong to Nigeria, and that whatever we do it will be to their ultimate benefit.

Coming towards the tail end of a rather necessarily long speech, I wish to say that, at first, when I read the explanation given to a Member who asked during the last Select Committee about the position of Nigerian workers in Fernando Po and was told that fifty

per cent of their earnings are by the terms of the Anglo-Spanish Treaty sent to Nigeria, and the other must, according to Spanish law, be spent in that country. I feel, on reconsideration that we might have reason to adopt this policy in this country in the future. I do not propose to make such a suggestion now, but I do say this, that if in future it becomes necessary that in order to conserve our currency, we should follow the line of Spain, then none need be blamed, because we have established a precedent. Here you have Nigerians going to work in a foreign territory, and they are allowed only to send out of that foreign territory half of their money. In future, it might be considered necessary to introduce legislation so that those who work in this country shall be forced to spend at least half of their earnings in this country, although I know that some of them do spend a considerable percentage of same at present.

Our mining policy needs to be reconsidered in the light of experience in other countries. Professor Macmillan, who I think is a native of South Africa, in his book *Africa Emergent* made a very strong case which I think in framing our mining and fiscal policy in the future, we should study. He says "that in general Colonial Governments have shown themselves shy of laying any undue burden on enterprise, perhaps because there has been no pressure from an anti-capitalist electorate like that in South Africa, in part perhaps because their need of capital is so overwhelmingly great Most Colonies still rely for revenue largely on indirect taxation through customs duties, and possibly railway rates, to which no doubt the mines may be the Chief contributors. It is a disadvantage that where the customs duties add, as they must tend to do, to the cost of living in general, artificially high costs hinder any improvement in Native standards, throw an excessive burden on the salaried staff engaged either in the administrative, commercial, or industrial work, and therefore ultimately discourage the new ventures it would above all be politic to encourage". In another book he suggests that "mining enterprise offers definite economic advantages which should contribute to the welfare of the African society as a whole . . . Companies must be given to understand that the principles of 'trusteeship' if they have any meaning, make African mining a privilege and not a right, and it is for the State to determine and enforce the terms and conditions on which an enterprise shall be conducted. Any company unable or unwilling to meet what must be required of it in the peculiar circumstances of Africa should be allowed, or compelled, to close down. The State for its part cannot fulfil its obligations by adopting a merely negative attitude, as if it were its only duty to interfere to stop or palliate unsatisfactory or unsavoury working conditions".

I have quoted from Macmillan's works at length because in examining the Annual Report of the Mines Department I notice that the tin industry, which is a sort of touchstone to us in this country, in 1946 engaged 41,942 workers in the Plateau Province, paid them a salary of £819,180, and it is worked out by the Mines

Department at just about 7s 6d a week per worker. The Chief Inspector of Mines, in discussing this aspect of labour, put down the number of natives engaged in the mining industry at 63,419, and the average weekly rate paid to these Africans to produce minerals, including tin, came to 8.30 shillings a week, less than 9s a week. I feel that something should be done in this respect. The mining corporations in this country should realise that it is a privilege and not a right for them to prospect and to mine, and that in making money in this country, in addition to their paying taxation they should also pay our workers a living wage. I do not know what the officer concerned will have to say in this respect, but it is clear at page 15 of the Mines Department Annual Report for 1946, showing how many natives were employed in the mining industry in 1946, how much they were paid, and it came to less than 9s a week. In other words, less than £2 a month was paid. This is below the minimum of subsistence level, and yet we want our mines workers to live as normal human beings! If they are good enough to produce wealth from the bowels of the earth, they should be good enough to enjoy living as other people in other parts of the world. I suggest, therefore, Sir, that the question of royalties and export duty on tin should be re-examined. To take ten per cent as ceiling would not help our internal economy. Perhaps twenty per cent, thirty per cent, forty per cent would do.

As I said yesterday it is up to the Honourable the Financial Secretary to take expert advice from those who are in a better position to know what ought to be done in order to increase our royalties and duties, because it is also incorporated elsewhere in the estimates—it is under Miscellaneous—that we are going to pay £215,610 this year to the United Africa Company, for mining royalties. Some time in 1942 a pamphlet was published by me examining the whole position, pointing out the legal and ethical implications. In 1943, I had the honour to discuss this matter with the Board of Directors of the United Africa Company, when I was in London and it was pointed out to me that the Niger Company was no longer concerned and that these rights had been assigned to a third party. I notice, too, that in this Session a question was asked in this connection, and the answer was that in the past ten years this country has spent over £1,000,000 to pay the United Africa Company in connection with its share of royalties. I do not know what could be done in this respect. I would not suggest that we should break our pledge. No self-respecting State should do that, but definitely it is very onerous on the taxpayer of this country that fifty per cent of our royalties should be paid to a private organisation which made treaties with our ancestors. These treaties, if we are allowed to express our views, should never have been made. Even the Sultan of Sokoto said that when he made these treaties there was no *aggregatio mentium* because he did not realise that he was giving away to the Royal Niger Company his territories and everything thereon and therein for ever. I feel,

therefore, that it is time this Government studied this question of paying half of our royalties to the United Africa Company and appeal to the United Africa Company and to their conscience, if they have any, to consider the position, because, after all, it brings hardship on the taxpayers of this country, and is very challenging and iniquitous indeed.

So far I have discussed the economic and social aspects of the Budget Speech of the Honourable the Financial Secretary and His Excellency. I want to conclude by making a number of references to the political aspect of the Budget Speech. In His Excellency's speech before this House on Tuesday the 2nd of March, he said, in connection with the New Constitution:

“ I must say, however, that most of the objections which I have so far seen raised to the present Constitution arise from misunderstanding of its provisions. These misunderstandings will no doubt be dissolved in the light of experience. I would suggest to you, however, that more important than the form of the Constitution, are the spirit in which it is made to work, and the extent to which it is made to serve the interests of the people. The success of a Constitution depends far more upon these factors than upon its precise form ”.

I agree with the latter part of the statement of His Excellency, but submit the objections raised, at least from our school of thought, are not due to misunderstandings which could be dissolved in the light of experience; rather, the objections are based empirically, because we have studied the Constitutions of our country since our connection with Britain, and we are convinced that the New Constitution could not satisfactorily serve the needs of 20th century Nigeria. In order to show that our objections were not based on misunderstandings, I would like, Sir, to explain briefly the basis of our objections to the New Constitution, for purposes of record, to enable those who may have misunderstood our stand to appreciate the whys and wherefors of our stand in the past.

We objected to the Richards Constitution, I mean the New Constitution, because we felt *firstly* that, the claim that the Legislative Council has an African majority, whilst true, is misleading, since Chiefs and Native Authorities comprise the majority membership, and they are appointees, directly or indirectly, of the Governor, and subject to removal from office by him; *secondly*, the classification of Chiefs and Native Authorities as Unofficial Members is inconsistent with Government policy, since in State papers and in actual practice Chiefs and Native Authorities are officially recognised as an integral part of the machinery of Government. *Thirdly*, the vesting of power in the Governor to nominate Unofficial Members to represent the interests of the taxpayers is not democratic; *fourthly*, we hold to the view that the New Constitution discriminates against taxpayers on the grounds of sex, economic

status and residence; *lastly*, we oppose the New Constitution because we felt that representation of vested interests is not conducive to democratic institution, because it creates a privileged class: at present shipping, mining and commercial interests are represented by direct nomination of the Governor. These are the views which we held then, and which we still hold, and we regard them as incontrovertible.

The statement that the Council has an African majority is true, but definitely misleading. We know that our Chiefs exercise executive and limited judicial powers according to our native constitutions; to an extent, some of them make laws too. The idea that our Chiefs should be regarded as Unofficial Members we felt is derogatory to their status. Why should Chiefs and Native Authorities, who exercise limited executive, legislative and judicial powers in their areas, not be regarded as *Officials*? They make laws, they administer them, they interpret them, and yet we are told in the New Constitution that they should be regarded as *Unofficials*. Those of us who oppose the New Constitution say that this aspect of it is a play on words, because according to a Government Memorandum explaining the theory and practice of indirect rule, it was succinctly said there that Chiefs and Native Authorities formed *an integral part of the machinery of Government*; and the late Lord Lugard, who may be regarded as one of the founders of this idea of indirect rule, made it clear in his book *Dual Mandate* that Chiefs and Native Authorities are "trusted delegates of the Government" and recognize the King's representative as their acknowledged suzerain. Elsewhere the noble lord said that "although they are an integral part of the machinery of administration yet there are not two sets of rulers in Nigeria but a single government in which the native Chiefs have well defined duties and an acknowledged status equal to British officials. Their duties should never conflict and should overlap as little as possible. They should be complementary to each other." I wholeheartedly agree with the description of the noble lord, because if we place our rulers on a pedestal to guide and direct the destinies of our people, I fail to appreciate the good in any Constitution which brings them down to the level of Unofficials. I leave out the issue whether they should appear in Legislative Council, or not as that has been threshed out by the Honourable the Third Lagos Member, but the fact that Chiefs and Native Authorities who, according to our own laws, in theory and in practice, exercise political power, make laws and administer and interpret them, should be regarded as Unofficial Members, show that this New Constitution is incompatible with official policy and practice.

On the issue of vesting power in the Governor to nominate Unofficial Members, we argued that any political system which encourages one man, no matter how high his position in the political scheme of things, to nominate representative of taxpayers, who are expected to exercise law making powers and to remove them at will,

is definitely not democratic because it is an arbitrary weapon which can be used for manacling public opinion, which is the means for expressing the popular will at Legislative Assemblies. The fact that there are forty nominated members in a legislature of forty-four and that these forty members are in office at the pleasure of the Governor, makes this aspect of the New Constitution, so far as we are concerned, a mockery of democracy.

I think this point is quite clear as published in the *Nigeria Gazette* dated 9th September, 1946, vol. 50. Here is a relevant portion. See Nigeria (Legislative Council) Order in Council, 1946, section XIV, sub-section 3: "The Governor may, by Instrument under the Public Seal, declare any Nominated Unofficial Member to be incapable of discharging his functions as a Member of the Legislative Council, and thereupon such Member shall not sit or vote in the Council until he is declared, in manner aforesaid, again to be capable of discharging his said functions". Sub-section 4 also vests the Governor with power to "suspend any Member appointed by him from the exercise of his functions as a Member of the Legislative Council". Thus the discretion of the Governor is absolute and cannot be questioned at all, hence we assert that such a system is autocratic.

Why, then, should we go back and tell the electors and people of our country that the New Constitution is consistent with the ideals for which our brothers and our sons died in various theatres of the World War II? That was one of the reasons why we felt we were justified because, in the light of arguments presented, I do not see how that can be refuted. With reference to the freedom of the Nominated Unofficial Members to air their views, there can be no doubt they can vote according to conscience, it is true, but we must take into consideration the statement credited in State papers to Lord Buckingham, who was Colonial Secretary in 1868, where he defined the role of Nominated Unofficial Members. This is what he said, according to Martin Wight in *The Development of the Legislative Council, 1606-1945*. I think Wight is a reliable source. He was quoting from a State paper. I have not access to that State Paper but this is his quotation:—

"The nominated unofficial member, holding no office under the Crown, will naturally understand that holding his seat by nomination of the Crown, he has been selected for it in the expectation and in the confidence that he will co-operate with the Crown in its general policy, and not oppose the Crown on any important question without strong and substantial reasons; but of the validity of these reasons he will be himself the judge."

In fairness, I would so admit that Nominated Unofficial Members have disagreed, at times violently, with Government policy but that does not hide the fact that they are supposed to support the main trend of Government policy. They may disagree but as to the wisdom or otherwise in opposing same, it is for them to decide.

Lastly, we said that the New Constitution discriminated against taxpayers because women are barred from exercising the right of franchise. The same is applicable to taxpayers whose income is less than £50 per annum. Taxpayers who reside in places outside of Lagos and Calabar are also disfranchised. These three discriminatory acts are indefensible. Sex equality is regarded as a basic human right in contemporary international society. Income qualification for voting is now outmoded. There is no justification whatsoever for giving Lagos and Calabar the privilege of voting and denying other townships this privilege. A native of Lagos or Calabar, residing in Sokoto or Kano, cannot enjoy the right of franchise in that locality, whilst a native of Sokoto or Kano residing in Lagos or Calabar can. In fact, there is no criterion of qualification for any community to enjoy the right of vote.

And so, Your Excellency, I think you are now in a position to see that we did not oppose this New Constitution blindly, or for the purpose of creating trouble or to present ourselves to the outside world as irresponsible. These ideas which we have postulated are reasonable, fair and consistent with logic and we know that in any part of the world we present them, provided we have a fair hearing, we cannot be justifiably described as trouble-makers. Sir, that is why we have opposed the New Constitution among other reasons and I think that any fair minded person studying the objections raised by us, dispassionately with scientific objectivity, will agree that at least we had made out a good case and acted from honest motives then, as we are still acting to-day, because we feel that self-government is our goal, and this self-government is not at variance with the professed policy of His Majesty's Government.

In a printed statement, handed to the Colonial Office in 1947, we made it quite clear that the people of Nigeria and the Cameroons are said to be trained for eventual self-government, and that same should be accelerated. Why we appear to be impatient is not because we hate any person or any group of people, but because we feel that for a teacher to be teaching his pupils year in, year out, and not giving them a fair chance to practise what they had learned, and for such teacher to allow the outside world to regard such pupils as backward or primitive is unfair, because the pupils are also at liberty to question their teacher and to put it to the outside world to judge whether, after so many *décades* they had been learning the art of self-government and they are still regarded as backward and primitive and incapable of guiding and controlling their destiny, it is an adverse reflection on the pupil or on the teacher? We have every right to put such a question to the outside world. And the verdict of the outside world cannot be in doubt. Unfortunately, due to misunderstanding, these views are usually distorted and our honest intentions are misunderstood and falsely portrayed as if we are trying to introduce novel ideas which would destroy the body politic of Nigeria and the Cameroons. The late Lord Macaulay puts our case well in this connection :

“ There is only one cure for the evils which newly acquired freedom produces, and that cure is freedom. When a prisoner first leaves his cell, he cannot bear the light of day; he is unable to discriminate between colours or recognise faces. But the remedy is not to remand him into his dungeon, but to accustom him to the rays of the sun. The blaze of truth and liberty may at first dazzle and bewilder nations which have become half-blind in the house of bondage. But let them gaze on and they will soon be able to bear it. In a few years men learn to reason. The extreme violence of opinion subsides. Hostile theories correct each other Many politicians are in the habit of laying it down as a self-evident proposition, that no people ought to be free till they are fit to use their freedom. The maxim is worthy of the fool in the old story, who resolved not to go into the water till he had learned to swim. If men are to wait for liberty till they become wise and good in slavery, they may indeed wait forever.”

In conclusion, by virtue of a series of about 400 treaties negotiated between Her Majesty Queen Victoria and Kings of several territories which are now known as Nigeria, Britain assumed a Protectorate in all our country, but Lagos township. The existence of these treaties is a recognition that the Protectorate thus established are not British territories, and their inhabitants are not British subjects. This is consistent with English Constitutional Law. After about 100 years of British connection, certain factors have necessitated re-examination of our relations in order either to strengthen the bond of fellowship between the two countries or to disintegrate it. We belong to the school of thought which prefers the former course, and we feel that the future of Anglo-Nigerian relations need not be a subject of conflict. Rather it should be a question of adjustment of the political and administrative organisation. If Britain exercises a Protectorate over Nigeria, then the relationship thus created is one which gives the Protecting Power right to exercise external sovereignty and to reserve to the Protected State, as of right, internal jurisdiction, until the latter is able to manage her own affairs and demand restoration of that external jurisdiction which had been temporarily transferred at the time of treaty negotiation. Failure of Great Britain to appreciate the necessity for a revolutionary and more co-operative change in her policy in Nigeria and the Cameroons, will mark another milestone in the struggle of Nigeria and the Cameroons for a place in the sun. At present we who are regarded as the articulate element in our country have the sense to make a friendly gesture towards strengthening the bond of fellowship with Great Britain. Self-government is our aim in Anglo-Nigerian relations. It is not outrageous to demand same within our lifetime. The only way to prove the sincerity of the British in Nigeria is to implement their professions by actual deed. I admit effort is being made, but I submit that this can be accelerated with more energy and vim. Some of us are beginning

to think like Count Tolstoy that there is too much talk of working towards self-government and not enough working towards it. This is what he said :

“ I sit on a man's back, choking him and making him carry me, and yet assure myself and others that I am very sorry for him and wish to ease his lot by all possible means—except by getting off his back ”.

I have never suggested, and I do not suggest, the wholesale evacuation of the British from Nigeria, but I hold that since Anglo-Nigerian relations are based on treaty obligations founded on friendship and commerce, there is no reason why an Anglo-Nigerian condominium should not be the nucleus of a great Federation of States in the immediate future, to enable us to take our rightful place in the British Commonwealth. If the British mean well, and I doubt it not, then they must trust us and allow us to participate actively in the management of our affairs. It was Emerson who said, “ Trust men and they will be true to you, trust them greatly and they will show themselves to be great ”.

Your Excellency, Nigeria offers a serious challenge to Britain, not in the sense of a test of strength, but in the realm of moral values. I love Nigeria, just as any other patriot loves his country, and I have expressed my views in the way I know, that is, candidly and with sincerity. I cannot always be right but that does not mean that I am always wrong. After all, I am human like any other human being. My country groans under a system which makes it impossible for us, her sons and daughters, to develop our personality to the fullest. That is why at times some of us appear impatient. This is a fact. I hate nobody on account of his race or colour, or sex, but I detest any system of Government which destroys the best that is in man and makes man to rebel against man's inhumanity to man. Let us appreciate the goodness that is inherent in the British people, and let us also appreciate the goodness that is inherent in the people of Nigeria and the Cameroons. Let us recognise the birthright of the peoples of Nigeria and the Cameroons to live and to enjoy life on earth as abundantly as their opposite numbers elsewhere. With this in mind we can move forward towards a free Nigeria and the Cameroons, bearing before us the torch of liberty, so democratically expressed by great patriots of the past and so expressed by another great democrat on the other side of the Atlantic, Abraham Lincoln, “ With malice towards none, with charity for all, ” we can mend the broken paths of our country, we can heal the wounds caused by misunderstandings, and in doing so “ Let us have faith that right makes might, and in that faith let us to the end dare to do our duty to our country as we understand it ”.

Your Excellency, I support the Appropriation Bill.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, after listening to the speeches of the Honourable Members my weak mind began to suggest that, inexperienced and a beginner as I am, I should not try to contribute my little share of observations to the debate on the Budget. However, I have taken courage to do so. I am also sorry, Sir, that I have to address a rather tired audience. I think it is very encouraging to see how the New Constitution is taking shape especially in the regionalization of the Estimates. It is no small thing, Sir, that the Regional Councils are given powers in the financial responsibility of their area, and that because of those powers each Regional Council should be expected to play a very important part in the development of its own Region. I would, therefore, like to ask, Sir, that all the Members of the Regional Councils should always be given more detailed information of all Government departmental activities because by the mere reading of the brief departmental annual reports in the form that they are written today, I do not think that it is possible for any one of the Members of those Councils to understand fully the extent of progress which is achieved by a Government Department in a year. I think, Sir, that the departmental annual reports should show more details of the work of the Departments, and, if possible, they should be prepared at a fixed date and that Members of the Regional Councils should have them in good time before every Budget Session of the Regional Councils and of this House. Now it appears to me, Your Excellency, that the Departmental Heads of Government—the Directors and their Regional Deputies, seem to be too much tied up with office work in their headquarters. I think that these officers, Sir, should keep on touring all over the Provinces in order to see with their own eyes the progress which is being made by their Department. Now, a word on the Development Programme. The Honourable the Financial Secretary in his Budget speech spoke of a criticism of the more urgent need for accelerating the development of the economic services. Well, I am one of those critics, because after careful study of the Ten-Year Development Plan, I very much wonder, Sir, if Nigeria could be able after 1956 to keep and maintain all those services with its own revenue, which have been put down for development. It is true, Sir, that we should want all those things, but the question is—are they essential at this moment, and are they all very urgently needed? Personally, I would much prefer to see the greater portion of the Development funds being used in developing the quicker revenue earning services and that the rural districts, Sir, should be given all the more serious consideration, especially those that are in the North. Now, the Honourable the Financial Secretary in support of his argument, mentioned the necessity for the development of education, medical and health services. I do agree, Sir, the development of these services is very necessary, and I know it is very good extending and building new main hospitals, but I should like it to be remembered

at the same time that the percentage of village people who make constant use of the main hospitals is very small, and so instead of extending and building new main hospitals, why not build very many more dispensaries in the villages. I would like to say, Sir, that the peasant of this country understands better when he is gradually drawn into a thing. Now instead of spending thousands of pounds on tarring trunk roads, why not build more bridges and make new roads in order to bring the most backward areas into close touch with civilization. I am not saying that tarring of roads is bad, but I do not think that it should be given priority over the building of new roads to open up the country. Now, finally on Development, Sir, I would like to see the most essential things done first. Now, one Honourable Member from the North said in the course of his speech the other day that the North does not want politics. I would say, Sir, that the North wants politics and that the North must interest itself in politics and so, Your Excellency, I now want to speak on what I may call Nigerian politics. It is of great importance, especially at this stage of our development that we should be frank and face facts as they really stand. It was only a few days ago that I said in this Council, Sir, that the present Nigerian political unity is only artificial. Now, I would like to make myself clearly understood. I am not against Nigerian unity in the long run, but I strongly oppose any artificial unity in which the parties who unite are not equally fitted to benefit by the results. I even pray for real Nigerian unity, Sir, in which every tribal community could be allowed to enjoy equal opportunities and I hope that when the time comes for that unity religion should not prove a barrier. Self-governing Northern Nigeria cannot, I know, possibly manage without an outlet to the sea and economically Nigeria must remain one country, but I think, Your Excellency, economically the entire world is one. Now the Honourable the Third Lagos Member raised an important point the other day in connection with Nigerian unity, and I think I also think on the same lines. I am beginning to think, Sir, that Nigeria's political future may only lie in a federation, because so far as the rate of regional progress is concerned some of the Regions appear to be more developed than others, and I think that no Region should be denied self-government because the others are not ready for it. I think, Sir, that as each Region develops to the stage of free self-government, I would say, by all means let them have it, and the other Regions can take their turn at the time when they reached the same stage. Now we all pray for Nigerian self-government, but I am now really beginning to be afraid, Sir, that with the present too early mad demand for self-government, that the Nigerian self-government for which I say we all pray might be forced upon the Northern Provinces at a time when we are completely unready for it. I have real fears for the Northern Provinces and I am afraid that we may be too much hurried up in our development. It is mainly because of this "hurry up" which I see and which seems to come through pressure from other Regions, that many people now

tend to forget that the most essential thing that we should do is first to put our house in order. It is of no use, I think, trying to solve the major general Nigerian problems, if at the same time the many Regional ones are neglected. Nigeria, of course, has some general problems, but it must be admitted that each Region has its own different ones and unless those Regional problems are solved first, I cannot see, Honourable Gentlemen, the possibility of a satisfactory solution to the general ones. Now, I am sorry to say, Sir, that I am not at all happy with certain conditions of things in this country and whenever I begin to think of Nigerian political unity I cannot help thinking of the unfortunate position of the North. I cannot help remembering, Sir, a conversation which I once had with one Southern gentleman, Sir, five or six years ago; I was discussing a book with him, I think the book was called *British and Axis aims in Africa*, and I think it was written by one Nigerian in America. Now, I asked the Southern gentleman, Sir, what would happen to the so called conservative, backward North if Nigeria were to obtain immediate self-government. My Southern gentleman, Sir, gave me a very true, frank answer. He said that the North would supply the labour. It is also, Sir, with some regret that I have to point out my disappointment at some of the ways through which young Nigeria is now undergoing its inevitable modern changes, and I am sorry to have to say in public, Sir, that discipline appears to me to be deteriorating in this country at a time when it should be strong. Discipline in the past, Sir, was very strong in our tribal communities but it now seems to be fading out and I would like to say, Honourable Gentlemen, that it is almost impossible for any society to succeed once its discipline has gone. I would, therefore, like to make a public appeal to all men and women, European and African alike, who are in a position to render help, to co-operate and save Nigeria out of this calamity. Honourable Gentlemen, we should co-operate to educate young Nigeria to be reasonable, to have respect for authority, for religion, for traditions and customs for the society and for the home. Now, Your Excellency, I would like to make some few remarks on one or two points raised by the First and Second Lagos Members. Now the Honourable the First Lagos Member spoke rather strongly in support of the natural rulers, although, Your Excellency, I do not exactly understand what people mean by the word "natural" in this case. Now I very much appreciate his stand but I entirely disagree with all his points. As far as the Northern Provinces are concerned, since the time of the Songhay and the Malle Empires in the Western Sudan and since during the time of the Habe that is just before the establishment of the Fulani Empire in the North, the kings of Northern Nigeria sat in councils and took an active part in all discussions. I should also like the Honourable Gentleman to remember that our Obas and Emirs in Nigeria are not constitutional monarchs like the kings in Europe, and since that is so I can see no harm in their coming to this Council to take part in the debates. It means that their coming here is of great advantage,

because they are at the same time being trained in the art of modern government, and this will all be to the good of their own people. The same Honourable Member, Sir, also spoke in disgust of the simple courteous behaviour of the Northern Emirs towards His Honour the Chief Commissioner of the Northern Provinces. Well, I am very sorry to say that the remark he made insulted all of us, the Northern Members, and especially the Emirs in question. I would like to face my great friend the Second Honourable Lagos Member. Well, he spoke on two points concerning the Northern Provinces. I do not know whether it was zeal or whether it was something else. My Honourable Friend suggested that Kaduna College, the only College we have in the North, should be open to invasion by Southern boys. I am very sorry that this statement should come from an Honourable Gentleman who is said to be working for the cause of Northern Nigeria. If my Honourable Friend suggested that Colleges in the South should be open to Northern boys, well I do not think that I would argue very much, although I should like to remind my friend that considering past experiences, if I can remember well, from 1936 to 1945, we sent eleven Northern students to Yaba Higher College and none of those Northern students completed the course. Why? For the simple reason that the presence of those Northern students in Yaba was considered by the staff and by the students there to be a nuisance, simply because they were Northerners they were considered to be backward. And also I would like to remind my friend that years ago we had a Pharmacy School at Zaria. In that Pharmacy School we had only Northern students and about 75 per cent of them became dispensers and one of them is now a lecturer at Yaba Medical College. He has been in Lagos for over ten years. But since the time that the Pharmacy School at Zaria was transferred to Lagos I think that we have had only one Northerner qualified as a dispenser in Lagos. The second point my Honourable Friend raised was the wearing of shoes by Kaduna College boys, and also the Kaduna College boys being made to kneel down to greet the principal in the morning. Well, I would like to remind my Honourable Friend that we educate in Kaduna College for the society. Now our schools must aim at educating the young people for the society because those young men who are being educated in the schools are going back to the society and in that case, now, if we allow the students in Kaduna College to wear shoes and just when they see their principal come say "Good morning, Sir", well when they go back home during the holidays or when they leave, they cannot behave in that manner towards their parents, they would get a good beating. I know this is a burning question, going down to greet people. I know it is but the time is coming when it will be stopped, but it is not yet time in this country, and I know many young Northerners come to me and say "Why should we take off our shoes when we go into European offices or when we go in to see the Emirs?". We must take off our shoes at the present time. The time will come when the young people who are now criticising these things should

be in a position to say " Well, now we allow you to carry on with your modern adoptions ". Now referring to the wearing of shoes by boys, or better say by young men, I would like to remind my Honourable Friend of the statement he made in this House only a few days ago. He said that he respects every native custom. I tender my apologies to the Fifth Eastern Member for using the word " native ". Well, I remember also that when we were in Lagos at the last Budget Session of this House, my Honourable Friend came forward to the Wayfarers Hotel to see the Emirs of the North. I can remember my Honourable Friend took off his shoes at the door when he went into the room. He knelt down and greeted them. Now, I ask my Honourable Friend, did he really do it to mock the Emirs, because that is what he did, and only two days ago one of the Honourable Members from Lagos knelt down and greeted the Oni of Ife, so is it mockery?

Your Excellency, I beg to support the Appropriation Bill.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, I rise to support the second reading of the Appropriation Bill. When the Honourable the Financial Secretary suggested in his speech introducing this budget that some Members at least appeared to suffer from an illusion as to sources of revenue or even invested the Financial Secretary with magical powers of revenue making, a feeling of regret came over one at the Honourable Gentleman's over-simplification of the case. I do not agree with the quoted version " The Financial Secretary can provide ", as the Honourable Gentleman puts it. But I must point out that in African parlance the suggestion that the Financial Secretary should find the money for needed services could be a very polite way of saying things that might hurt if put more nakedly. The Financial Secretary did in fact find £50,000 forthwith to increase the Education Vote at the Select Committee referred to and later in the year his successor was obliged to find another quarter of a million pounds for that vote. But there is another sense in which it is admittedly the study and duty of the Honourable the Financial Secretary to the Government to find any money needed for necessary expenditure. This very budget we are debating, Sir, calls upon us to approve the Financial Secretary's proposed ways and means of finding the £2,600,000 he requires to present a balanced budget. Who of us can pretend anything like the intricate knowledge, firm grasp and superb efficiency, so admirably combined by the present Financial Secretary, required to lead the House in this all-important affair of finding extra revenue for extra expenditure? I respectfully submit, Sir, that whenever we need money for necessary and desirable expenditure, it is the primary duty of the Financial Secretary to the Government to find it. Find it in the pockets of the taxpayer, if need be, but by all means find it.

Turning to one or two things that have happened between the last

budget session and the present, I must congratulate a number of Heads of Departments on what I consider phenomenal improvement of matters complained of in our last budget speeches. First the Honourable the Director of Medical Services. The series of promotions to the Senior Service in his Department during the current financial year, particularly that of the Yaba medicos to Assistant Medical Officers, coupled with the removal of the anomalies adversely affecting the position and status of African Sanitary Superintendents are two only of the several instances deserving of warm commendation. Secondly, the Honourable the Director of Education. I happen to know how hard and with what patience and statesmanship the Honourable Gentleman fought with others to secure a substantial increase in the grants-in-aid vote, with a view to restoring dignity and stability to the teaching profession. In this connection, I wish to tender the thanks of the Nigerian teacher to the entire Legislature, Official and Unofficial, and to His Excellency Lord Milverton, who to our extreme good fortune presided last August, for the unanimous provision of the very substantial increase in the Education Vote asked for by the Honourable the Financial Secretary, Mr S. Phillipson, C.M.G., at that meeting of Council. Thirdly, I must express my thanks and appreciation of the fact that £10,000 appears in the Estimates as a first instalment for manilla redemption. I think my thanks are due here to my Chief Commissioner and to the Honourable the Financial Secretary. As is well known, the manilla currency is a menace in parts of the Calabar, Owerri and Rivers Provinces. I fully appreciate that £10,000 may not be sufficient to buy up all the manilla there is in these Regions and, in fact, the Estimates say that this vote is but a preliminary redemption step. I should like to risk the suggestion that redemption should be carried out Province by Province, or District by District, according to the ascertained redemption power of the vote allocated, the manilla being declared by legislation or Order in Council as not legal tender in redeemed areas. Finally I should like to express my thanks to the Chairmen of the Central and the Nigeria Local Development Boards, and to the head of the Department of Commerce and Industries for all that they have been able to achieve in the current financial year. Not, indeed, that I am by any means satisfied, or likely to be for some years to come, with the rate of development or the degree of industrialisation of the country, but because it cannot be denied by even the most ardent critics of Government that some notice has been taken of our wishes in these matters, and some sincere effort made to meet those wishes in part. I did, however, lay much stress twelve months ago on what I called "human development," and I propose to return to this subject later, under Africanization of the service.

When this time last year the Select Committee on Finance unanimously passed a vote of £15,000 subject to approval by a committee of the whole House, in

aid of the flood victims of England, certain sections of the press belaboured themselves to put every imaginable construction on the gesture. Dismissing their usual bleating about favour-currying and the seeking of foreign honours and titles with the cold contempt it deserves, one would like to say a word about their argument that Nigeria is too poor to help wealthy England. I call this an argument by courtesy, as it does not deserve the name. In the first place, the gift was not made to England, as our critics deliberately chose to put it, but to the unfortunate flood victims of that country. They could have been victims from any other country of the world. Those of us who nurse a hatred for England *qua* England must at least have the decency to allow those who do not to "live and move and have their being." They must not attempt to stifle the best elements in African character by the artificial exaltation of what can best be described as meanness commercialised. Human experience proves beyond doubt that the wealthy have no monopoly of humane sentiments and generosity. London and all Britain helped the flood victims. The United States did so, and so did our next door neighbour, the Gold Coast, to name but a few. We cannot eat our cake and have it. We cannot cry for manhood and refuse to grow. Surprisingly enough, the same group of critics complacently acquiesce in the offer of millions of pounds from war stricken Britain for development projects in Nigeria. They are even impudent enough to suggest how this money should be spent, and to accuse the Government of giving the lion's share in this vote back to British boys and girls by way of emoluments to Development Officers. Not that it is not for us to suggest how this money should be spent to our best advantage, not that it is not for us to demand that such Africans as are fit and proper persons for appointments as Development Officers should be given priority of selection, but I want to make the point that it is not for these gentlemen who would like to see the world in watertight compartments to contradict themselves so shamelessly by enquiring into these affairs. It is for those like the Select Committee on Finance who are guilty of thinking in terms of the brotherhood of man to raise the questions. They and all who think as they do have any logical consistency, any moral right, to press for satisfaction on these issues.

Your Excellency, with your permission I should like to air a number of complaints to which my attention has been drawn. This I do with a desire to promote smooth administration, and in the hope that the Departmental Heads concerned will take the necessary steps to put the matters right where on enquiry they discover any substance in the allegations. Firstly, it has been brought to my notice that there is considerable delay in the payment of gratuities and pensions to retired civil servants. Ex-constables appear to suffer a good deal of hardship in this regard, although

the delay complained of is by no means limited to the police force. Secondly, employees of second class townships, Aba for instance, have expressed dissatisfaction with the fact that their service conditions are not brought in line with those for the ordinary civil servant. I know, Sir, that there is a technical loophole here. It could be argued that these men are not Government employees. But may I submit that to the layman employee this argument is merely plausible, neither more nor less. Equality of treatment would remove every cause for undesirable ill-feeling. Thirdly, whereas the police force stipulates a height of 5 feet 6 inches for recruiting, the Prisons Department lays down a minimum height of 5 feet 10 inches for warders. We have it on authority that the average height of the male Easterner is 5 feet 6 inches. It is not difficult, Sir, to draw an uncomfortable inference from the demands of the Director of Prisons, an inference which, I am sure, would startle the Director himself if imputed as motive, for I am confident that nothing is further from his intentions than a desire to shut Eastern males out of employment as warders. Fourthly, Nigerian civil servants, traders and employees of firms in Fernando Po find the exchange arrangements most unsatisfactory, and complain incessantly of delay and heavy financial losses in the process of exchange. I take it that the loss is bound up with the Spanish peseta and the pound sterling. It would give much needed relief if our Government could look into the exchange question and make adjustments to avoid delay and avert the loss complained of. Fifthly, the conspicuous absence of co-operative societies in the Arochuku district of the Calabar Province is a matter for regret. It is not enough to argue, Sir, that these societies must rise spontaneously. It is the duty of a benign Government to awaken the people to a realisation of their own needs and the perils they court by neglecting those needs. Sixthly, may I associate myself with the plea of my friend, the Honourable Bello Kano, First Member for the Northern Provinces, for a bridge over the Kaduna River. Last under this head of complaints I should like to mention the lack of telecommunication facilities between some of the Unofficial Members of this House and their Regional Headquarters. In a rapidly changing world it is hardly necessary to emphasise the importance to our legislators of being in constant touch with the machinery of Government. Pending the gradual expansion of our development programme under this head, I should suggest, Sir, that every District Officer, every Honourable Member of this House and every member of the Regional Houses be connected by temporary appliances to his Regional Headquarters. Witness the excellent temporary telephonic arrangements made by the Northern Provinces authorities, for which we are so grateful, to facilitate communication during the present sitting of Council. Surely, Sir, it is not beyond the ingenuity of the Posts and Telegraphs Department to devise a satisfactory system.

participate with Government in the general development of the country, *e.g.* education and medical services. I would respectfully submit, Sir, that following the analogy of Government Departmental Scholarships, grants should be made from the scholarships vote to non-Government social service agencies for the training of African staff for approved development or expansion projects. I beg leave to conclude with a quotation from what I said under this head on a previous occasion: "Human development will constitute real development and a far greater advance towards the ultimate goal of equal partnership in the British Commonwealth of Nations than bridges and roads, good in themselves, can take us." I would be the last man, Sir, to attempt to minimise the importance of our physical and economic development, indeed I wish to see their acceleration. The point I am anxious to drive home is that the training of youth is a first priority. They belong to the present, but the future belongs to them. No building is stronger than the materials with which it is built. We build in vain until we give them strength. We plan in vain until they share our vision. We hope in vain until they give us promise.

Thank you, Your Excellency.

The Presiding Member (The Hon. the Chief Secretary to the Government):

I have consulted Honourable Members this morning and they have been good enough to agree that we should meet this afternoon. I therefore propose that we reassemble at 4 o'clock and sit until about 6 o'clock.

Council adjourned at 12.47 p.m.

Council resumed at 4 p.m.

The Presiding Member (The Hon. the Chief Secretary to the Government):

Before we resume our work this afternoon the Council may be interested to hear the following announcement which has been made to-day.

"A Sub-Committee of the Select Committee on the Estimates of the House of Commons, consisting of seven Members of Parliament, is proposing to visit Nigeria on the 31st of March for a stay of about three weeks. The purpose of the visit is to obtain information regarding expenditure of grants from United Kingdom funds under the Colonial Development and Welfare Act. The meetings of the Sub-Committee will be subject to normal House of Commons Rules for Select Committee, which means that they will be held in private without the press or public being present. It is hoped that the Members of the Sub-Committee will be able to see some of the development schemes in operation in the field."

We hope to arrange that members of the Sub-Committee will be able to visit each of the Regions and that it will be possible for some of the Unofficial Members of this Council to meet the Sub-Committee.

We now resume the Debate on the second reading of the Appropriation Bill. I call on the Honourable the Third Lagos Member.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Before I start to say anything at all in connection with this Budget, I would like to make it clear that some time ago in this Honourable House I heard it said that all the time when I spoke I termed the President of this Assembly "Chairman". It was a *Lapsus Linguae*. I was looking forward to the time when His Excellency might be in the chair for me to tender my apology for that slip of the tongue, but I have been compelled to do this here and now in his absence for the simple reason that I made that mistake unintentionally. I understand that some papers in Lagos have made a lot fuss about that mistake, and I am really very sorry indeed that such has happened. I never meant anything at all to belittle the President of this august Assembly. I would like you, Sir, to kindly extend my apologies to His Excellency the President of this Assembly.

The Presiding Member (The Hon. the Chief Secretary to the Government):

I thank the Honourable Member. I shall certainly do so.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Thank you, Sir. In the first place I beg to ask permission of the Chairman—I beg your pardon, Your Excellency—I beg to associate myself with the Member for the Colony Division in congratulating the Officer Administering the Government on his promotion as Governor of Sierra Leone. And also the Financial Secretary, who has recently been made substantive Financial Secretary: also the Chief Commissioner of the Northern Provinces, and the Director of Public Works. I also would like to add my congratulations to the Attorney-General for his selection to be a King's Counsel. We also welcome our Chief Secretary to the Government, who incidentally is the President of this Assembly this afternoon, and we are looking forward to seeing our Governor among us at no distant date. I must express our gratitude, especially in Lagos, to His Excellency the Officer Administering the Government for the kindness and favour that he has shown to us in Lagos during his tenure of office as Chief Secretary to the Government. Most outstanding of these are his tolerance in allowing the funeral of our veteran and respected gentleman the late Herbert Macaulay to take place on a Saturday despite the antagonism of the then Medical Officer of Health. We were able to circumvent what the Medical Officer of Health thought

to see that the money allocated to Nigeria under this scheme does not find its way back into the pockets of sleeping capitalists in England. The money should be distributed to the Native Authorities who in turn should distribute it to the farmers for developing their farms and for maintenance thereof under the direction of experts. I would add that machines should be brought into Nigeria for processing the nuts and extracting the oil and the by-products so that capital will remain in Nigeria and there will be employment for a lot of people, especially the ex-Servicemen. The by-products of groundnuts, I understand, Sir, are very good as fodder for cattle. The same measures could be applied to our cocoa, for the manufacture of cocoa beverages, chocolates, and all the rest of such things. Factories could be built in Nigeria.

The textile industry should be encouraged. We have the cotton in Nigeria, and I see no reason why those who work in Manchester should not bring their machines to West Africa and get the cotton manufactured here, and I shall be in a position to answer the query of the Financial Secretary who said that there has always been complaint that Nigeria or Nigerian products have been exploited by certain people, and we shall not be able to find any substance in that allegation. I wonder that when we collect our products (raw materials) the prices are dictated to us, and the same thing happens when they are manufactured into some other commodities and returned to us. I don't know where we stand if we have no say in the pricing of our commodities.

Your Excellency, I shall go further in the case of this groundnut scheme. I have been given to understand that there has been a sort of investigation as regards which places are suitable for the cultivation of groundnuts and which places are not, and if it will be necessary at any time to acquire land for the cultivation of these groundnuts it must be on a lease agreement between the authorities and the owners of the land for a term of years absolute and for monetary consideration.

The next department that I shall speak about is the Police: at pages 78 and 79 of Your Excellency's Address. We have read of so many promotions in the Police senior grades, but it is very surprising that no African policemen have reached further than Assistant Superintendents of Police. But does it mean that all this time there have been no Assistants capable of being promoted to the rank of Superintendents of Police. It is very surprising, and it must be either the Police authorities have failed to impart the necessary training, or that they just make that place the goal of the Nigerians. At pages 79 and 80 of the Address we have been made to understand that the Police have failed to trace a person—a mysterious stangler who has been able to kill at least five women before or after violating them in the heart of Lagos, the capital of Nigeria, and the headquarters of the Criminal

Investigation Department of the Police, and then it goes further to tell us that this man is still at large. The Police could not effect an arrest, and failure to arrest this mysterious strangler according to the Address, is due to lack of co-operation of the townspeople in the neighbourhood. This is a very ridiculous and unconvincing defence on the side of the Police. Policemen are not paid for other people to do their job for them. If in the first instance they were unable to trace this person, in the second instance of murder they couldn't, in the third still they couldn't, in the fourth they couldn't, when it came to the fifth I wouldn't say they couldn't, I would say they wouldn't. This is nothing short of slackness, and a slur on the Police Force of Nigeria. Nobody is safe.

Under the Police, at page 83, we are told that certain people were coming overland through the Sahara Desert on their way to South Africa, or may be they got stranded somewhere around Kano, and the Government of Nigeria had to repatriate them at the expense of this Government. I should like to know whether the Government of those people would not be called upon to refund this expense of repatriation of these adventurers. Furthermore, I would say this. That in August, 1944, when I was a Magistrate in Ikot Ekpene an Inspector of Police and other policemen were dismissed from the Force at that place for, according to my opinion at that time, no just cause. Petitions were written to the Superintendent of Police at Calabar: it was to no avail. Petitions were written to the Deputy Commissioner at Enugu: all the same to no avail. Then petition went to the Governor at Lagos. Ditto. Then petition went to the Secretary of State for the Colonies, and last year, I believe it was in August, that is three years after these men had been dismissed from the Force, the Secretary of State found that they were not dismissed lawfully. They had to be reinstated, and not only that. They have got to be paid arrears of their salaries, and they have got to be returned to the Force without losing seniority. You will be interested to learn that this has involved Government in the payment of about £1,500 to these policemen for doing nothing. This £1,500 is the taxpayer's money, and has been paid to the men for services not rendered, due to no fault of theirs, due to the fault of the Police authorities; this is really a waste of money, and I hope that such a thing will not occur in the future. Otherwise I would here recommend that this amount should be deducted from the salaries of those people who are responsible for the wrongful dismissal.

Still on the subject of Police. It is really a very good gesture on the part of the Lagos Town Council to have a batch of the Nigerian Police Force in their employment instead of engaging people who know nothing about Police duties. Unfortunately the latter course has been the practice of several Native Administrations. There is a system of attaching officers of the Senior Service in the Police Force to some Provinces like Kano,

At pages 43 to 44, it is stated that the Government has taken up:—

“ The management of Ikoyi Government Rest House and Restaurant was taken over on the 1st April, 1947. The Rest House provides accommodation for seventy people for whom normal hotel facilities are available, and the Restaurant has provided an average of 240 meals daily. The Restaurant facilities are being increased to accommodate a further sixty-four people in the new Transit Camp and the Ikoyi chalets, when it is expected that 360 meals per day will be provided. In addition a new Restaurant to serve twenty flats will shortly be opened ”.

I really cannot understand why the Government should go and take over such a place because it appears the management have been taken over from certain private enterprise. This is not in consonance with what His Excellency the Governor, Lord Milverton, told us when we met him on the question of racial discrimination at Government House in March last year. He said definitely that the Government is not interested in any private enterprise of this nature. Under this heading there is Commerce and Industries; on the same page, 44, it stated that:—

“ In order to assist in the supply of textiles to Nigeria, arrangements were made by the United Kingdom Government to purchase a large quantity from Japan and a shipment of unprocessed grey sheeting was received in October for sale through Government to merchants. This shipment of one and a quarter million yards, valued at over £250,000, has been sold and distributed by the department ”.

I venture to suggest whether, in view of this, the gate is not open for private individuals to trade directly with Japan. I should like to know also to which firms the grey sheeting was distributed for sale.

I shall now pass to the Education Department, at pages 51 and 52. Education policy has been dealt with exhaustively, and according to Standing Orders and Rules I can't go over it any more. But I shall insist that the Director of Education should give us an idea of how he intends to combat and eradicate illiteracy in Nigeria. I wonder whether he could not formulate a five or ten year plan for this scheme because it was successfully done in Russia and Brazil. Furthermore, I would suggest that private schools ought to be given grants in aid and allowed other privileges enjoyed by other schools that are known as Assisted Schools. I will go further to say this. That I read in a book that Japan attains to her height of civilization by way of scholarships, and I am just wondering whether what the Second Lagos Member suggested concerning the award of scholarships at the rate of about 200 per annum to deserving and suitable Nigerians in different fields of education, would not meet our requirements, and I am commending that suggestion to the Director

of Education, so that when the time comes for this matter to be considered seriously I would suggest that these scholarships should be allocated to the different Regions where the students might be fitted into what are the requirements in the respective Regions. Some will like or require more Medical Officers; some would like Education Officers: some would like lawyers, because the needs of the different Regions are not identical, that is why I suggest that system. I have spoken about education and its brother the Medical Service, and we were told by the Honourable the Financial Secretary that on these two we can build our independence ultimately. In the same way as I have suggested to Your Excellency, concerning Private Schools, I would also seriously recommend to the Director of Medical Services to consider the advisability of granting private medical practitioners something like grants in aid. These private medical practitioners should be encouraged and assisted by Government. I would suggest that a similar system should be introduced in Nigeria as in England leading ultimately to a State Medical Service as in Sweden and Russia.

Private practice of Government Medical Officers must be stopped. It was suggested and recommended by the Harragin Commission, and we were made to understand that the Government has been considering the matter very seriously, but up till now nothing definite has been heard about it. It was suggested that between £100 and £150 per annum, which they declared to be their net profit annually from private practice, should be added to the salaries of these Medical Officers. If that were so I would have no objection to such a recommendation. Let them leave the private practitioners something to do and something to live on. It will appear as if the Government is monopolising the use of medical practitioners in this country by not acceding to the request of the people that private practice by the Government Medical Officers should be stopped. The Private Hospitals Ordinance I am glad to see has been really very thoroughly and convincingly tackled by the Mission Hospitals. In a letter written to the Chief Secretary by these hospitals it appears that this Private Hospitals Ordinance required at least twelve beds in the hospital of any private practitioner. If you have twelve beds you need two or three trained midwives plus two or three ward attendants, a staff of five or six for twelve patients, it will not be possible to support such a staff, and from experience already acquired such a staff will not have sufficient work. Is there any hospital at home with such a staff? I am quoting this from the letter from the Mission Hospitals to the Government on this Bill. If the Mission Hospital will be faced with such difficulties, how much more would a private young medical practitioner who has just qualified and arrived from England who, having spent all the money of his parents in the course of instruction, gets back to Nigeria, to build a big hospital to accommodate twelve patients, to engage two or three midwives, a dispenser, and get all equipment for surgical operations. I believe that is not encouraging to the private medical practitioner unless the Government is prepared to subsidise these people in their

The Department of Statistics at page 96 is welcome. I can remember that up to 1931 we had a Government Statistician. That was the time when we had our last census. It is a very useful Department, and it is hoped that as many suitable Africans as possible will be recruited thereinto. Generally speaking, Your Excellency, it has come to my knowledge that uniforms for Government employees are being built from England, whereas we have the Nigerian Union of Tailors and individual tailors who are capable of making these as good, if not better in design, according to specification, as those being sent direct from the United Kingdom. This tender, if it were given to the people of Nigeria would allow some money to remain in Nigeria, and I recommend, that we keep the money in Nigeria instead of giving it to the people in the United Kingdom. The tailors must be benefited because they are taxpayers.

There are reports concerning Fisheries. I endorse what the Member for the Colony Division has said on this matter. I am fed up with the expenditure on fisheries in Nigeria. We want the fish; we can't get the fish. The Department should be closed down.

There is another Department which should be closed down, and that is the Supply Branch of the Secretariat. I do not know exactly what that Branch is doing. We are under the belief that it may be more or less a sort of appendage of the A.W.A.M. and in any case we have the Department of Commerce and Industries, and I do not feel that we are justified in spending a lot of money on this Branch.

According to the question put by the Honourable the Financial Secretary that we should either impose taxation on ourselves or cut down expenses on other items, I am happy indeed to tell him that instead of imposing taxation on ourselves we should cut down expenses by closing down this Fisheries Department and the Supply Branch. In addition, I think that the £15,000 that has been earmarked for the groynes at the East and West moles in Lagos should also be set aside and used for education and health and medical services.

The next item that I am going to deal with is the Budget Speech of my Honourable Friend the Financial Secretary. I read at page 11 of the note of his speech. The Honourable Financial Secretary has told us that the Companies Income Tax would have been raised from 7s 6d in the £ to 9s in the £, or something like that. He says "I deal first with income tax. The company rate of tax is 7s 6d in the £ and consideration has been given to advancing this rate by twenty per cent to 9s in the £". I can see the Honourable the Financial Secretary does not agree with me, but all the same I think it should remain at 7s 6d. I would suggest to Your Excellency that this 7s 6d in the £ is really killing to those small companies which are mostly African or Nigerian Companies for

that matter. To a very big firm it may be all right, but not to a company that is formed with only about £500 capital with only a profit of about £50 at the end of the year. 7s 6d on this £50 will bring the profit down to something like—I am not very good at figures.

The Hon. the Financial Secretary :

£31 10s

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Thank you. It boils down to £31 10s. Well it means that in that year the shareholders and the Board of Directors will declare no dividend and it will go on like that for years. It is really paralyzing as far as the interest of Nigerians forming themselves into companies is concerned. Whereas in the case of a company that has about £1 million capital, this amount . . . perhaps the Financial Secretary will tell me what this amounts to It is not encouraging as far as Africans or Nigerians are concerned because they are mostly the small businessmen or the small companies. It does not encourage Nigerians to form themselves into limited liability companies. In the second place it is just like killing the goose that might lay the golden eggs, and I am suggesting therefore that instead of this flat rate there should be a sort of grading of tax on profits of the companies. The lowest rate to be about 2s 6d on £200, and then up to about 10s on £5,000. But the rest I shall leave to the Financial Secretary to work out.

Individual taxation is on the same page—page 11. Our taxation Ordinances are really very partial and discriminatory in that Europeans, or non-Africans, for that matter, will pay the same rate of income tax anywhere in Nigeria, but Nigerian natives would pay different rates in different places in Nigeria. In Lagos he pays like European. In the Provinces he pays according to the whims and caprices of different Native Administrations. This is anomalous and the anomaly must be removed.

Import Duties. I agree entirely with the proposal that tax on cotton piece goods should be reduced. So also the tax on building materials and salt. I also agree that taxation or duties should be increased on luxuries which I shall define in the Select Committee.

As regards exports at page 18 of the Financial Secretary's Address. May it please Your Excellency, I would suggest that the West African Produce Control Board pay the producers a certain percentage of what prices they get for our produce instead of the arbitrary, and uneven and unfair port prices fixed by them. For instance, palm oil grade 2 would be sold at £70 and the Board, after receiving the percentage would pay £30 at the port. That is only forty-seven per cent of the price they receive for that

commodity. It is very unfair on the producer. Palm kernels at £40 at port would pay £21, that is fifty-three per cent. I do not think that is good enough. For ground nuts they receive £45 and they would pay to the producers £30, that is sixty-seven per cent. That is reasonable, and for benniseed they would receive £45 and pay £26, that is fifty-eight per cent. We cannot say that is very good either. But in order not to explode the Honourable the Financial Secretary's plan I have tried to add up all these percentages to arrive at an even number for payment to the respective producers by the Board so that if we take an average of fifty-five per cent to be paid to the producers, it will be even, fair and just on the part of the Board as far as the producers are concerned. That is what I recommend. If the farmers or the producers are to shoulder any responsibility they should shoulder the responsibility as evenly as possible.

The Honourable the Fourth Member for the Eastern Division, Dr Ibiam, asked a question, and I am going to repeat the question. That is what about our grade 1 palm oil. There is nothing said about it. Could it be true that there is market for our grade 1 palm oil at a price of £255, and if not why is it concealed, why is it not brought out. We have read in the papers that for our palm oil there is a market. £255 odd is offered for I think a ton, and although we receive something between £50 and £60, and if that is the case we want an explanation or a statement.

On the Memorandum on the proposed Tariff changes at page 8, section O, under Gifts and Comforts for His Majesty's Forces—item 19. I could see that the Honourable the Financial Secretary has advised these to be cancelled. Under the circumstance, I would suggest that it be retained with this amendment. That gifts and comforts for His Majesty's Forces should read " Gifts and Comforts for Nigerian Students Overseas " and be included in the list of exemptions. I am suggesting this in view of the shocking shortage of food and other comforts mostly in the United Kingdom where our young ones are studying. That is why I suggest that amendment. I would also say this at the onset in agreement with the Fourth Member for the Eastern Provinces, that conditional sales in Nigeria will just give all the arrangements that we are making here as far as import duties are concerned a big somersault. It will just catapult it because these articles when they come are sold at the prices fixed by the controller of prices probably, but then the traders have got to buy them together with things that are not wanted so that the things which are not wanted remain unsold in their shops and the price of those things which are not wanted is added on top of the price of the things that are wanted, together with the profit the traders have to make. That is why I strongly support the recommendation of the Fourth Member for the Eastern Provinces that the Government should look deeply and widely into conditional sales.

My third item is the Draft Estimates itself. At page 7 of the Memorandum, it will be found that under Revenue jangali, a tax paid on cattle, is allocated exclusively to the North. I am wondering whether this is an equitable allocation because cattle in the North are consumed by us in the South as well, and when any tax is imposed on this cattle we also contribute thereto when we purchase them, and I am wondering whether equitably, this should not go into general revenue. Because in the same way we might say that in the South, or in the Colony or Lagos, any taxes paid should remain with us as our own revenue: or the tax by way of duties collected at Port Harcourt—should remain in the East. Under the circumstances I feel that the jangali ought to be allocated to General Revenue.

At pages 10 and 11 of the Draft Estimates themselves there is an item grouped together under Individual Income Tax. The sum of £500,000 was just grouped together into the central series. I think this ought to be apportioned for clarification of what has been collected from each Region. There wouldn't be any difficulty about this. We shall know how many taxable individuals there are in the North, in the East, the West, and the Colony, and not only that we shall know how much they pay in each particular Region. I think it should be apportioned to the places where it was actually collected.

At page 36 of the Memorandum we have the Development Estimates of Development and Welfare Expenditure. I should think that we are being too unduly optimistic about this Development Scheme. I believe this matter was mentioned by the Honourable the Second Member for the Northern Region, my good friend Tafawa Balewa. From three sources we are deriving money for these Development Schemes.

1. By money granted to us from England.
2. By our own money by way of taxation out of revenue; and
3. By money which we are borrowing or shall have to borrow.

I am under the impression that these are three distinct groups of revenue by which we can get money for this gigantic development and welfare expenditure, but then as far as what we contribute from our own revenue is concerned, that remains with us. The money we normally raise by way of loan will also be there and then we have to pay some interest thereon. But the money that has been granted for this scheme from England will stop, but all these schemes will still remain with us. We must ask ourselves first whether we shall be in a position when the time comes to maintain all these gigantic schemes when that portion of the revenue accruing therefor from England has stopped and that is really a very big question. I feel that under the circumstances it is up to the Nigerian people to speak. We have got to build up a big revenue reserve and to cut down

our coats according to the yardage of the cloth we have, and perhaps under this Development Scheme we still see that we have shortage of staff and shortage of materials.

It may be that we are being guided by Providence and we should not go and put our hands into these expenses which might ultimately lead us into bankruptcy. In the first place I would say that all roads, all offices, all hospitals, all water supplies, and all Electricity Undertakings will remain with us together with the staff to man them, because they have got to be maintained. Personal emoluments alone I think, together with the expatriation allowances, are about fifty per cent of all our expenditure, and if that were so, we are going to have in due course perhaps, only one-third of the amount that we have now as far as this development and welfare revenue is concerned. Therefore I feel really very shy to endorse the optimistic estimates and programme that have been drawn up for this Ten Year Plan. Another note of warning that I would like to sound is that the Ten Year Programme has gone into the second or third year now with no staff and no materials. As far as shortage of materials is concerned that is excusable but as far as the dearth of staff is concerned, I think by this time we should be expecting our people from overseas coming back to man these projects if we had awarded scholarships. Couldn't we do something now as we do not know when the staff will be available from the United Kingdom? Couldn't we get our people sent abroad now to study the different lines so that in about three to five years' time instead of singing the same song of sorrow as has been said by my Honourable Friend the Second Lagos Member about shortage of staff, dearth of staff, we would be expecting our men coming from abroad to man and to undertake these projects. In addition we shall be certain of when these works are going to start: we shall also be certain that we are not going to pay expatriation allowances to our boys. The expatriation allowance in this year's estimates is, I think, £400,000.

At pages 31 and 32 of the Memorandum, we have the Public Relations Office. It is earmarked that £6,000 would be expended on block making, and when we look into our Revenue—I think pages 112 or 113 of the Estimates, we can see that this block making is anticipated to yield only £2,400. If it takes us £6,000 to earn £2,400, I think it is better to leave it. I suggest that this type of expenditure should be curtailed very drastically. There is no reason why we should have two engraving photographers. I think one is sufficient to teach some suitable Africans. That will save us over £1,000 in personal emoluments.

At page 18 of the Memorandum on the Estimates we have Revision of the Laws. I really do not agree that this is a revision of the laws—if it is meant to be a revision of the laws, then a

committee in which the Nigerian Bar Association would be represented is absolutely necessary for the job. It should not be left in the hands of only one person to revise the Laws of Nigeria.

Now to page 22 of the Memorandum, section 93. The Resettlement of Ex-Servicemen. I will read this to Your Excellency:

“ It has now been found possible to extend the area available for the instruction in farming of ex-soldiers, at Kafinsoli, in Katsina Province, so as to permit of the entry of forty men instead of the twenty-eight originally provided for. It has also been decided that the duration of the course should be 300 days instead of the 270 days originally estimated.”

I would say that this, really, is a very good gesture on the part of Government for the resettlement of our ex-Servicemen. But I would say, Sir, that this is not progressive enough. It only provides for forty men. The percentage of ex-Servicemen that are unemployed at the moment in the Northern Provinces, I think, would definitely assure anybody that this number of the people that will benefit under this scheme is not sufficient. It is not enough. I would also suggest that similar provision as Clarified Butter Fat Unit Operators be made for the ex-Servicemen in the Southern Provinces, *i.e.*, the Eastern and the Western Provinces. They might be taught something like fruit packing. I am really very happy, Your Excellency, to learn that there will not be a ban on any private person or student for that matter intending to attend or go in for courses of instruction in the Veterinary School at Vom as has hitherto been the case. That is the reason why His Excellency the Officer Administering the Government according to his Speech, found only two people in one class there. That is a great disappointment all right, but I would say this in addition to that: Your Excellency, the qualifications required of a private student should be made known to the public. They should not be too rigorous or prohibitive.

I would like to draw the attention of the Government to the fact that our sister colony the Gold Coast—of course I am made to understand that comparisons are odious—but I would say in this case they aren't. The Gold Coast has a broadcasting station serving the whole of the colony, but in Nigeria we have not got a similar broadcasting station. Nigerian Government should do everything that lies in its power to see that we in Nigeria have an all-Nigeria broadcasting station as early as possible.

A question has been posed this morning, Your Excellency, by the Honourable the Second Member for the Northern Provinces as to whether the Member who prostrated in the native way, the native fashion, to the native Rulers, the Oni of Ife and the Oba of Benin, from the Western Provinces, did so by way of mockery or not. I

was the one who prostrated in this hall to these Rulers Your Excellency, and I did so as a sign of respect in keeping with the age-long tradition of the Yoruba custom. I do so anywhere I go to any African potentate if that be the custom in his area. It was really very embarrassing a few days ago when I had to voice out my opinion on a certain matter in which His Highness the Oni of Ife and His Highness the Oba of Benin differed. I could not but for the fact that they differed. I would not have been emboldened or courageous enough as to attack both of them, and I really do not know what would happen if either of them were to go to my father, the Akarigbo of Ijebu-Remo, or to my father-in-law, the Alake of Abeokuta, and report to either of them that I have been discourteous. I might be given some spanking! and I say again it isn't a question of mockery at all. It is a thing that is being done and it must be done, but I would say this further: I will not go as far as to prostrate before my school teacher who is being paid for the work of teaching me A B C or reading or writing. I would do so to my guardian, to my parents, to the Obas in any place in Africa where that is the custom.

With these few words, very few words I pause. I advise the Honourable the Financial Secretary to take into consideration all the suggestions that I have made, and if they are favourably considered I shall have nothing to do but to support the Appropriation Bill.

The Third Member for the Northern Provinces (The Hon. Iro Katsina):

Your Excellency, Honourable Gentlemen, I would like to express our wholehearted thanks to the Government for holding the Meeting at Kaduna, the Headquarters of the North. It is a very historical event in the North.

Last year's budget session held at Lagos took us only two weeks to finish, but this time it has been extended to three weeks. I thought before, Sir, it would not take us as long as this to finish, seeing that some parts of the budget were dealt with at the Houses of Assembly and the House of Chiefs, so this Honourable House would only deal with remaining Nigerian estimates other than Regional. But I found the case is not so as the Regional estimates are only a little portion of the Nigerian Estimates and in addition a lot of unnoticeable motions sprang up. I suggest, Sir, any motion that will be introduced to this house should be sent to members beforehand together with the explanatory notes supporting the Motion and that will give the Honourable Members time to think it over.

Now, talking of the budget, Sir, the Financial Secretary had given a lot of clear explanations in his budget speech and has left no room for criticism. But, Sir, I have a few points to raise;

(1) The question of taxation. The Financial Secretary is right, Sir, when he said in his speech, "Taxation is not a popular subject in any community in the world, but is a means whereby members of the community are enabled to purchase benefits collectively which none of them could secure individually". As this is the case, Sir, therefore, the necessity of increasing the taxation will depend on the increase of expenditure. I see, Sir, there is a proposed increase of expenditure amounting to nearly four million pounds for the development of the Nigerian services. Well, therefore, the increase in taxation should be necessary in order to meet the cost of the increase of expenditure, as we are all very anxious to see that the development of the Nigerian services is achieved.

(2) Another point, Sir. In the case of the price of groundnuts per ton being raised to £30 at the port of Nigeria. Well, is that meant that the present owners of groundnuts can sell it at the price mentioned or until the next season? If yes, the present consumers are very lucky indeed; but the farmers who had already sold their groundnuts will be disappointed.

(3) Third point, Sir. The proposed imposing of export duties on skins and hides confused me as I have no idea of the existing duties nevertheless to consider if the increase is reasonable or not.

(4) Fourth point, Sir, I would like to mention is about Education. With reference to His Excellency's speech in which he said that he had been much struck by the enthusiastic and insistent demand for greater educational facilities in the Northern Provinces and for this greater demand, he asked the Director of Education to prepare an entirely new programme of expansion in the Northern Provinces besides the provision made in the Ten Year Plan of Development. I am to express my sincere thanks to His Excellency for this. His Excellency also stated that the main difficulty in carrying out the programme would be to find sufficient staff to train the new teachers. I hope, Sir, the Government will try its best to see that the programme is carried out.

Sir, there is another difficulty with the Education in the North, of getting young students to take up teaching profession, just for the simple reason they say the salary grades of Education are not attractive. This matter, Sir, was even debated during the budget session in the Northern House of Assembly and it was unanimously agreed that something should be done to make it attractive and the Regional Deputy Director of Education in his reply said that he would take the matter forward for consideration. I hope, Sir, this matter will be given a very kind consideration. In the Harragin reports, the teachers are classified as clerical; that means to say, I think, the teacher and the clerk in the office are the same. There is no need for me to explain the teacher's work in comparison with the clerk as all the Honourable Members here know the work of the teacher if they can remember their old days at school,

(5) Fifth point, Sir. I would like to refer to the Sessional Paper No. 4/1948—Annual Report of the Nigeria Local Development Board, 1947. I see that £250,000 was allocated to the Board for making grants and loans to Native Administrations, Co-operative Societies and such other public bodies for the purposes of development. Out of this amount only £2,000, which is less than one per cent was granted for a loan to Zaria Native Administration for the erection of a sawmill at Anara, all the rest of the money went to the South. Katsina Native Administration applied to the Board for a free grant of £4,650 to meet the capital expenditure necessary to establish a cattle market with the necessary ancillary services at Funtua. This was not granted. Sir, I would like to suggest that a Northerner should be included in the members of this Board, so that the North could be fully considered during the meetings of the Board.

Sir, I support the Appropriation Bill.

Council adjourned at 6 p.m. until 10 a.m. on Thursday, the 11th of March.

Debates in the Legislative Council of Nigeria

Thursday, 11th March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 10 a.m. on Thursday, the 11th of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E., Presiding Member.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Attorney-General,
The Honourable G. L. Howe, K.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Commissioner of the Colony,
The Honourable E. A. Carr.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.

The Senior Resident, Oyo Province,
Commander the Honourable J. G. Pyke-Nott, R.N.

The Secretary, Eastern Provinces,
The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

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

The First Member for the Western Provinces,
The Honourable Akinpelu Obisesan.

The Second Member for the Western Provinces,
The Rev. and Honourable Canon S. A. Delumo.

The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.

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

The Emir of Gwandu,
The Honourable Yahaya, C.B.E.

The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.

The Oni of Ife,
The Honourable Aderemi I, C.M.G.

The Oba of Benin,
The Honourable Akenzua II, C.M.G.

The Atta of Igbirra,
Alhaji the Honourable Ibrahim.

The Emir of Abuja,
The Honourable Sulemanu.

The First Member for the Northern Provinces,
The Honourable Bello Kano.

The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.

The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.

The Second Member for the Eastern Provinces,
The Honourable H. Bowari Brown.

The Third Member for the Northern Provinces,
The Honourable Iro Katsina.

The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.

The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.

The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.

The Second Lagos Member,
Dr the Honourable N. Azikiwe.

- The Second Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

ABSENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.

UNOFFICIAL MEMBERS

- The Third Nominated Member,
Major the Honourable J. West, M.C.
- Temporary Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

The Honourable the Presiding Member opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 10th of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Financial Secretary:

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

Sessional Paper No. 3 of 1948—Report of the Accountant-General with Financial Statements for the year ended 31st March, 1947.

NOTICE OF QUESTIONS AND MOTIONS

The Hon. the Financial Secretary:

I rise to give notice that I shall move the following motion during the present meeting of this Council:—

“ Be it resolved:

“ That the amendments of duties and exemptions under
“ the Customs Ordinance, 1942, set out in the
“ Customs (Duties and Exemptions) Order in
“ Council, 1948, be referred to a Select Committee
“ for consideration and recommendation to the
“ Council whether such amendments should be
“ confirmed under the provisions of section 12 of
“ the said Customs Ordinance, 1942.”

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

Your Excellency, I rise to give notice of a Motion which reads as follows:—

“ Be it resolved:

“ That this Legislative Council of Nigeria in session at
 “ Kaduna sends its loyal greetings to Their
 “ Majesties the King and Queen on the occasion of
 “ their forthcoming Silver Wedding. On behalf
 “ of the people of Nigeria the Council wishes to
 “ express its sincere good wishes to Their Majesties
 “ together with the hope that Their Majesties will
 “ long live to enjoy happiness and prosperity in
 “ the affectionate loyalty of their peoples in all
 “ parts of the world.”

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; No. 16 by the Honourable the First Member for the Eastern Provinces; No. 22 by the Honourable the Member for Calabar; Nos. 35, 38, 44, 51, 52 and 53 by the Honourable the Member for the Colony; Nos. 56, 59, 60, 61 and 63-66 by the Honourable the Atta of Igbirra; Nos. 68 and 74 by the Honourable the Second Member for the Western Provinces; Nos. 76 and 78-80 by the Honourable the Fourth Member for the Eastern Provinces; Nos. 81, 83, 86, 88, 89, 92-94, 98, 104, 113-117, 120-122, 126, 129, 130, 134, 140 and 143-151 by the Honourable the Second Lagos Member; Nos. 158, 162 and 166 by the Honourable the Second Member for the Eastern Provinces; Nos. 167 and 170-172 by the Honourable the First Member for the Eastern Provinces; Nos. 183-186, 188, 192, 194, 200, 204-206, 210, 211, 213, 214, 216 and 218-226 by the Honourable the Second Lagos Member; Nos. 235 and 238 by the Honourable the Fourth Member for the Western Provinces; Nos. 239-242, 244 and 245 by the Honourable the Third Member for the Western Provinces; Nos. 248, 250 and 256-258 by the Honourable the Fourth Member for the Western Provinces; Nos. 262-315 by the Honourable the Second Lagos Member and No. 316 by the Honourable the Third Member for the Eastern Provinces are not yet ready.

The Second Member for the Western Provinces (The Rev. & Hon. Canon S. A. Delumo):

67. To ask the Honourable the Director of Agriculture:—

(a) Whether he is aware of the bad plight of the farmers for want of labourers on their farm?

(b) Whether the Government should not establish permanent labour bureaux specially for farm labourers in order to prevent famine which may happen if no remedy is applied before it is too late?

Answer—

The Hon. the Director of Agriculture:

(a) Government is not aware of any general shortage of labour though Government is aware that in certain areas there is a shortage of labour willing to take up farm work. In the opinion of Government labour bureaux would do nothing to remedy this situation.

(b) Government does not propose at the present time to establish special labour bureaux for farm labourers.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

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

(a) Is there any objection to the federation of the Ikwerre and Etche Clan Authorities and Treasuries and creating an Ikwerre sub-district in the Ahoada Division as desired by the people?

(b) If not, how soon can these people's desire be granted?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The federation of the Ikwerre and Etche Native Authorities is at present under consideration. These areas can, however, be adequately supervised from Divisional Headquarters at Ahoada and no necessity is seen to create an Ikwerre sub-district.

(b) A decision on the question of federation will be taken as soon as possible.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Will Government state the pertinent facts in relation to the acquisition of land now known as Port Harcourt?

(b) What is responsible for the dissatisfaction expressed by the land owners over the acquisition and extension of this land?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The land comprising Port Harcourt and environs was acquired by Government in the year 1913 by a grant in perpetuity upon the payment of the sum of £5,650 to the landowners of the area. The amount due to the Diobu people was not accepted by them. After lengthy negotiations it was agreed that an annual payment of £500 should be made to the people of Diobu, who also received £7,500 representing arrears of this annual payment. In the year 1932 the people of Diobu represented that this annual payment was inadequate and a valuation of the Diobu land was undertaken. As a result Government surrendered a large area across the Amadi Creek but continued to make an annual payment of £500 although the valuation of the remaining land as agricultural land was considerably less than £300 per annum.

(b) Any dissatisfaction expressed by the previous landowners is felt to be due (a) to a misunderstanding of the legal position (b) to a misunderstanding of the intrinsic value of the land now representing Port Harcourt and environs which is largely due to improvements effected by Government.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

230. To ask the Honourable the Director of Agriculture:—

(a) Whether Ibadan University College shall give a full Agricultural Course leading to a degree?

(b) If so, to ask for an idea of the subjects proposed for the full course?

Answer—

The Hon. the Director of Agriculture:

(a) and (b) It is hoped that the Ibadan University College will eventually give a full Agricultural Course leading to a degree but it may be decided that in its earlier years the College will give a degree course in Science, followed by facilities for post-graduate study in agriculture designed to enable a candidate to qualify for a post in the Senior Service.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

231. To ask the Honourable the Director of Agriculture:—

In the event of Ibadan University College giving a full degree course in Agriculture, to ask whether it shall still be necessary for graduates of the College to go to Trinidad, which was used as a training ground and research station for those who have to do Tropical Agriculture?

Answer—

The Hon. the Director of Agriculture:

There should be no general necessity for the graduates to go to Trinidad when post-graduate facilities are available in West Africa, but it might be advantageous for an individual candidate to study in Trinidad or elsewhere, fully to qualify him for a specific post in the same way that candidates from other territories will, it is hoped, come to Ibadan for courses in which the University College will specialise.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

232. To ask the Honourable the Director of Agriculture:—

In the event of Ibadan University offering complete facility for full training and research in Tropical Agriculture, to ask whether Agricultural students who complete their course in Europe or America and who seek admission to Nigerian Civil Service (Technical) would continue to do Tropical Agriculture in Trinidad or Ibadan?

Answer—

The Hon. the Director of Agriculture:

It is anticipated that, in due course, the University College, Ibadan, will be in a position to supply the facilities required for

post-graduate training to those possessing degrees in agriculture and that it will not then be essential for candidates for the agricultural service to undergo post-graduate training in Trinidad

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

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

What further steps are being taken to expunge Small Pox which has been raging in the Ijaw Districts and to curb its spread?

Answer—

The Hon. the Director of Medical Services:

In the first six weeks of 1948 fifty-eight cases of smallpox and seven deaths were reported from the Rivers Province. The customary measures of isolation and vaccination were applied and a mass vaccination campaign has been started. The position is now stated to be satisfactory.

BILLS

(Second Readings)

The Presiding Member (The Hon. the Chief Secretary to the Government):

Council will resume the Debate on the Second Reading of the Appropriation Bill.

The Second Member for the Western Provinces (The Rev. & Hon. Canon S. A. Delumo):

Your Excellency, I congratulate you Sir on being the first to preside over a meeting of the Legislative Council held outside Lagos. We are now under a new Constitution, generally known as the Richards Constitution. By this Constitution we are enabled to be here to meet with our brethren of the Northern Provinces and to know more about them, and by discussion with them we are able to be nearer our goal, which is self-government.

From your Address, Sir, we know that Nigeria is in better circumstances than other places in the Commonwealth. We are very glad to know this, and we wish to keep Nigeria in such condition. You told us also that the key to the prosperity of Nigeria is contained in the development of her resources. We have been in development for some time now, and we see signs of development here and there. We hear of it. But Nigeria is so vast that one does not know what the other is doing at the other end. I feel that Government should make us more acquainted with the pace of this development than they do know. I think it will be better if at our meeting like this, we have a list of developments taking place in Nigeria, Province by Province, and we would be able to compare what Province is doing well, or is better at developments than the other. Comparisons are odious, but it may be necessary in such cases as this that we may be able to know whether some places are being neglected or some places are getting on well under the development scheme. This will be very nice for us. The

progress we have seen so far is much hampered we know by so many obstacles, which we cannot do anything about. But we are pleased with developments here and there. The man in the street does not know much about the obstacles but he wants to see developments going on in his own quarters. I hope the Government will be able to overcome these obstacles gradually.

The planning of Lagos was touched upon in your Address. We all know that the planning of Lagos is overdue. I hope that the Government has made sufficient provision for those who are going to be dislodged from their homes on the island of Lagos. I would like to see this plan also taken in hand for the towns in the interior. I do not say that all should be taken in hand at once, but I believe if the plans are made then they could be exhibited in some prominent places for the people to see. They would then be able to know where to build and where not to build, where the roads will pass and so on. This will save the Government or the Administration from paying exorbitant compensation, and the people themselves will be saved from having to leave their houses, built by themselves, when asked to do so. It is not very pleasant for a person to leave a house built for himself at the order of the Government.

The next thing I want to speak about is Education. We have spoken so much about it, both here and in the Houses of Assembly that I will only raise two points. We all know that the lot of teachers is much better now than it was. We hope it will enable them to do their work well. The provision made for teachers has not always been so good, as grants-in-aid are not always coming in in time, and the managers of the schools are not always in a position to pay them regularly. I call the attention of Government to this. The second point is what happened last year, that the building grants for primary schools were withdrawn. I believe this is temporary, and I hope it will soon be restored. The situation should be seriously reviewed by the Government. Primary schools are as important as any others because without them we cannot get secondary schools.

Your Excellency also spoke about our being too complacent about the situation in Nigeria, and we are very glad that we are better than other places. This is a very good advice and we should not be so happy about our situation. The standard of living of the majority of our people is very low, the cost of living is getting very high. Even those who have high salaries complain that they cannot make two ends meet. This shows that our economic condition is not very sound. In order to avoid this we are advised to put our shoulders to the wheel and put forth our best efforts. I believe that this means that everybody ought to put his shoulder to the wheel for the prestige of Nigeria is at stake. For instance, let us take produce. When the Honourable the Third Member for the Western Provinces was speaking on his Motion about timber he said that the only thing that will save us to get good produce and to give us the world market, is to have inspection of our produce. Well it means that

our people cannot do this without being inspected and supervised. We should try to impress on our people that they must do their best for the world market.

You also spoke about the Colonial Development Corporation. I believe this Corporation is out to help. It has come out with a capital of £100,000,000 that is really astonishing, but I understand they are ready to help anybody who is willing to co-operate. They are ready to make loans. We have always taken Government to task that they are not ready to establish industries. I believe that Government is now ready to encourage those who are going to establish industries. As Your Excellency said in your Address, Government will do all it can to encourage and facilitate development of any industrial enterprise by any agency. We must not let this advantage slip away.

The Africanization of the Service. This has always been a vexed problem amongst us. From the figures supplied by His Excellency in his speech we can see that something is being done. In a few year's time we shall be able to overcome the difficulties in Africanization of the Service. So far as you can see now, scholarships are being given and being taken by our young men, and if this system is continued we shall enjoy Africanization of the Service in good number. We have taken notice of the remarks of the Governor about the disappointment he felt about our professional and technical services as he did not find many people in such service. The shortage of staff in the technical services has always been due to the fact that Government in the past did not encourage people to take these up. Since pen-pushers were more encouraged in those days people went into that side rather than go into the technical services. Now things have changed. In a few years's time our boys who are studying technical profession will come out in good number to take their places in these services.

Now to the University College. As regards the University College, Your Excellency expressed fears that it may not share the fate of the Vom School. I do not think so. I believe our boys now are keen for education. I believe that provided they get good teachers our boys will do their best to fill the University. What we are very worried about is that they should come out as men who will be useful to the country: who will not be troublesome; who will have good character; hence we are praying that our teachers should be of very high standard in character, and everything that will make them good. But we are very sorry that an engineering course seems to have been excluded in the University. It was said that engineering is very much needed in Developments Schemes, and we want to Africanise the Service. If our boys do not study engineering how are they to be able to be useful. One of the reasons why the Development scheme is not carried on in time is because they have not engineers. I see no reason why that course should not be included. Engineering is necessary in several Departments, water engineering,

electrical engineering, mining engineering, and some other courses that I don't know of. All these should be studied by our boys. I think Government should give it its attention as early as possible.

I should like to quote something from the speech of His Excellency:—

“ Irresponsible behaviour and bad manners may be limited to an undisciplined and unimportant minority, but they gravely offend and embarrass the majority, and, if they continue, self-respecting people will find participation in public life increasingly distasteful. Irresponsible action is a poor preparation for the assumption of responsibility ”.

This should be noted by us. We are mindful of this, hence we pray for good people for the training of our children. We must give them spiritual and moral training.

Finally, I believe I have always said that I do not believe that Government pays sufficient attention to the condition of our farmers. Farmers are the backbone of Nigeria. It is mainly an agricultural country. I don't think it should be neglected. How shall we get our food? Already we are feeling that food is getting too dear in Nigeria. I believe we may be faced in Nigeria with a food crisis some day. In some places the Government provide labourers—why can't they do that here. I know some big farmers who are suffering for want of labourers. I think you should take notice of this. But many of our people prefer to go down to Lagos and other big cities, purposelessly not knowing what they will do when they get there. They always think the streets of Lagos are paved with gold. In many cases they find that they have nothing to do, they join the unemployed in this town and often become pickpockets. I believe the Government should see to it. They should instruct the Native Authorities that the men should not go down. If we see to this I believe it will be better for us. They will stick to the land. I came up on the train, and I saw large tracts of land all uncultivated. I believe sooner or later we shall begin to feel these things if we don't take interest in farming.

I come to another question. That is Railway congestion. I believe an Honourable Gentleman has already spoken about it. I took notice of it myself: that in third class passenger compartments the congestion is too much. Passengers are simply packed in train like herrings or sardines. Some have to stand on the steps of the Railway in dangerous places like that. Their money has been taken. It is really dangerous for them to stand there. I believe something of benefit should be done. We have raised this question several times. We used to hear from the authorities that it was the effect of the war, and it will soon be better, but I think that on this Railway something should be done. Thirty-two carriages were ordered, and they have not arrived up to now,

I now come to palm oil presses. Palm oil presses are being used in some places in Nigeria. We simply hear of it. I do not think there is anything like that in the Western Provinces. I think we need also palm oil presses if they are given to us.

I will not say very much about roads. Roads in some places are managed by small Native Administrations and they cannot manage them, the Government should try and assist them as soon as possible, because weak bridges are dangerous to the public.

Now to the Post Office. The Post Office has always surprised me. There are so many complaints always about the Post Office. Nearly everywhere in Nigeria where we have Post Office, but one takes notice that the Post Office men are always overworked. You always see that they work day and night, but still the people are not satisfied. So far as my knowledge goes the only thing that I believe is that they are overworked. I think it is a question of staff. Probably they are understaffed in the Department, and I think Government should see to it.

Someone spoke here also about the votes. We vote certain money every year and the work is not done. In my own Province we have experience of that many times; and even this last year the votes for electric light, and water supplies were in the Estimates nothing has been done. All these developments were simply on paper.

One Honourable Member has spoken about religious Education. I believe Government has always conceded that point in Government assisted schools. No one is taught against his religious principles. This is very important.

The last thing I wish to speak about is conditional sales. I am glad that the point has been touched upon by an Honourable Member here. It is a pity that the Government has not been able to stop this sort of trading, although we understand that the Government has pronounced it to be illegal. Many people are deprived from buying what they are legally entitled to. I think it is high time that something should be done about this sort of things.

Your Excellency, so far as I have been able to express a little of what I feel I support the Appropriation Bill.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

Your Excellency, before speaking on the Appropriation Bill I should like to associate myself with all that our Veteran Grand Old Man of the House, the Honourable Member for the Colony, said on the 8th of March, when he opened the Debate, in welcoming our new Chief Secretary to the Government, the Honourable the Director of Public Works, His Honour the Chief Commissioner for the Northern Provinces, the Honourable N. B. Edwards, and the three Elected Lagos Members, whose absence I very much deprecated last year when the Council met for the first time under the auspices of the new Constitution. Only fools never change their minds,

The wise purify their thoughts and so rise to true and greater eminence after having combated successfully their past errors. We are very pleased to have these three gentlemen in our midst today and the contribution they have made to our debates show what a loss the Council suffered by their absence last year.

When I met our new Chief Secretary early this year at Port Harcourt, it did not take me five minutes to come to the conclusion that Nigeria's inevitable loss by the deserving and meritorious elevation of His Excellency to the Governorship of the ancient Colony of Sierra Leone has been more than amply compensated by this appointment.

The Honourable the Chief Secretary has come to us from a very highly cultured and distinguished English family. He has come to us with very precious and useful knowledge and experience gained in more advanced parts of the British Colonial Empire. We have already seen evidence of what a valuable asset he will be to us in Nigeria, and therefore, Your Excellency, we most cordially and heartily welcome him.

That we very sincerely welcome the Honourable the Financial Secretary goes without saying because last year when we had the pleasure of dealing with him (as Chairman or President of the Select Committee on the Budget, some of us predicted, while others seriously averred, that Nigeria should by all means and at all costs secure his worthy services as substantive holder of the post of Financial Secretary to the Government. I would without any extraordinary adulation or any attempt to flatter him, very heartily welcome and congratulate the Honourable the Financial Secretary for the very comprehensive, lucid and impressive speech he most ably delivered on introducing the Appropriation Bill for our discussion. I have very carefully read through the Printed and Oral Addresses of His Excellency and I desire to speak on a few matters which I consider of very great importance to Nigeria at this stage.

Your Excellency, the first subject I have decided to speak about is Education, which I consider the principal fundamental background of our plans and aims, as a people earnestly anticipating self-government within or without the framework of the British Empire.

Sir, it was Frederick the Great who said that an educated people can be easily governed. When the Eastern House of Assembly had to discuss the Memorandum on our new educational policy, a masterpiece for which the House unanimously showered encomiums on the author, I respectfully pointed out certain dangerous and regrettable errors and omissions which in my humble opinion should be looked into carefully when eventually the new Code is to be framed, and I ask leave of this august Assembly to reiterate the same.

I very strongly deprecate any system of education with a tendency to de-nationalise us and make us feel inclined to slight, disparage and condemn all that is very good and admirable in our ancestral laws and customs, our natural culture and philosophy and indigenous ways of life. I think, Sir, it is high time we changed this view as otherwise the whole of the vast, illiterate multitude of our country will be persuaded to follow the fruitless quest of mere, high academic education and not that form of education we really need to place us on the sure road to economic and social emancipation and regeneration. We have been asked to vote large sums of money for the Ibadan University College and general education, but this alone will not solve the very difficult problems of unemployment now facing us if we are to be content merely with passing certain paper examinations, winning certain diplomas carrying after our names all the letters of the English alphabet. I would advocate—and I do very strongly advocate—for more and yet more technical and vocational education which will enable the average boy or girl leaving school to obtain his or her means of livelihood without having to walk daily from office to office with applications, seeking entrance into an already overcrowded clerical service. Nigeria must be industrialised and industrialisation is the only visible and possible solution to the intricate problem of unemployment and all its concomitant evils, and I hope Honourable Members of this House will see to it that there should be no further delay or excuse from Government in respect of this very urgent and necessary change of policy. Stanley Baldwin once said that “The Englishman is all right as long as he is content to be what God made him, but gets into trouble when he tries to be something else. There are chroniclers or were chroniclers who said it was aping of the French manners by our English ancestors that made us the prey of William the Norman and led to our defeat at Hastings. Let that be a warning to us to ape any foreign country. Let us be content to trust to ourselves and to be ourselves.” I think, Sir, it will not be out of place for me to ring a similar note of warning to the people of Nigeria who appear to be heading for a fearful catastrophe by adopting a system of education, manners and ways of life that may delay for many decades yet the realisation or materialisation of our ardent ambition to be self-governing and independent. We must learn to labour and use our hands in many other ways than sitting daily at desks, pushing pens and doing nothing more. One of the ways whereby our educational problems can be better solved is, in my humble opinion, to offer education to our children through work in sundry technical, agricultural, vocational and industrial courses simultaneously. We do not need too much academical education for the masses although free elementary education should be the vogue as soon as our revenue can bear the burden.

Your Excellency, during the discussion on the education policy in the Eastern House of Assembly, I further pointed out that our excessive interest in foreign education, particularly English and American forms of education, make the people hate the villages,

the hamlets, the plantations, and they are all rushing into cities with the result that we have the very difficult problem of unemployment now facing the country. Therefore I suggested that the new education policy should take into very serious consideration the question of technical and professional classes. As matters stand we can no longer expect even 10 per cent of our boys and girls out of school to obtain employment in the Civil Service. Therefore I strongly urged that the new policy, if it is intended really to be of service and assistance to Nigeria, should take into very serious consideration, as we have indicated in chapters 14 and 15 of the Memorandum—agricultural and technical education. We are gradually losing our culture, our traditional manners; there is no more respect for elders, nor more respect for authority. Every boy and every girl who has attained to standard two, three or four considers himself or herself quite as good as a university student. I have education and with that I can go on. We ask very seriously that some system be evolved and developed whereby this country will survive eventually as a self-governing and responsible Government. As things stand we are likely to drift further and further into methods which will eventually bring us into a state of abject poverty. Our people are getting to hate manual labour in many places simply because they have some sort of education. The Education Department should take very seriously into their account the fact that Nigeria is an agricultural country and agriculture should be encouraged in our schools alongside with technical training; and domestic centres for science instructions should be increased. I support the previous speaker, Mr Ikoku, that domestic science classes only in Government schools will not do. We want science centres in various parts of the Eastern Provinces where our boys and girls can learn something which will be of service to them after they have left school. As it is now, unemployment will be one of our most difficult problems in Nigeria if the present system is not changed. I shall have much more to say on this subject when the new Education Code has been published.

The next subject, Sir, is Agriculture. We have been asked to vote the vast sum of over £125,000 for this very necessary and useful Department, but how much of this colossal amount will be spent actually to improve agriculture? That many parts of the Eastern Provinces, and particularly the Rivers Province, have been deplorably neglected and are not receiving the attention they need and deserve from this Department we have already pointed out in the Eastern House of Assembly. That there are many crops and plants that can be scientifically and economically cultivated and produced for exportation and home consumption by the peoples of the Rivers Province cannot be gainsaid or disputed. But, Sir, this important area has been woefully neglected for reasons not quite obvious to me. I pray that Government will now take some trouble to investigate the agricultural potentialities and possibilities of the Rivers Province so that the next annual report of the Honourable the Director of Agriculture shall include specific results of the activities

of his great Department so far as the Rivers Province is concerned. The soil question and other important aspects of Agriculture should be seriously considered, Sir.

With regard to the Public Works Department, Sir, whereas I have nothing but praise for the good work done in various parts of the country, including the Eastern Provinces, I beg to suggest that more attention be paid to the urgent needs of Ogoja and the Rivers Province. Since every penny spent and being spent by Government has to be provided by the taxpayers and peoples of this country, there is no earthly reason why some parts of the country should be neglected at the expense of other parts that are continually having their needs and amenities fully satisfied and supplied. Quite too much of our revenue is being spent yearly to improve certain parts of the country while other parts receive comparatively very little or no attention. In this connection, Sir, I would appeal for better quarters for Administrative Officers and their staff, in places like Ahoada, Brass, Degema and Ogoni Divisions of the Rivers Province. We need more trunk roads, feeder roads, good bridges and other amenities which this Department is expected to provide in just and equitable proportions to all parts of Nigeria.

Sir, the Honourable Member for the Colony has suggested scrapping the Fisheries Department as redundant or useless. Perhaps the Honourable Member did this because the activities of the Department have been transferred to the Eastern Provinces and Port Harcourt has been selected to house its headquarters. But the Honourable Member allowed the Department to operate in the Lagos area all the time without condemning it so drastically. I believe, Sir, that this Department will eventually justify its existence if only our people would co-operate with the experts provided by Government and funds are made available from the Colonial Development and Welfare Board for either formation of Fishery Co-operative Societies or assisting existing societies and associations. Let the Department remain for I can predict profitable export trade therefrom in due course, not to talk of supplies for local consumption.

I come now to the Posts and Telegraphs Department. I beg to support in toto the complaints that have been made by certain Honourable Members of this House as regards the many irregularities in this Department. The complaints are universal in Nigeria—particularly in respect of the slow and irregular delivery of letters and telegrams and the disappointing telephone service in various stations. With the very large amount of money and increased staff now provided and to be provided for the Department I see no reason why our Director of Posts and Telegraphs should not take immediate steps to ameliorate the lamentable situation. Telecommunication between the new Ogoni Divisional headquarters and Port Harcourt, Port Harcourt and Okrika, Buguma and Port Harcourt and the installation of the Wireless Station at Brass should be accelerated. We have been told that steel poles are not obtainable or available for these needed extensions of the tele-communi-

cation services in the Rivers Province, but I have suggested more than once that concrete pillars or even iron-wood pillars or poles (as I observed in Liberia and Monrovia particularly) will serve most admirably for the time being as these will undoubtedly last at least two or more decades or until steel poles can be obtained. Let this experiment be tried and we shall have solved this problem for many years to come.

Before passing to the next Department I have in view, I would crave Your Excellency's kind permission to mention a complaint made to me two days ago by the Ijaw elements in Kaduna with reference to certain questions asked by the Honourable the Fourth Member for the Western Provinces. This gentleman, no doubt, meant no harm or offence when he stated, *inter alia*, that the Ijaw people were a silent and backward people. He most probably had in mind the fact that the Ijaw people, now most unfortunately divided between the Western and Eastern Provinces or Rivers Province, have been rather inarticulate and preferred to wait patiently to see what Government will do for them instead of continually agitating and causing trouble to force the hands of Government as done in other parts of the country. The gentleman could not have been oblivious of the fact that places like Bonny, Kalabari, Okrika and Opobo, etc., which cannot be correctly described as "silent and backward", are parts of the great and powerful Ijaw Tribe. I have consequently advised my brethren and compatriots to be thankful to the Honourable Gentleman and be satisfied in the meantime with the answer given to the question submitted by the Honourable Member who is evidently interested in our problem. I beg to express, with all the emphasis at my command, the very sincere and ardent hope that ere long the peoples of Western and Eastern Ijaw will be allowed to federate and constitute a separate political and administrative division of the Rivers Province as they have very genuinely expressed this desire. I hope Their Honours the Chief Commissioners for the Eastern and Western Provinces will confer on this subject and come to a decision ere long. The people are very insistent on coming together and I see no reason why Government should not take into consideration their need for federation in order to speed up the progress of their tribe.

Sir, the next Department I will deal with is the Marine Department. I think this Department, for which we are required to vote the large sum of over one million pounds or more is primarily concerned with the riverine areas of this country and it must be conceded that the Rivers Province constitute quite a considerable portion of these areas. I hope it will now be possible for the Department to provide all the transport facilities necessary for Administrative Officers, Heads of other Departments and officials whose duties cannot be discharged in the Rivers Province unless and until good launches are always available whenever required. Most of the launches now in use can only be

properly described as better than nothing as they need very careful and complete re-conditioning. The two launches promised for Port Harcourt-Bonny-Opobo and Port Harcourt-Degema-Brass services have not been provided and there is no indication when we can expect them, Sir. There is a useless pontoon at Bonny. A better one should be provided to enable launches to berth at high and low water as before. I understand the launch and all Marine staff formerly stationed at Opobo (Egwanga) have been withdrawn for reasons I should like to know. African pilots stationed at Bonny are now compelled to wear quartermaster or boat boy uniform when piloting large, ocean-going vessels many miles up to Abonnema and Degema. This to me, Sir, seems a disgrace to the Department and to Government. The intention may be to place these responsible employees of the Department on the same level as less responsible members of the Department, but I do not think the former uniforms were too expensive and should be restored.

I note that in answer to certain questions posed by me, the conditions of service of Africans in this Department are being improved and we hope the promise will be realised very soon.

I come next to the Medical and Health Services. Sir, I would respectfully point out that from the large sum of £704,680 or more to be voted for the year 1948-49, this Department should be in a better position to provide more adequate medical and health facilities and amenities for the Eastern Provinces, including the Rivers Province and the Cameroons. Bonny and Brass need very urgently Maternity Hospitals which may be only small ones, but well equipped and staffed. This, Sir, is pressing in view of the fact that no one can yet tell how soon the promise of a Floating Ambulance will be implemented. Unfortunate cases of very serious pre-natal and post-natal troubles require immediate and expert medical attention, and expectant mothers have some times lost their lives because the people have had to apply some very primitive methods to combat the situation or to take them all the way to Port Harcourt or Degema as the only alternative. Why, Sir, should not our Director of Medical and Health Services kindly take the pains to investigate the possibilities or advisability of providing these essential amenities for the people without any further delay or excuses? I am sure that the comparatively small cost involved will not in any way affect adversely the programme of the Department or deplete same. If small hospitals cannot yet be provided for these time-honoured pioneer districts, I pray that efforts should be made to provide them at least with the Maternity Hospitals so earnestly requested. I should also point out, Sir, that there are no Sanitary Superintendents or Inspectors for these areas, and such officers of the Department do not make it a duty to visit the areas. Consequently, the people's health conditions are lamentable and deserve early attention. Your Excellency it must be remembered that these people have been accustomed to European medical

treatment for several centuries now and it is simply cruel to deprive them entirely of such services because most probably revenues accruing from the Districts are considered negligible due to the inevitable changes that followed the opening up of the hinterland. I hope, Sir, that something, however small, will be done for us this year and we shall be very sincerely grateful to Government.

Your Excellency, I desire to express and register my very sincere thanks and appreciation for the very excellent and laudable services that are being rendered to this country by the Administrative Officers of all grades and their African staffs. Most of them are being exceedingly overworked, at least in parts of the Eastern Provinces. I have suggested that additional officers (senior or junior) be posted to the Degema, Brass, Ahoada and Ogoni Divisions of the Rivers Province and I believe some steps are being taken in this direction. I maintain, Sir, that until our Native Authorities are transformed into Local Governments and given more powers and responsibilities to deal with their financial and other internal matters, in my view, our Administrative Officers will never have sufficient time to discharge satisfactorily their special duties. I know and say this from personal knowledge. The reform of our Native Authorities, Your Excellency, has been very much overlooked and it should be reconsidered as soon as possible.

I am very happy to find that a Token Vote of £10,000 has been included in the Draft Estimates for the coming financial year for the redemption of manillas. This is probably the first or initial instalment to abolish the use of this cumbersome and obsolete form of currency, reminiscent of the good old days of commercial contact with the Portuguese and other European nations that preceded the British Government. I hope Government having undertaken the task will not relax any plans that have been evolved to do away entirely with this humbug in the Eastern Provinces. I very heartily thank and congratulate Government for this glorious gesture.

Government Scholarships. I have been requested by my Constituents to obtain a definite pronouncement from Government as to the method of selection and operation of the Selection Board because it seems that scholarships are continuously being made to certain areas while other parts of the country are neglected or forgotten. I think, Sir, that measures should be adopted whereby this much-appreciated privilege should be extended to all the Provinces of Nigeria. The Rivers Province surely deserves to have a number of scholarships in various subjects and I hope some of them will be granted this financial year.

Tariff Changes. As the Honourable the Second Member for Lagos has dealt very scientifically, logically and exhaustively with this subject, Sir, I have only to express the hope that Nigeria, and not only the big combines or A.W.A.M., will benefit by any changes to be effected and that truly serious and lawful measures will

be adopted to combat the ruinous, iniquitous and detestable system of conditional sales to specially favoured customers and its corollary, the Black Market, that have defeated all plans for price control or stabilisation all over the country. These questionable business practices are working very great hardships on the people, even those who have been fortunate to obtain the much coveted increases of salaries and wages under the Harragin Scheme. Sir, already the prices of printed cotton goods, which are largely used by our people, have been so much inflated recently that increase of customs duty on this class of merchandise must inevitably bring an extra burden on the majority of the potential taxpayers of our country. An increased duty on imported spirits will undoubtedly intensify production and consumption of illicit gin amongst our peasant communities, and others who cannot afford the very prohibitive prices now demanded or fixed by the firms. I would agree with the Honourable Member who suggested some form of legislation for granting licences or permits to approved distillers who can afford to pay the heavy cost of such licences or permits and comply with all the conditions to be stipulated by either the Medical Department or a special board of experts and pay the necessary excise duty. Sir, we have been told time and again by medical experts and officers that illicit gin is decidedly dangerous to our people's health, hence I have shared in the suggestion made.

Now for Commerce and Industries. This new Department is doing very good work in the country and will, no doubt, prove to be one of the departments doing invaluable service to the great majority of our people. I had the honour of opening the fourth Pioneer Oil Mill erected by the Department at Ahoada and was very highly and favourably impressed with the splendid standard and efficiency of the work done by the very willing and devoted officers of the department which should be encouraged and congratulated.

Colonial Development and Welfare Scheme. Sir, I have much to say about the rather doubtful way this Department carries on its activities in the Eastern Provinces generally and the Rivers Province in particular. I will, however, bring up my points in Select Committee when we have to deal with details of the estimates. This remark refers to other departments I have left out of my speech.

Sir, I would very solemnly and seriously appeal to the Nigerian Press Association, newspaper proprietors, editors and reporters to alter their courses of action if they truly desire to see Nigeria march on towards the ultimate goal of self-government. It is said that you shall know truth and the truth shall make you free. Truth is not a matter of book learning or subtle reasoning or disputation or controversial skill. It consists of right-thinking and right-doing and nothing can transcend the right. The truth about whatever may be said or done by Government, heads of the various departments, Members of this Honourable House, Members of the House of Chiefs and Houses of Assembly can, I believe, be always and

invariably verified without much difficulty, from the right sources to obviate distortions, misrepresentations and misinterpretations, etc., which now cause endless trouble, misunderstandings, suspicion, hatred and ill-will in our country. We need a United States of Nigeria or one Nigeria with a truly united front and this cannot be achieved while we continue to make needless disparaging attacks in the press or certain sections of it. The mass of our people are still illiterate and a class of our young people go about misinterpreting newspaper articles to agitate their minds and term this propaganda or diplomacy. I beg to appeal very strong to those responsible for our newspapers that a change of mind, outlook, attitude and approach be adopted in the interest of Nigeria's progress towards self-government.

There are one or two other matters, Your Excellency, I should like to mention. It is with reference to the objection being taken by certain Members of the House with regard to the Council sitting here in Kaduna now. I can see no reason for this objection. It must be remembered, Sir, that this constitution—the famous constitution which has brought us here is due to our great and distinguished Governor, Lord Milverton. This constitution has made it possible for us to meet here today and we hope by that constitution to meet next year at Ibadan and subsequently at Enugu. Now, Sir, for anyone of this Honourable House to condemn the manner whereby the House moves from place to place so that Honourable Members have an opportunity of making contact with their fellow Members and citizens I consider is a very selfish move. It must be remembered that although Lagos is the capital of Nigeria and that a large proportion of our revenue is being expended there annually on improvements and expansions considered necessary by Government, Lagos is not Nigeria. There are perhaps a few persons in this House today who have personal knowledge of the circumstances which led to the amalgamation of Lagos to Southern Nigeria in May, 1906, when Calabar consequently lost her dignified position of capital and headquarters of Southern Nigeria. Many people will of course remember how Northern Nigeria was amalgamated to Southern Nigeria in 1914 and Zungeru thereby ceased to be the headquarters or capital of the North. Whatever may be the cost of what has been erroneously termed an expensive picnic to the North, I think it is indeed a very wise plan on the part of Lord Milverton who was responsible for this constitution and who has made it possible for us to obtain first-hand knowledge of the North.

Your Excellency, I think I have so far exhausted all that I have to say, leaving the balance to be dealt with in Select Committee and as such I support the Appropriation Bill.

The Second Nominated Member (The Hon. P. J. Rogers):

Sir, although it has no connection with the Appropriation Bill and does not affect the Revenue of Nigeria one way or the other, I

ask your indulgence to raise very briefly here a matter which does concern taxation and which I feel the Council should know about.

I refer to the recent concessions made regarding United Kingdom Income Tax. Perhaps all Honourable Members, both Official and Unofficial, are not aware of the circumstances.

Briefly the position is that, before this concession was made, British Income Tax had to be paid by everyone visiting that country if they owned a house there or if they stayed there more than a limited period.

There is, of course, no doubt whatever that a revision of this harsh and arbitrary law was long overdue. But—and here is the injustice—the concession that United Kingdom Tax need no longer be paid unless a person is definitely a resident in that country, has only been extended to Government Officials.

How anyone can honestly argue, which apparently the United Kingdom tax authorities do, that it is right that one section of the community, simply because they are employed by Government should pay less tax than another who is not, I find it impossible to understand. One might just as well say that because Government is the collector of the revenue, their employees should be exempt from every form of tax and duty. If it is fair for one section of the community to be exempt from any particular one, it is fair to all. Any discrimination is quite indefensible.

I know that Government deplore any form of favouritism or partiality and I feel certain they will not be a party to this injustice. I would suggest to them, most respectfully, that they make strong representations to the Inland Revenue Department in England to extend this concession to everyone, irrespective of employer.

We shall, of course, be able to go into the proposed new Duties in detail in Select Committee. But I would like to protest here regarding that on the export of Hides and Skins. Shippers tell me that it could not have been imposed at a more unfortunate time for, not only is the world market weak at the present time, it is actually falling. I understand there is no possibility of recovering this heavy increase from the Home Buyers and that the price to the Nigerian producer will be seriously affected. Exporters also tell me that they have considerable contracts on hand which must of course be honoured, and large unshipped stocks. They maintain that they should not be called upon to pay the new duty on these.

As it concerns the revenue of Nigeria to a very great extent and as the Member representing Commerce, I should perhaps say something about trade, but I am afraid there is very little I can say that you have not all heard—and heard many times. Imported goods are short, and I am afraid will remain short for some time. But to those who, very understandably, say they would prefer a few less promises and a few more goods, I would say this, that the position in 1947 was very much better than in previous years, particularly for the last few months.

As regards the future, I see that the Honourable the Financial Secretary does not anticipate—or at any rate does not think he should count on—this increase being maintained in 1948. In this connection I must somewhat blushinglly admit that the rather embarrassing situation has recently arisen that Government officials know as much, or perhaps more, about the future prospects of trade than the traders and I think I had better leave it at that.

I would, however, like to say something about Agriculture. I am sure nobody will disagree with me when I say that Agriculture, and particularly our Export Crops, is far and away the most important thing in this country. The lives of the majority of us—both Africans and Europeans—are closely connected with it and the revenue and trade and prosperity of Nigeria depend entirely on it.

I have had a good number of years' experience here and have always been closely connected with the farming community. Your Excellency and Honourable Members of this Council may be interested in a few views and suggestions which I think will illustrate how important it is to improve the agriculture of this country. In order to get a clear picture of this somewhat complex subject, I think it would be as well if I very briefly gave Honourable Members the present position as I see it today as a kind of background to what I have to say afterwards. I will take cocoa first.

A very important step forward was made in the 1947-48 price classification. It has been common knowledge to everyone for many years now that the quality of Nigerian cocoa was very much inferior to that of other countries in the world, and I am afraid it is not improving—if anything, the contrary.

This was not due to any poorness of soil or unsuitability of climate. It was due, I am afraid, to lack of proper preparation by farmers in the treatment of the fruit, with the result that the percentage of what are known as Slaty Beans—that is, improperly fermented one—was very much too high. The farmers were really not to blame for this, as in fact I think they were almost encouraged in it, Sir, for Slaty Beans weigh heavier and, of course, in that sense, they get more money for their produce.

This season the usual two grades were replaced by a range of four from £47 10 0d to £62 10 0d a ton, and I am very pleased that the growers re-acted extremely well to it. The results were quite extraordinarily good. Merchants generally anticipated that about 40 per cent of the crop would reach Grades I or II, in fact it looks as if the figure will be about 70 per cent.

Now as regards the price. I should first like to say that as long as the farmer is given a very fair return for his work, and the Buying Agent an equitable commission, I personally am all in favour of Government's Price Stabilisation Scheme which we all hope will prevent the local market from springing from prosperity to depression and back again in a series of hysterical waves which it has done for many years.

As to the future price, we have a fully representative Cocoa Board and I think we can safely leave it to them. I would, however, like to recommend for their consideration that the price always be announced before the Light Season Crop is marketed, as otherwise the farmers, are somewhat naturally apt to carry forward the Light Season Crop to the Main Season Crop, hoping for a better price.

Now Groundnuts. It was very good news indeed that the crop will reach the figure of last year of approximately 300,000 tons and I think it is now generally realised that this is peak production under present production methods and, in fact, there are many people who say it should not and cannot be extended without damage to food crops. And yet the land and population exist for a far greater tonnage. Unfortunately, the evacuation to port of this desperately-needed product by the railway is still far from satisfactory.

The following figures will convey the doleful picture to Honourable Members. At the beginning of the 1945-46 crop, the carry-over from the previous crop which the railway had been unable to lift was really negligible. The carry-over at the beginning of this crop was approximately 90,000 tons. Unless the position improves very greatly it is estimated that the figure will be 140,000 tons at the beginning of the next crop. In other words, instead of improving it will be very much worse.

It has been officially stated that groundnuts are unharmed by this long storage, but I am afraid this is far from being always quite true. There is great harm done by weevils and I also understand that the long storage in this dry climate, etc., will dry up some of the oil.

I am sure—in fact I know—the Government are doing their very best to obtain the necessary rolling stock and engines but it is already obvious that the results are not forthcoming and I feel the widest publicity should be given to this very disastrous state of affairs. In this connection I would mention that the Food Minister of Great Britain announced only a few weeks ago that the margarine ration in that country could be increased if the groundnuts could be moved from Kano.

Turning now to Palm Products. Compared with pre-war figures the output has been very disappointing, but we all hope that with the better prices announced by the Honourable the Financial Secretary some improvement will be forthcoming.

As to the future of the produce industry in Nigeria, I do not think the years immediately ahead can fail to be prosperous. But what of the years after that, the real future? Are we so sure, then, that we can compete in the world market? I would say "No", I am afraid, unless our farmers change and change quickly. Everything looks very rosy at the moment for there is a world shortage,

These times will pass, and we shall then have to depend on the African cultivator who, at the present time, knows no tool but the hand hoe and in most districts no method of rejuvenating exhausted soil but its abandonment to bush fallow and often the ravages of erosion. It is, however, the palm oil and the palm kernel industry which I view with particular gloom. Nigeria's output of palm oil is about 130,000 tons a year and, of course, as everyone knows this quantity could be sold many times over because there is a world shortage. There is a world shortage because other producing countries like Sumatra and Malaya, whose output was 300,000 tons a year, have produced nothing for many years and will not produce any—I should say myself—in any quantity for perhaps five years. They have, however, started and 15,000 tons was expected last year. Other countries, like the Belgian Congo, have increased their production enormously. The figure in 1939 was negligible but it is now little short of 100,000 tons.

Copra is another valuable source of oil. In 1946 the Phillipines exported 600,000 tons which was far greater than their output in pre-war days. In 1947 the figure was 800,000 tons.

There is plenty of room for all of it now: but when the present boom is over, it is quality which will count and it is quality which Nigeria lacks. A good number of years ago the Government decided that the Plantation System should form no part of the future agricultural policy of Nigeria. This should be built up around the peasant farmers. Unfortunately it is a fact that the single producer is often at a disadvantage when competing with the mass-produced article. But in one respect he could, and in most other countries, he does beat the big man every time—that is in quality. But the Nigerian farmer, I am afraid, as regards palm oil is not doing that, for his quality cannot be compared with the quality turned out by the highly efficient and organised plantations of the Dutch East Indies and Malaya. Again, the greatest shortcoming of our farmers is in the preparation of the products. Methods are primitive in the extreme, and the speed of handling which is so essential to prevent the formation of free fatty acid (a kind of souring) is quite lacking. The percentage in our oil is over 15 per cent compared with less than 2 per cent in palm oil plantations.

That is just one example of how Nigeria may very easily find herself in a few years' time with export crops but no buyers: At the very best unless our quality is up to that of other places in the world the price we would get would be very unsatisfactory to us all.

What is Government's answer to this state of affairs?

In the past quite a few people were perhaps not satisfied with their endeavours. It must be remembered, however, that they suffered from shortage of funds.

A brisker, more vigorous approach to the problem is now more evident under the Development Plan. But even this, I consider, still falls far short of what should be done, and I would most respectfully call upon Government and the Agriculture Department in particular to adopt a far more ambitious—a far bolder attitude.

I know what the reply will be—in fact, I can almost hear my old friend, the Honourable the Director of Agriculture saying to himself “That’s an easy one to answer. Shortage of European staff”. I would like to know why the Agriculture Department are short of staff, and I would like to advance this answer to the question. I think it is because they insist on a University degree, and in general too high qualifications for all their staff which I suggest is unnecessary. In my opinion there are too many experts in this country and their outlook is very much too narrow. We need a few of course in a purely advisory capacity, but they should be kept in the background, firmly locked in their musty laboratories. I would ask Government to give serious consideration to this aspect of recruitment.

As regards funds, naturally a programme of rapid agricultural expansion requires a very great sum of money, and I should like to say as the Honourable the Second Member for the North has said, that I also belong to that school of thought mentioned by the Honourable the Financial Secretary, who believe that too much money is being spent on social services and not enough on economic development. No one can be more in favour of social services than myself because no country can exist under modern conditions without health and education. But as the Honourable the Financial Secretary has told us and in fact everybody knows it, there is only a certain amount of money available; and I consider the position regarding agriculture is so urgent that we should spend more on that and less on social services. Social services are most excellent things but no country can in the long run maintain them beyond their capacity to pay for them. As I have already said, the wealth of Nigeria lies ultimately in its soil, and unless this soil is developed and the quality of the products from it increased to a very great extent, I am afraid that Nigeria may wake up one morning and find that she has superb schools which stand empty for lack of students with the money to pay the fees: they have perfect roads but no transport: they have magnificent hospitals but no money to staff them. I cannot help feeling also that the Development Fund is being spread over too many divers schemes. These are, of course, very desirable, but not in my opinion comparable with agriculture and its satellite services.

There is, I am sorry to say, a garrulous section of the community of Nigeria who are very quick to criticise anything that Government does, but very slow to produce any ideas of their own, if they have any which I sometimes doubt. I would like to remind them of the famous notice which hung in a dance hall in America in the days of

the Gold Rush. It reads: "Don't shoot the man at the piano. He is doing his best". Well, I have done some criticising, and I suppose I am among that section. I have also made one or two general suggestions, and I will now make two specific ones.

The first concerns the cocoa industry. I would like to suggest to the Agriculture Department that they open central nurseries throughout the cocoa producing area for the sale at a very nominal figure of young trees to the farmers. In this way, expansion and replacement, and replacement is very necessary, can be carried out by the farmers, and they can be sure of attaining healthy young trees at the optimum planting time.

The second is to further the production of palm oil. As the Honourable Members will know, the output of palm kernels from the Western Provinces is roughly 100,000 tons a year, that is about 30 per cent of the total of Nigeria, and yet the output of palm oil is nil.

Palm kernels cannot be produced without removing the fibre around them and from which the palm oil is extracted. Where does this oil go? Most people assume that the palm oil is consumed locally. I am afraid that they delude themselves. The actual position is that the farmer is not prepared to go to the necessary work to extract this palm oil. What usually happens is that the fruit is left to rot on the trees or on the ground and the nuts are then collected. Now in order to get some idea as to what palm oil we can expect from the Western Provinces I will refer to some figures from the Eastern Provinces.

The output of palm kernels from that region is about 250,000 tons a year. The output of oil is about 130,000 tons a year and so it would appear that the ratio is 2:1. On this basis it seems to me fairly obvious that we are losing close on 50,000 tons of oil every year in the Western Provinces, and furthermore as not many people know nowadays, twenty-five years ago this actual quantity was being produced which represents nearly £2 million and I suggest that Nigeria and the world cannot do without this vital export.

I recommend to Government that they give serious consideration to the introduction of the very excellent Pioneer Oil Mills in the Western Provinces. I was pleased to see in the answer to a recent question that this was being given consideration but in view of these figures I hope the matter will be treated with urgency.

There is another and equally important side to this question of agriculture. That is the farmers themselves. Unless they co-operate and I am afraid some of them are not doing it now, no decision taken in this Council, no planning or spending on behalf of Government can bring results.

I would say this to the farmers of Nigeria: "Unless you co-operate with Government, in ten years' time where there is

prosperity amongst you now there will be poverty. Where there is poverty now, there may well be destitution".

Your Excellency, I support the Appropriation Bill.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin):

Your Excellency, to begin with I should like to extend the good wishes of the Northern Regional Council to Lord Milverton whose prophecy is being fulfilled to-day. I would also like to welcome our new Chief Secretary to the Government to Nigeria and to congratulate the Chief Commissioner, Northern Provinces and the Financial Secretary on their being elevated to the high offices which they now hold. To these three officials I extend my very good wishes for a happy and successful term of office.

I would also like to express my appreciation of the time and trouble taken by the Honourable the Financial Secretary in preparing such an elaborate budget and of the unforeseen difficulties he must have encountered in allotting to each Region its allocation of revenue. I would like to see, though, that a fairer treatment is meted out to the Northern Region, which contributes a large proportion of the revenue.

Two of the most distinguished rulers of the North, the Sultan of Sokoto and the Emir of Zaria have come here as visitors in order to express their deep satisfaction at this historical Session, the first of its kind to be held in Kaduna, and to extend the greetings of the other Northern rulers and their people to the Honourable Members, particularly those who have come from the remote parts of the country.

Their visit is a source of great rejoicings to us and I believe if the weather had been as kind as we, their hosts, our good friend, the senior Unofficial Member, would have no cause for complaint. Or may be that our Honourable Friend, so fond of his glass, cannot obtain his regular sip in Kaduna?

Sir, I strongly support the holding of the Budget Session in the regional headquarters. After all the Honourable Members of this House are representatives of Nigeria as a whole, and if we are to achieve our aim, namely, mutual understanding, goodwill and co-operation among the different races of Nigeria, it is essential that all our meetings should not be isolated in Lagos. Let the meeting be held in turn among the Hausas, the Ibos and the Yorubas for the present at any rate and this will, to a great extent, remove the alleged ill-will and tribal jealousies that now exist among the different tribes and will promote better relationship among our various communities. I, particularly, am glad, nay, very glad, that this august assembly has been shifted to Kaduna this year for the simple reason that it affords the Honourable Members not domiciled in the North an opportunity to see the conditions under which our peasants live. I have noticed with great pleasure how some speakers who do not particularly represent the interests of the North have

pleaded for the cause of the Northerners, millions of the under-privileged who contribute so large a proportion of Nigerian funds but not receiving their fair share of revenue.

Sir, during the last Budget Session I was among those speakers who expressed their regrets for not seeing our Honourable Friends, the three Elected Members for Lagos, take their seats in this august House and I expressed a hope then that at no longer a date these gentlemen would re-consider their decision and be prepared to join their friends, the Provincial Members, in order to work together in solving the many common problems that face us. They have since then re-considered their decision and here we are together to-day fighting for the common good of our people. To all of them I extend my welcome. I always maintain, Sir, that the North has much to learn from the South, and *vice versa*, but without friendly co-operation this end cannot be achieved.

The Northerners are waking up from their lethargy and this fact was admitted by His Excellency when he said in his recent speech *inter alia* " During recent years and particularly in the course of my tours I have been much struck by the enthusiastic and insistent demand for greater educational facilities in the Northern Provinces. It is a demand which is growing far more rapidly than could have been foreseen a few years ago ". This is exactly what our people like to-day, and we are particularly grateful to His Excellency for having brought to the notice of this House a demand which is so lamentable to our heart.

Although His Excellency in his speech has recommended that more money should be earmarked for this much-needed expansion, we are very much disappointed to hear that the usual slogan " Shortage of staff and shortage of material " is still a great obstacle which may delay prompt action.

Your Excellency, regarding the shortage of staff I think the Southern Provinces will sympathise with us. If we are to advance together educationally with the rest of Nigeria we must have plenty of teachers to teach in our schools. If suitable teachers cannot be obtained locally let us appeal to the other West African Colonies.

Now about materials. I agree these are very difficult to obtain at the present time. But cannot we convert some of the existing buildings of our middle schools to secondary schools and put up temporary buildings for the middle schools instead? It is not of much use voting large sums of money for permanent buildings, the materials of which are admittedly difficult to obtain at this time. Semi-permanent buildings with thatched roofs can be put up for middle schools for the present at any rate until the normal times return.

If Government is really sincere in helping the people of the North by giving us education then give it to us quickly. There is a saying that where there is a will there is a way. Let us try and cut the gordian knot.

I have one chief criticism to make, Sir, about what I have learned so far since I became a member of this House. My little experience of the Budget session is that Members are invited to attend this Session in order to discuss and pass Bills sometimes with or without amendments, move resolutions, make speeches on the Budget and discuss or review estimates about the preparation of which unofficial members are quite ignorant. Besides members are given opportunities to ask questions pertaining to Government activities or matters of general interest. But I think the most interesting part of a budget session is the debate time when unofficial members rise up and speak sometimes for hours expounding their views on various departments or matters affecting the interest and progress of this country. Every member's Speech is recorded and a book is compiled; and that is the end of it. It is true that the book known as the Legislative Council Debates is placed in the hands of His Majesty's Principal Secretary of State, but what becomes of the valuable suggestions offered by the various members during their speeches remains a mystery.

Year after year budget sessions are held. Large sums of money are voted in the estimates for the transport of members to the meeting place and for paying their attendance allowances.

It is now over a year since I become a member of this House, I can't still see what efforts have been made by the Government to carry out any of the demands or suggestions made during the last year's Budget Session, not even the planting of the Coco-nut tree.

It is true that the government way of doing things is very slow, but it should be remembered also that we have all sworn that we should serve our country faithfully and conscientiously, and if we come as Honourable Members to talk and talk and talk which bears no fruitful results, then we shall be looked upon by our people as cheaters who are sent over here to make money at the expense of the poor rate and tax-payers.

Please let us face facts. Let us speak the truth even if it is bitter. I do not say that Government is not doing its best to help the people of this country, and I commend its efforts, but what I do say is that more weight should be given as far as possible to the point raised by the Honourable Members of this House during their speeches. After all, they are the accredited representatives of the people and their people would expect much from them. I hope this criticism will be seriously considered by the Government.

I have one or two things to say to our unofficial members. Whenever we come to attend this meeting, we do so with a determined mind not only to discuss or pass bills into law or discuss the estimates, but we also come in order to contribute a small quota to the welfare and progress of our people.

There is always a great demand for schools, hospitals, bridges, railways etc., but these will not be obtained without money. But whenever we are told that there are no funds unless taxes are

increased, we at once look gloomy and think that we are going to lose our popularity among our people by asking them for more taxes. Let us remember that we have been asking the Government to prepare us for self-government. Can we attain self-governing stage without money?

Let us learn to be a little more realistic in our dreams. Let us persuade Government to teach us how to exploit our resources, to industrialise our country, to participate in the management of our affairs and lastly to teach us how we shall be able to take our place among the Commonwealth of Nations. When I say "persuade" I mean to co-operate with Government with goodwill and honesty of purpose, and, I believe by adopting this method, our journey to self-government will be very much accelerated.

Coming to the question of economic problems of this country, I have noticed that in the North groundnuts is the source of wealth of the people, while in the South there are many export products, such as palm oil, kernels, cocoa and so on. But what export products are obtainable in the Middle Belt? If you go to a place like Kano or Zaria you find many people enjoy many amenities, but if you go to Bida, for example, or any other place in the Middle Belt you find the people are not wealthy due to lack of products.

You will find that the North will become economically independent as the South is, but what about the Middle Belt? It is time the Government begin to think seriously to explore the area and see what kind of crops will be suitable as export product and people encourage to plant these crops extensively. Unless we do something like that I think our position in the Middle Belt will not be economically secure.

I have one point to say about the position of education in this country. I have noticed that a lot of money is being spent on the education of children. One Honourable Member said yesterday that the children are for to-day and tomorrow. It is quite true. But what about the elderly people—the adults? Are they all going to die at once and give place to the children? We must try and bridge the big gap that now exists between the young and the old.

There is a big difference between them now, educationally speaking. We are talking of various development schemes and industrialisation of this country but these words mean nothing to the peasant. They do not know how to read. They cannot read even their own language. There is a lot of suspicion between the Government officials and the ordinary peasant. If a peasant goes to a native court and is given a receipt he does not know how much is on the receipt. Let us spread mass literacy among the peasants if we want them to understand all these development schemes. Let us send Mass Education Officers to every where in Nigeria. If we tackle the matter seriously I am quite sure that within ten years there will be a considerable educational improvement. I appeal

strongly to the Education Department to see what can be done to expand mass literacy. It will be of great help because then the ordinary peasant will be able to understand the views of the Agricultural Officer, Veterinary Officer, Sanitary Inspector and so on.

I wish to say a few words about the Posts and Telegraphs Department. I endorse the views expressed by many Honourable Members. I can give an example of my own experience. I left my home, Ilorin, on Friday mid-night in order to come here to attend this Session. I sent a telegram about 8 o'clock on Friday morning to a friend in Kaduna asking him to arrange for my accommodation. That telegram was not received until Monday, two days after my arrival. Sir, that state of affairs is not satisfactory and should be remedied.

Before I take my seat, Sir, I wish to endorse the views expressed by the First Honourable Member for the Northern Provinces about the Kaduna Bridge. I know it is very expensive and materials are very difficult to obtain. I hope this matter is going to receive the attention of the Government.

Sir, I support the Appropriation Bill.

The Member for Calabar (The Hon. E. E. Anwan):

Your Excellency, at the opening of every Budget Session of this Legislative Council it is customary for the Governor, or in his unavoidable absence for any officer of the Government deputising for him, to make a speech. In his speech is outlined the policy proposed to be followed by the Government in each of its departments; and when called for it also contains a statement by Government on any current matters of topical or general interest. Later in the same Session the Financial Secretary moves the First Reading of the Appropriation Bill, in the doing of which he defines the financial policy of the Government at least for the next twelve ensuing months. The practice has grown up in this country for each of the Unofficial Members of this Council during the Second Reading of the Appropriation Bill to reply to both the opening speech by His Excellency, or his deputy, and that also by the Financial Secretary, when the opportunity is seized to criticize, and sometimes to praise, any departments of the Government. This opportunity is a very valued privilege of this House and is very jealously guarded.

In His Excellency's opening speech last Tuesday, the 2nd instant, he referred to the new Constitution in these words:—

“ With the inauguration of the new Constitution last year we set our feet upon the path which leads to self-government ” but warned us that

“ If we are to complete the journey successfully we must at all costs preserve all that is best in traditional African custom and culture ”.

Earlier in the same speech His Excellency had said that

“ More important than the form of the Constitution are the spirit in which it is made to work and the extent to which it is made to serve the interests of the people ”.

The Government can feel assured that it will be a matter of great satisfaction to this country and that the best interests of this country will be served if

“ Most of the objections so far seen raised to the present Constitution arise from a misunderstanding of its Provisions ”.

And also that the hope is shared that

“ these misunderstandings will no doubt be dissolved in the light of experience ”.

If by “ self-government ” His Excellency meant the management of our internal affairs under the aegis of the Colonial Office, then the New Constitution is an admirable piece of craftsmanship and the British Government is very much to be congratulated for taking the initiative in speeding us on the path to “ self-government ”. But the self-government that Nigeria is clamouring for is nothing short of that of a “ dominion ” status based on democratic principles as are known and practised in the British Commonwealth of Nations. From a Constitutional point of view this status postulates two factors, namely:

Firstly Responsible Government, by which the Heads of the different administrative or executive departments of the country are Ministers of the Nigerian Legislature and are responsible to it for the administrative policies of their several departments.

Secondly the establishment of a Nigerian nationality for all the indigenous communities of this country, in the same way that Great Britain has adopted one nationality that is British nationality, for England, Scotland, Wales and Northern Ireland. Let us examine the New Constitution in the light of these two factors.

History teaches us that responsible government based on democratic principles has so far been grafted only on an established form of party politics, and also that in a free country it is the inalienable right of every taxpayer who is a native of the place, and is not otherwise disqualified, to express at the polls the party he desires to come into power “ for the time being ”. The party with the greatest number of returned candidates assumes the government, but owes to the country from whom it derives its authority a responsibility for every act it does.

The New Constitution is based on the Native Authority Ordinance which in its turn is based on tribalism applied in this connection in a very narrow sense. I refer to the non-democratization of the different Native Administrations in Nigeria. Tribalism is a negation of nationality and so far as this state of things is

perpetuated so long will Nigeria remain only as a mere geographical expression, to adopt a term so commonly used in this House, and so long will it be incapable of developing that political coherence which is the *sine qua non* for self-government whether on a unitary or federal basis.

Nigeria is not the only country in the world which is composed of many tribes with different and varying native laws and customs. Great Britain is composed of England, Scotland and Wales, each with its own native laws and customs, which are there called common law, and with native costumes and habits peculiar to it. Great Britain, at least from a political point of view as it is known today, is as much an artificial creature as Nigeria is. Each territory, that is England, Scotland and Wales, once had its own kings and lords and once was a separate and independent political entity. Each is now divided into counties. Each county has its council with legislative and executive powers, subordinate only to Parliament, in matters of local concern and is presided over by a Lord Mayor. This County Council constitutes local government, but why are Members of Parliament not selected from these County Councils? Is that a disregard to the natural British dignity and traditional British courtesy?

It is lamentable that there are too many indications particularly in Lagos savouring of lack of appreciation for the preservation of natural African dignity and traditional African courtesy. This, if so, is an exception rather than the rule for respect for African dignity and tradition is an innate attribute of the African.

By the Native Authority Ordinance a Nigerian from one part of the country can be and can remain a stranger from a political point of view in another part of the country. The policy of dividing Nigeria into regions is an ingenious one and desirable if it were restricted only to administrative purposes and matters of local government. This would provide for the diversities in the native laws and customs of the different regions. The strength of these diversities would then be to administer the whole country on a unitary basis. This is what obtains in Great Britain with its subdivision into counties in each of which is constituted a local government. If the new Constitution is intended to afford us the training for eventual self-government then it ought to contain provisions for a central government-in-training which when capable will take over the administration of the whole country. The lack of this provision is one of our misgivings about the new Constitution and constitutes our fear No. 1. From Mr Phillipson's Financial Policy under the new Constitution adopted by the Government it appears that Nigeria is going to be administered as a federation of three states—the suggestion by the Honourable the Oba of Benin in his speech on Monday last to the effect that the Chief Commissioners in charge of the different Regions should be styled Governors and the speech by the Honourable the Second Member for the Northern Provinces

yesterday, together with the fact that the Budget Session of this Legislative Council is now itinerant from one Regional Headquarters to another go to stress the view that each Region is expected to develop into an Independent State. The Central Government that now connects these Regions still retains its dominant British Government character. There is no indication how a change in this character is going to be effected, if at all, and when. Now the question is asked: Granted Nigeria develops along the lines envisaged by the new Constitution, and that time comes when she is considered fit for self-government, to which Central Government is the British Government going to hand over the administration of this country? Now Nigeria is inevitably thinking in terms of regions. In India all that the British Government did was to recognize two political parties, whose party politics was based not on administrative policies but on religion. The British Government did no more. The effect of this recognition stares Nigeria in the face. That is our Fear No. 2 about the new Constitution. Of course, we are thinking as laymen and not as constitutional experts, and so whatever mistakes we may make are in the words of Lord Milverton "mistakes of the head and not of the heart".

I now come to the economic policy of the Government of this country. It is an admitted fact that Nigeria is a very poor country. But it is predominantly an agricultural country and grows or can grow products very much in demand in the world trade. Its failure to explore its possibilities in this direction is due partly to ignorance, partly to lack of skill, but mainly to lack of finance. The policy of the British Government in relation to its West African Colonies before the last war was uneconomic and short-sighted. It is gratifying to learn that the position now is the reverse. Individuals and co-operative societies are now encouraged even to the extent of being offered financial assistance to do some business. Native Administrations or communities should also be stimulated to own farms in the same way as has been done for the Cameroons, through the Cameroons Development Corporation. There is no justification for not developing secondary industries based on our primary natural products. A team of industrial experts should be invited from Great Britain to explore this possibility. More village industries should be stimulated and markets secured in other countries for the products so manufactured.

It is fully realized that from an economic point of view Nigeria is inextricably bound up with the economy of Great Britain, and is subservient to British economic policy. But that is no reason why primary industries should not be established here, particularly those appertaining to those products which Nigeria buys from countries outside Great Britain. Our land tenure should present no difficulty for the investment of foreign capital in this country—the cases of the Estates Branch of the United Africa Company

Limited, in Sapele, Calabar and Ndian, respectively, and the Cameroons Development Corporation in the Cameroons are in point. The establishment of industries in this country would give employment to several persons now unemployed, raise the standard of living, increase the wealth of the country by keeping in the country much of the money that is now going out and bringing in more money from outside for the purchase of goods so produced in this country. It will also reflect creditably on our revenues by way of increased customs and excise duties and taxes.

In the commercial life of Great Britain the slogan is for increased exports with a large surplus over imports. This is a sound policy for any country which aims at recovering from poverty and maintaining economic stability in subsequent years. The average surplus of exports over imports in Nigeria during the past ten years as disclosed in answer to Question No. 262 is negligible and does not make for any economic advancement. This position is a sorry one indeed and the attention of the relevant authorities concerned particularly that of the Directors of Commerce and Industries, Veterinary Service, and Agriculture, and the Development Secretary, is specially invited to it. It is regrettable that unassisted by a team of experts, no constructive criticism can be made nor suggestions offered as to what should be done to remedy the situation. It is hoped, however, that stimulated by the interests those concerned have in their respective jobs and animated by the love they have for Nigeria, they will pull their full weight in helping Nigeria recover from the sorry economic plight in which it is to-day.

In this connection of the economic plight of the country, it is worth while to observe that it is a matter of grave concern and a matter for strong comment that the Railway Department, which is being run entirely as a commercial concern, is not accruing more net "profits" to the revenue. This position calls for an investigation. Furthermore, the educational policy of this country should be to some extent related to its commercial and economic needs—hitherto it has been confined to recruiting staff for the Civil Service and not to assisting the Imperial Government in the administration of the Colonial Dependencies "with the object of guiding and helping peoples, not yet able to stand by themselves, to achieve self-government" as set out in the Memorandum on Educational Policy in Nigeria—Sessional Paper No. 20 of 1947.

Lastly, for the stabilization of their prices, one would like to see established a Marketing Board for our oils and oil seeds. It is noted with gratification what the Cocoa Marketing Board is doing for the cocoa trade, particularly in the creating of a Price Stabilization Fund as a rainy day measure. The same is being advocated for our oils and oil seeds so that trade in these commodities might be guaranteed in any eventual days of emergency.

When the Yaba Higher College Scheme was mooted some years

ago it appears it was then hoped to recruit from it candidates for the Senior Service of the Nigerian Civil Service. This might have been following the example of the Gold Coast Government in establishing Achimota College. It would appear that the object for which the Higher College was established has not been realized. Time and again one scheme and another cannot be pursued in Nigeria for lack of competent staff locally and the inability to recruit same from England. Ibadan University has the full blessings of this House and it is only regretted that teaching and engineering are not amongst the faculties provided for in that College with the cry in this country for more and yet more teachers and engineers. It is, however, hoped that the expansion of the scholarship awards for courses of studies in Great Britain and the Ibadan University will lend their full weight to the speeding up of the Africanization of the Nigerian Civil Service.

I now come to the Appropriation Bill which has been so ably moved by the Honourable the Financial Secretary to the Government. Of course, he is an expert and so it is a little wonder that his speech is such a masterpiece. He estimates the cost of running this Government for the next ensuing twelve months at almost £30,000,000. Nigeria has to accept this liability with full responsibility to raise every penny of it in this country. We have noted those items in our revenue the rates of which are proposed to be increased and have to approve same as it is certain that this country wants more money and we can offer no better counter proposals, being laymen. In other countries to increase revenue industries are stimulated and export trade very much encouraged. Earlier in this my speech an appeal has been made to the same effect, and it is now only to be hoped that this appeal will not fall on deaf ears.

With these remarks, Your Excellency, I support the Appropriation Bill.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

Your Excellency, I rise to support that part of the previous speakers' speech in which tribute was paid to Your Excellency for the well thought-out address presented to this House on the 2nd of March, 1948, and congratulate my Honourable friend the Financial Secretary for the comprehensive Estimates which he and his highly qualified staff presented to the House for consideration in connection with the public services of the country. I also join in congratulating those officers who were recently promoted to the substantive offices which they now hold and to welcome them to this House.

In supporting the Appropriation Bill I would like to make a few observations. It is interesting to reflect that in the period of five years between 1943 and now the revenue of this country has grown from about £9 million to about £19 million. Expenditure of course, has kept close pace with revenue and this year has in fact

outstripped revenue by over £2½ million which the Honourable the Financial Secretary has hinted somewhat casually he would raise by certain fiscal measure in order to balance the budget. Sir, the Financial Secretary has already opened his gift box and I am not sure whether the contents receive any warm welcome in the House. To go back to the huge and rapid growth of Government revenue and the corresponding growth of the expenditure, they certainly indicate the result of recent development, but I feel somewhat disappointed that there is not more said in the Financial Secretary's Memorandum accompanying the Estimates about whether the expansion represents normal and healthy development which will continue progressively or that we should expect to turn some dangerous corner and if so how and where.

Sir, the feeling of the Honourable Financial Secretary is however betrayed by the anxiety expressed about providing against the rainy day when Nigeria's primary products may no longer command such favourable prices as at present, and there is a consequent diminution of Government revenue. With our present scale of expenditure which will not be easy to reduce in case of sudden fall in revenue the position is certainly not one that we could regard with cheers. The times call for the greatest tightening up of expenditure especially in wages and salaries and the amount expended on developments which are unproductive as against those which can show immediate results. Before passing to other matter of general nature, I would like to make further remarks about salaries and wages. I think the time has come for Government to take a bold stand, in the interest of the poor taxpayers of this country and stabilize wages and salaries. During the last few years, there was not a year that taxpayers would not be called upon to face increase on one form of taxation or the other because of repeated demands by Government's employees for increase of wages and salaries. We spend about two-third of our revenue on personal emoluments and what are called other charges which I am sure no progressive business house will encourage. What we call Government revenue is not money imported into the country by white man as some of us think, but money collected from taxpayers of this country for maintaining different public services. It does not appear that certain section of our press have the interest of taxpayers at heart, it appears they are concerned only about the praise showered upon them by those who are entitled to wages and salaries. It is well known that those who are responsible for making up of our revenue are mostly the poorest class of people, and if we claim to be their representatives we should take into consideration first what would affect them. I therefore appeal to the Press to think seriously of how demands of Government's employees for increase of wages and salaries could be met before supporting such demands blindly. Talking of expenditure takes me back to the colossal size which the country's pension bill has attained, nearly one million sterling—£809,670 to be exact. In a few years time,

understanding between the Unofficials and the Officials, but I feel that much more could still be done. With these few remarks I support the Appropriation Bill.

The Presiding Member (The Hon. the Chief Secretary to the Government):

I suggest to the Council that we might resume this afternoon at four o'clock. I had intended that possibly we might have continued for a longer period this morning, but I think that it may be preferable, if you will agree, to continue this afternoon at four. Is that the general wish?

We will meet this afternoon at four o'clock.

Council adjourned at 12.55 p.m.

Council resumed at 4 p.m.

The Presiding Member (The Hon. the Chief Secretary to the Government):

We will resume the debate on the Second Reading of the Appropriation Bill. I call on the Honourable the Emir of Gwandu.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.):

Your Excellency, I rise to say only a few words before this Council. First, I wish to welcome to Kaduna Your Excellency and Official Members of this House, and also the Members for the Western and Eastern Provinces, the Colony and Lagos, and Calabar and other nominated representatives. We are all most grateful to see them in Kaduna, some of them for the first time. We wish them a comfortable and constructive visit. Secondly, Sir, this New Constitution shows that the whole of Nigeria is one because it has forced the people of Nigeria to unite and meet here to discuss measures which will benefit Nigeria as a whole. We hope these meetings will lead Nigeria peacefully to its final hope of self-government. Your Excellency in my speech I find it very necessary to touch on the Department of Education. So far the Education Department has done well but still we must point out our urgent need, and that is the provision of secondary school teachers. For this reason, Sir, teachers should be recruited for the secondary education in the North. We have no objection to where they come from—they may be from the South or any part of West Africa as long as our need is satisfied. Sir, I should also remind Government that the prosperity of the country cannot be complete unless it has reliable trade routes. So we beg to emphasize that the construction of the bridges at should be started so as to enable the Western parts to have direct communication with the railway and overseas. The Nigeria Local Development Board—in connection with this, being a member of the Board, I should like to correct the two statements made by the Honourable the Third Member for the Northern Provinces. The fact that not much has

been spent by the Board in the North has been due to the few applications from this area, but in addition, a free grant of £1,945 has been made to the Zaria Native Authority for the erection of a sawmill at Anara. A free grant of £4,650 in addition to the loan of £1,500 at 2 per cent interest per annum for five years was made by the Board to the Katsina Native Authority for the erection and maintenance of a cattle market at Funtua, subject to the approval of the Standing Committee on Finance of the Legislative Council. Also a scheme for clarified butter fat costing about £90,000 was suggested subject to the approval of the Governor. This scheme will be managed in a manner similar to that for the Pioneer Oil Mills of the South. The second point is that there are two members of the Board from the North, namely the Emir of Zaria and myself. The fact that we are members of the Board will not make us authorities but when brought before the Board we do our best to support them and give them all the information we can. However, I pray all Honourable Members to give wide publicity to the organization and explain to their respective communities that the Board is the proper body to deal with any constructive application which is in the interests of the community. Before closing my speech, I should like to meet the point of the Honourable the Third Lagos Member, who suggested that revenue—jangali—a tax paid on cattle, should go into central revenue. This would not be justified as far as the Northern Region is concerned as it would operate to the disadvantage of the Fulani, who are the natural inhabitants of the North. It might interest the Honourable Members to know that the Fulani have almost nothing beyond their cattle. As is the custom locally, the natives of this area are made to pay according to their goods or riches. The Native Administration in co-operation with the few Veterinary Officers, endeavour to supervise the well-being of their stock. It is with those aspects we are faced, Your Excellency. I welcome you and your Honourable Gentlemen and wish you success in your undertaking to grant us peace and prosperity. With these words, Your Excellency, I strongly support the Appropriation Bill.

The Fourth Member for the Northern Provinces (The Hon. Aliyu, Makaman Bida):

Your Excellency, in supporting the Appropriation Bill I first of all wish to join the Emirs and my colleagues from the Northern Provinces in expressing our gratitude to Government for arranging the first Legislative Council in the Protectorate to be held here in the Northern Provinces and thus giving Kaduna the privilege of being the capital of Nigeria for at least a month.

I believe the Honourable Members who were in the Council last March at Lagos will remember that when Lord Milverton announced that the Budget Session of 1948-49 would be held at Kaduna, we Members from the Northern Provinces said that we would be looking forward to seeing you in our country. Now, Gentlemen,

here we are together and we extend our hearts' welcome to every one of you. I believe the Member from the Colony, our youngest member, is now convinced that the people in the North are no more leopards, though the weather seems to be the leopards instead. I also hope that the Third Member from the Western Provinces has now discarded his idea of sweeping across the North to the Sahara boundaries.

Now, Sir, every Honourable Member who has spoken in this house had something to say about Education. I also wish to say something about it without the fear of the charge of repetition.

I am extremely glad, Sir, to note in His Excellency's speech that his tours in the Northern Provinces have resulted in his realization of our most pressing need, namely education, and more pleased I am to hear that he has taken steps to have a special programme prepared for the expansion of Education in the Northern Provinces. I hope we shall have no cause to accuse the Director of Education of slowness in preparing the main feature of the new programme.

His Excellency also pointed out that the principal difficulties in carrying out the new programme will be to find sufficient staff to train teachers and that it will be difficult to get teachers from other provinces in Nigeria and therefore the programme provides for recruitment of twenty-one teachers from overseas. Well, Sir, I wish to support the Fifth Member from the Northern Provinces and to suggest in recruiting teachers from outside Nigeria for this country we should look towards North Africa as well—Sudan, Egypt.

Sometime ago teachers were recruited from Gordon College into Nigeria. They started their teaching work in Bornu Middle School and later continued their services in Kano Law School where they trained the present African teachers now teaching in the School of Arabic Studies. These teachers did very well and there is no reason why more of them should not be recruited.

Now, Sir, I am deeply disappointed, and I believe every right thinking Northerner should share my disappointment, to hear His Excellency's remark about the Institution at Vom, and that our young men are not making use of the facilities provided for them. I feel this is a great matter and I wish to explain that there are three reasons which discourage our young men from taking courses of study to qualify them for technical jobs.

(i) The first reason is the failure of the Northern students at Yaba College, the reasons for which the Second Member from the Northern Provinces has already explained.

(ii) The second reason is about finance. Most of the parents of our suitable candidates are poor and cannot afford to pay the fees or the additional funds required by Government, and there had been one or two cases where students at Vom had to discontinue their course of study just because of lack of funds, because parents

or Native Authorities could not pay the required additional funds required by Government.

(iii) The third reason is, I am sorry to say, that our young men are impatient. Their attitude of life can very well be described in the saying that a bird in hand is worth two in the bush. They would prefer to take up minor jobs and start to draw salaries as soon as they finish with the College or even with the Middle School.

I take this opportunity, Sir, to appeal to the Native Authorities, the parents and the teachers to make it their responsibility to see that such attitude is uprooted in the minds of our young men. Nowadays when the greatest topic is self-government, if we in the North do not start preparing our capable young men for technical knowledge, when the time comes for self-government, which is at the moment in the dark, comes to light, we shall find that we have made an irrecoverable mistake and shall find nobody else to blame but ourselves.

This is the sort of encouragement we want to be given to our boys in Kaduna College, but certainly nothing like the idea of discarding their traditional way of paying respect to their teachers. I was really sorry to hear from such a well learned man, a man of influence as is the Third Member from Lagos, suggesting to this Council that the Kaduna College boys should discontinue to bow to their Principal. I must say I was more disappointed to hear him alluding his argument to a certain verse in Koran.

I do not wish to dwell on this matter but I should like to refer to a reply given to the Second Member from the Northern Provinces by the Third Member from Lagos about his mockery in prostrating before the Obas. The Third Member in his reply said that he did it in accordance with the Yoruba custom and he would do it to his parents and Natural Rulers but not to his mere teachers.

I must say that there is a big difference between their attitudes towards their schooling and ours. A Northern parent sends his child to school to learn in the first place manners and good behaviour. He expects that child to be better disciplined than the rest of the children who have no chance of attending school. Therefore the first thing we learn in the school is to respect our teachers as much if not more as we would respect our parents and Natural Rulers.

Naturally nobody likes being kept strictly under discipline and the Kaduna College boys may well be pleased to hear that a suggestion has been made in this Council that they should discontinue to bow down to their teachers but what we are concerned with is what will their parents say when they hear of the same suggestion?

Now, Sir, I want to have a word with the Public Works Department. The Honourable Member for the Colony in his speech the

other day congratulated the Director of Public Works on his success in road making. I do not think that the Public Works Department itself deserves all that merit. The actual work on the road is carried out by the Native Authorities on behalf of Government and not actually by the Public Works Department. This brings me to another point which has been raised by the Fifth Member from the Northern Provinces.

I quite agree with him that nowadays when the staff and materials are not available, it would not be a bad idea to erect a semi-permanent or mud building, especially in the Northern Provinces, to enable us to get ahead with the expansion of education. These buildings could easily be supervised by the Native Authority. I remember the college at Katsina was purely built of mud and was completed in four months in 1921 and is still there. No single sheet of corrugated iron was used and not a single plank required.

The students at that college were quite happy and the lessons taught them were very well learnt. In my opinion such simple buildings in out of way towns will induce our boys to pay more attention to their lessons than those elaborate modern buildings established at cosmopolitan towns where boys think more of pleasures than their lessons.

Now I want to say a word about politics. I think you will agree with me, Honourable Members, that there is nothing more dangerous than a vague general idea inculcated into empty and narrow heads. This is more so in a country like Nigeria where the great majority is illiterate and a great number semi-educated. Unfortunately a vague general idea has been put into a lot of empty heads in this country that a political revolution will make everybody wealthy at this moment. I do not know just how. All I can say will happen is that a few will easily become millionaires whilst thousands will become destitute. What I want our people to understand is this. If supposing those who are now holding Senior Service posts are to go today, what part of their personal emoluments will come to the North or even if there is an industrial revolution now, what part can we play in the matter? Where are our technical experts? The only part we can play is that we shall supply labour or perhaps we may take posts as timekeepers.

I am sincerely hoping that this vague general idea will be eradicated from the heads of our people and let such heads be filled with concrete ideas instead. I should like our people to realise that the only way we can become more wealthy at the moment is to go back to the land. We want farm product for its dual purposes. The Financial Secretary has announced the new prices. We also want farm product to improve our diet and nutrition by which our health will be improved and consequently our wealth.

I have no more comments on the estimates than those already expressed by my colleagues. The only thing I wish to say is that we have now realised that the North has to wait another four years

before it will be able to receive its due share of the general revenue, though the Third Member for the Western Provinces has a different idea about it. May I say to the Government that the general feeling about this matter in the North is that Government attends first to those who make most noise and a place in the second rank comes to those who are less noisy, and the motto is, Sir, if you don't ask for it you won't get it.

We are not going to make noise but we will keep on asking for it until we get it.

In conclusion, Sir, I would like to join the other Honourable Members and tender my congratulations to the Financial Secretary for his efforts in preparing the complicated estimates. Indeed he has exhibited a capacity in doing his job, and if I am allowed to compare this exhibition with that in London known as "Britain Can Make It", I would say the Financial Secretary can do it and has done it.

Sir, I beg to support the Appropriation Bill.

The Fourth Member for the Western Provinces (The Hon. Gaius Obaseki):

Your Excellency, if we interpret the figures before us correctly, the Estimates show that we could expect a small margin of revenue over expenditure next year, for if we spend roughly £21,876,633 and cash in roughly £21,931,278 then we have a £54,645 margin. We have cause to say that we have a margin. Now that we are carrying on development work along with maintenance of the existing establishment we have another source of revenue outside the usual Government sources to draw on and spend from, we mean the Colonial Development and Welfare Fund. To the Imperial Government who gave us this grant we are very grateful, but, Sir, could there have been a margin if we had not got other people's money to spend? What we are trying to say, Sir, is could we not work out a budget that would fit us as we really are in anticipation of that day when other people's money will no longer be available for us to spend. We must also remember in this connection personal emoluments, with its attendant other charges under Head 51 of the Colonial Development and Welfare Fund, today stands at a figure of some £415,288. Now if indeed this margin in the Estimates is real, one would ask is it sufficiently reasonable and attractive for a state? Of course, £54,000 is very, very reasonable for a comparatively young state or small business, but if some of our widely ramified business houses would consider a turnover of £54,000, not too plum, I say that a state like Nigeria with a population of over 25,000,000 people should feel £54,000 not too rosy. The expected turnover or surplus would work out just about ½d per head of our population per year. A point I should like to raise on a matter of this surplus is whether it could not be considerably wider? Perhaps, yes. For one thing we could spend less

expensively than we mean to, and for another we could allocate funds yet more judiciously, sinking more into revenue creating departments and reducing expenditure on revenue consuming ones. This is how I should like to see our meagre revenue spent so that in time we may be able to declare to a very worthy asset. We should like Government to plan its budget and frame its projects to bring much needed wealth within the reach of every dutiful citizen with the least wastage of revenue. In looking through the Estimates we find that the votes of some wealth creating departments, like Agriculture, Forestry and Veterinary, are not commensurate with their economic importance to the country. Government should treat generously the departments which have to deal with our land, our forests and our fauna. Government would be doing itself justice and would be doing justice to the frequent advice given to the people to return to the land, if it were to review its attitude towards these departments, that is by spending more money on them, convincing us more by action and example that the country's progress and prosperity depend largely on how our natural resources are developed. In future, Sir, we should like to see Government allocate to these departments and those equally important amounts proportionate to their relative importance in the economic programme of the country. These wealth creating departments should adopt a business attitude as is prevalent in many commercial houses, that is in disbursing whatever funds come their way for development and maintenance. Much more should be spent on actual investments as opposed to personal emoluments. We look up to these departments to show results, as any mercantile house would look up to its responsible employees to show profits. The critical eyes of the enlightened public are on everyone. We know that the labourer is worthy of his hire, but labour must run its charge to pay. Your Excellency, we have been harping on these departments only not because they only could determine our welfare and progress but because we hold that unless we have the means or wherewithal, we cannot pay our way through life. We are glad to see that the Geological Department is proposing scholarships for Africans. We are also grateful to the Forestry Department for allowing trained Africans to study in United Kingdom universities. We hope that when these Africans qualify and return they will be given every opportunity to prove their mettle in responsible positions. The Marine Department should give more attention to creeks, estuaries, and rivers in Benin, clearing those which are most used for waterways for the transport of produce, timber and so forth. In this connection we have to direct attention particularly to the River Osse. As regards Electricity Undertakings, Sir, we do not know the data on which the priority was determined. Looking through the Estimates one notices that almost every provincial headquarters is having its electricity either in full operation or has been started. Even in some cases three or

more places in one province have their electricity projects in progress, whereas Benin Province is relegated to the background. I should like to give the figure as it appears in the Estimates for the Western Provinces:

Ijebu Ode Province	1 Division—	1 electricity undertaking at Ijebu Ode
Oyo Province	... 3 Divisions—	5 electricity projects which are to be started at Ife, Ilesha, Ede, Oshogbo, Ibadan
Warri Province	... 2 Divisions—	2 electricity projects are being started in Sapele and Warri
Benin Province	... 4 Divisions—	Nil
Ondo Province	... 4 Divisions—	Nil

We are appealing to the Government to accelerate Benin electricity project as any further delay will still create dissatisfaction amongst the people of Benin. Now for the Public Works Department. I should like to associate myself with the last speaker, that road development is a scheme much needed to open up the whole country for in some cases the work is still being carried out at a snail's pace. The tarring of the Ilesha-Benin-Asaba road is still progressing very slowly. We are told that roads during the world war were made and tarred for miles greater than Nigeria in a few months. We do not know why our Public Works Department cannot do equally fast work. The Public Works Department's excuse is always 'no officer—no material'. Why then should not tenders be called for and let anyone capable of doing the work undertake it. There is no excuse for prolonging the suffering of all users of Nigerian roads because of the Public Works Department's policy of doing the work themselves. In fact, we suggest that major works like buildings, road construction and tarring should be done by open contract. The Public Works Department should satisfy themselves to carry on supervision and maintenance work as usual. We are happy to see that Government has hearkened to the oft-repeated request that Africans be appointed to the Provinces as Administrative Officers. We hope that this commendable step now taken will be a prelude to many more such appointments. We are happy also to see that a resolution for goodwill has been moved and passed by this House. I still reiterate my promise a year ago that I pledge myself and my constituency for this goodwill now. We would like to place on record the good work done in Benin by our Resident, Captain J. C. F. Pender, M.C., who is retiring in three months. We well remember his nice gesture in acceding to the request of the Benin for his wife to act as the first Principal in order to accelerate the development of the new college at Edo some two years ago. The Education Department though it did not accept the offer were unable to get the necessary European staff at that time, and it was this offer of Mrs Pender coupled with Captain

Pender's full co-operation to the people to press their demand that led to the timely development that is taking place in the new college today. We are grateful to him also for his many and varied plans for the social, economic and educational development of Benin. One of such plans was to harness our waterways to develop electricity in Benin. The local engineers thought it was impracticable, but Captain Pender was insistent and the electricity experts sent out by the Colonial Secretary proved that he was right. Today there are seven African officers in charge of departments usually manned by European officers in Benin; they are happy and racial discrimination is not permitted by Captain Pender. There partnership on equal terms is brought to play. We are challenging anyone to contend that there is the same percentage of African departmental heads serving in any station in Nigeria as Benin. We are sorry to think that in a short time he shall no longer direct and guide our deliberations of the Development and other committees, and moreover that he will not see the realization of the Benin electricity undertakings. Finally on this subject, we should like to record the tactful part he played to prevent serious incidents on the recent tangle on the abolition of the Iyase title. We should therefore like to express through Your Excellency the appreciation of my constituency for the meritorious services rendered by Captain Pender to the Empire in general, and Benin in particular. Finally, our only hope is that his unexpected retirement from the Service to which he has given his best for over a quarter of a century is not due to the rumour in circulation that he was driving the Benin people too fast towards advancement. In conclusion, Your Excellency, we must join the chorus of welcome and good wishes voiced out for our new Chief Secretary, the Honourable Mr Foot, the chairman of this Honourable House. We have heard and we have seen of his humane outlook and urbane charm. We have also heard of his deep and rich heritage of British traditions and Parliamentary usage. We hope he will bring to bear on this young Council now just trying out a new constitution that world-wide and noble influence of *pax Britannica*.

Sir, I support the Appropriation Bill.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, the first thing I would like to do, is to call attention to a slight error which occurred in the last debates—the copy of the debates sent to us. I refer, Sir, to pages 78-79 of the last debates. There, record was made of the debate on the Customs Amendment Ordinance of 1947. I will, with your leave, Sir, read the notes

“ The Honourable the Attorney-General :

“ Your Excellency, as far as West African Dependencies are

“ concerned, similar legislation is being introduced into each
“ of the Houses. As to the other Dependencies, I cannot say
“ at the moment.

“ *Bill read a second time.*

“ The First Member for the Eastern Provinces left the House.”
Your Excellency, that report is factually correct, but I must say that in the context it is wrong and misleading. I have no other opportunity of questioning that entry in the debates, and I do so now, Sir, with the assurance that my denouncement of this record will appear in the minutes of this meeting. This is the only way I can see, Sir, of amending these debates.

Now, Sir, coming to the vexed question of finding money. I agree with my Honourable Colleague, the Third Member for the Eastern Provinces, that no matter what the Honourable Financial Secretary will say, we still ask him to find money. It is his duty, Sir, to find the money. Unfortunately, I do not quite agree with his methods of finding the money in this particular instance, not the whole of his method, Sir, but part of it. I observe, in his speech, that it is not Government's intention to increase at present the rate of companys' income tax. I agree, Sir, with the Third Member for Lagos, that the present rate operates hardly on small companies, and operates advantageously on big companies. Now, Sir, when England was faced with a life and death struggle about nine years ago, the Chancellor of the Exchequer was confronted with the problem of finding money to wage what was then called “ a total war ”. Every single resource of the British Empire and every subject was brought into play, excessive taxation, heavy excise duty on tobacco and spirits, these were some of the main features, Sir, of the British budget in 1940-41. Now in this country, I am sorry to say, the Honourable the Financial Secretary is merely touching the fringe of the problem. To start with, Sir, I would suggest to him to consider quite seriously the question of introducing a sliding scale in the matter of income tax on companies. To have a flat rate of 7s 6d in the £ is, I think, as I have already indicated, both unfair and inequitable. I would suggest, Sir, a ceiling, beyond which any Company in this country would have to pay excess profits tax. It is nothing new in world economy; other countries have tried it with great success, and I suggest, Sir, that there now exist in this country at least three companies—the U.A.C., the Amalgamated Tin Mines of Nigeria and the British American Tobacco Company, that deserve special consideration in this regard. Your Excellency, these companies make quite a lot of money. They are not poor by any standards whatever, and surely, Sir, the time has come when they must be reminded that every penny profit they make, is made from the people of this country, and that it is only fair, Sir, that they should make commensurate returns to the financial stability of the country. Therefore, I suggest that company tax should be modified in the

manner ranging from 5s to about 15s in the £. That is to say, Sir, that beyond a fixed ceiling we might have taxes ranging from about 12s 6d to 15s, but certainly no big company in this country would complain of fifty per cent tax as it is well known that this country is finding it difficult to balance its budget. I think also that an increase in the Excise Duty on tobacco should be considered. We have been told already, and I think it is now an open secret, that at no distant date this country will be blessed or cursed with a brewery. I do not know yet, Sir, what the intention of Government is on the question of excise duty on this brewery. True, the facts are yet to be proved, but I think that it is not too early to make a definite statement of policy as regards excise duty on beer. Then, Sir, on the question of tin mines. We have had a very complete dissertation by the Second Lagos Member, and I will only add that I agree with him that royalties on tin should be increased. Those increases are not just suggested for the pleasure of making money for the country. The fact, Sir, has been properly put by the Honourable the Financial Secretary, that this country is finding it financially difficult to go on. We have to look to the right and to the left and see where we are going to get the money, and those who have money should not grouse if some of it is taken for the benefit of the public. Therefore I suggest, Sir, that the tin mines of this country should be made to pay a little more. The tin companies are making money, otherwise they would not continue to operate; therefore I think the Government would be justified in doing something to relieve them of a little excess profit. Now, Sir, the question of half of the revenues of the Nigerian Zone being paid to the U.A.C. is a very vexed one, and I think it is one on which everybody in this country who has ever studied this question feels very strongly. It is generally well-known, Sir, that in the old days treaties were made with people who did not know any better. It was a question, Sir, of economic experts having to do business with backward amateurs, people who were no match of theirs, either intellectually or in the ability to grasp the implications of the problems which were then confronting them. Now, Sir, we are told that these contracts which were then made, and upon which these royalties are based, have to remain with us until 1998. In other words, Sir, this country must lend support to something which is a very inequitable and unconscionable transaction. I think, Sir, that the Government owes a duty to the people of this country to protect them from this type of wicked agreements. There is no stronger word I can imagine at present to describe my feelings on these agreements. Now in the past ten years, Sir, the U.A.C. has made one and a half million pounds out of these royalties and I think it is common knowledge that they paid nothing resembling that figure for the lands out of which they have now made this fabulous amount of money. When some people approached the U.A.C. in England about this matter,

the answer was given that this was now a question for the Nigerian public and the Nigerian Properties Limited. On investigation, Sir, it was found that the Nigerian Properties Limited was a subsidiary of the U.A.C. As I have already said, the Government should do something about it. It is no use saying we are going to buy out the royalty rights of U.A.C., because if we attempt to do that we might have to do business with a company who might demand half the revenue of the country for its future rights to these royalties. We might prove unable to meet its demands and it will say "Well, I will stay where I am, I will take my royalties until the time is up". I therefore think that more strenuous measures are called for in this matter. I think, Sir, that about ten years ago when the people of Mexico, I think it was, were faced with the same problem as regards oil wells, the Government of Mexico promptly expropriated all foreign oil cessions in the country. I would not suggest any such extreme measures, but I am certain, Sir, that if an approach is made by this Government, backed up by the influence of the Colonial Office, that a situation more equitable would result. At present, Sir, the problem is a very thorny one and the position is not satisfactory. As regards the tariff referred to by the Honourable the Financial Secretary in his budget speech, I will agree that the tax on spirits should be increased. I cannot agree for a single moment with the suggestion of the Honourable Member for the Colony that any attempt should be made to help or support people who make illicit gin. I think, Sir, that the suggestion is a criminal one. There is in this country a Liquor Ordinance which condemns this action, and in this regard I must say that the law should be maintained. If the law condemns illicit gin it would be outrageous for this Government to lend its support to its manufacture even by discussing the matter in Council, and when I hear it suggested that attempts should be made to teach the people how to improve illicit gin, I am staggered, to put it lightly. I think, Sir, that normally the heaviest duties are imposed on luxuries, and in this category I would include perfumery, cosmetics, spirits and tobacco, and I don't think, Sir, that at present the tariff increases are sufficient. If the people want to import whisky, gin and brandy, if they want to send money abroad to get these things, I think that we should be around the Customs Wharf, to take a rake-off where possible. Now, Sir, I have suggested in my own way, what I think will help this country to make a little money, that is by actual receipts: I think, however, that the budget at present presented to this House, Sir, provides for far too much money on personal emoluments. Last year it was suggested by an Honourable Member that the time is bound to come when there will be a scaling down of personal emoluments. At present, Sir, I cannot see that this can be done. Already the clamour is for more pay, in view of the increased cost of living consequent on

the last war. But, Sir, the figures which have been worked out show that this country is going to budget for expatriation pay of £450,568, that is nearly half a million pounds. That money, Sir, is to be paid to officers not for doing their duty, but for leaving their homes. I think, Sir, that the whole question of expatriation pay is due for revision. It is due for revision in this way, that while I agree, Sir, that officers on lower pay levels up to about £600 may well deserve consideration, in that that money might not be sufficient for them to maintain themselves, I am unable to agree that an officer who is getting over £1,500 deserves any expatriation pay at all. If he is unable to make do with that amount, Sir, I think that that fact is evidence of indifferent domestic economy. I think, Sir, that that amount is fair for anybody in the Civil Service—£1,500. Beyond that amount nobody deserves any further allowance. That is my view. I think it is something which should be considered, because the more we recruit expatriate officers the more our revenue goes in this type of salaries. Already in the last year, Sir, there has been an increase of 13.765 per cent in expatriate officers. That is not very satisfactory, and I shall deal with that in more detail when I come to discuss the question of Africanization of the civil service. Another venue, Sir, through which we are frittering our revenue without worry, is the matter of basic allowance. On this matter, I have worked out a few figures and with your indulgence I will refer to the notes I made. According to General Orders—Sir, I refer to chapter 12 of General Orders—Light cars of less than 20 cwt. are classified as Class B. Class A, refers only to motor cycles. Those above 20 cwt.—Class C, and officers are allowed advances to purchase vehicles of this type on certain recommendations which in the past two years, have become merely formal. Now, Sir, an officer with a Class B vehicle is entitled to transport allowance at a rate of 1.7 pence per mile, and an officer who owns a Class C vehicle is entitled to 2.2 pence per mile. Now there is no limit to the mileage which an officer can run in a month, but I have, Sir, for the purpose of computation, taken 300 miles as the average mileage done by an officer in any one month, and I think, Sir, it will be generally agreed that no vehicle in this country at present costs under £400. Now, Sir, the period of five years taken for the purpose of computation has been taken as comprising forty-five residential service months and fifteen months non-residential. Now basic allowance is paid for the whole sixty months, that is to say, whether you are in residence or whether you are on leave. The basic allowance is computed on the cost of the vehicle and it generally allows for the cost of the vehicle to be paid for in two years. Now, Sir, take the case of Class B vehicles. The cost price, I say, is about £400. Now the combined basic allowance is £8 11s. If the officer draws a basic allowance it means that his travelling allowance for the month will be reduced. Taking that into

consideration, Sir, the combined basic allowance for an officer owning a car which costs him £400 would be £8 11s, and the mileage allowance on 300 miles would be £3 2s 6d. Now, Sir, in five years he would draw £611 4s, that is to say, the country would have bought him a motor car costing £400 and have paid him £211 4s clear profit. If it is a Class B vehicle costing £500, then the officer would draw £10 5s combined allowance and £2 2s 6d mileage, which would amount to £606 19s in five years, a profit of £106 19s. If he gets a Class C vehicle costing, say, £600, he will draw combined allowance of £12 6s, mileage allowance of £2 15s, total in five years £861 15s, a profit of £261 15s. Now, Sir, you will see that every officer who takes a grant or allowance to purchase a car knows quite well that if he is in the service for five years he will make a clear profit. This type of allowance is defended on the ground that an officer is enabled to do his duty efficiently, but if Your Excellency considers the fact that in many cases officers draw allowances for cars and use these cars merely for the purpose of going from their house to work places, you will agree that the need for it is not very great. I think that we can take the general service life of a car as about five years, but there is always a residual amount of life which is dependent on the use of the car. If the car is very badly used or if there is any unforeseen accident, then, of course, the residual life is very small, but the General Order, Sir, in Provision No. 343, make allowance for this, by the grant of what I have described as ordinary mileage allowance; that is to say, if an officer likes he can draw that, and he will not draw the combined basic allowance. I think, Sir, that it will be clear from this analysis of the position that the cars which are given to officers are really free gifts from this Government to the officers, and I think, Sir, that the matter has reached a scandalous stage, and that Government should do something about this, because in nearly all Departments that have use for cars we have provision made in the Estimates for departmental cars. These cars are always at the call of an officer who might wish to use them, but I think that things have reached now a stage where a good amount of revenue is being paid out for these basic allowances.

The question, Sir, of Africanization of the service, has a very direct bearing on the estimates, because as I have already pointed out, if you have more Africans in the service the amount of money to be devoted to expatriation pay would naturally grow less. But in recent years, Sir, there has been a tendency on the part of Government to pay—I would not exactly say lip service—but less attention to Africanization than they ought to do. You will find, Sir, that quite often you have vacancies for acting appointments. Africans are often engaged to act in certain of these posts. Eventually an expatriate officer is employed from outside Nigeria to fill the substantive post. That is not implementing the assurance of Africanization. Furthermore, Sir, I think that Government should

have a definite plan on this question. It would not be correct to say that we are Africanizing the service merely because we have an increase in the number of Africans in the Senior Service, when on the other hand we find quite a large increase of expatriate officers in the Senior Service. I really regard Africanization, Sir, as being an increase, a gradual increase, in the number of Africans in the Senior Service, and a corresponding diminution in the number of Europeans in the Senior Service. I would not regard an equal increase in the Senior Service of both Africans and Europeans as Africanization, because the aim of Africanization, as I understand it, is that the time should come when there will be no more Europeans in the Senior Service, but that it will be entirely manned by Africans. But if you have a system whereby the number of Europeans remains the same or increases and the number of Africans increases, that to my mind, Sir, is not Africanization at all. It might be that you are now admitting Africans to the Senior Service, but that is not Africanization. Now, Sir, last year during the discussion on the Estimates on the Select Committee, many members agreed that efforts should be made to employ Africans in the posts of confidential clerks in the Secretariat. The establishment last year, Sir—I refer to Head 25 of the Expenditure—was three Confidential Clerks on Scale C 1—Senior Service. This year this Council is being asked to approve the provision of four Confidential Clerks. I have it on good authority, Sir, that the three Confidential Clerks at present employed are not Africans. The qualifications required for confidential clerks, Sir, are efficiency and integrity. Their duties are purely clerical and unless Government intends to say that they are unable to find Africans of efficiency and integrity who can hold confidential posts, I find Government's attitude in this matter, Sir, quite indefensible. It is not like the case of stenographer-typists. There, of course, much skill is required. I may agree if you say that you cannot find an African able to do shorthand at the approved rate. But, Sir, when it comes to a question of looking for an officer who does clerical duty and can keep his mouth shut, I think, Sir, that with at least sufficient care quite a good number of such officers can be found among the African staff, and I will say now, Sir, that if Government is unable to give an undertaking that Africans will be employed in these posts of confidential clerk, I will find it very difficult in conscience to support that item of expenditure. That, Your Honour, concludes not my speech, Sir, but my comments on the estimates presented to the House. Having done that now, Sir, I feel I can turn to other matters which have been raised in this Council.

I have always thought that, now that this country has been regionalised, matters affecting regions should properly be brought up to Regional Councils and Assemblies, and only those matters touching central estimate or central Government should be brought

up in this House, but usage seems to have sanctioned the bringing up of all types of matters to this Assembly, even up to the question of whether a man should go on his knees or go on his belly and so on. In the circumstances, Sir, I think I will be allowed to give my views on those matters. The respected leader of the Unofficial Members has pointed out that the National Council of Nigeria and the Cameroons should be allowed to try out self-government for three years in Nnewi and Mgbidi. Well, Sir, we of the Eastern team here, Sir, thank him very much indeed, it does at least show that he appreciates the fact that self-government must come from the East. Now I would not stop at Nnewi and Mgbidi, Sir, I would extend the concession to all towns in the Eastern Provinces. Whether the National Council of Nigeria and the Cameroons should carry out the actual Government, of course, is another matter. Secondly, Sir, I would like to say to the House that although we agree with our friend the Fifth Member for the Eastern Provinces in bringing greetings to this House, but I think, Sir, that when he says that the greetings come from "the land of the rising sun", we like to make it quite clear that this has nothing to do with Japan. Sir, touching the matter of transport, I would like to remind Your Excellency that not long ago, there was an air service connection between the Northern Provinces and the Eastern Provinces. About a month ago this service was discontinued. It is, to us, a source of inconvenience and we hope that the Government will restore or will do something for the restoration of this air service between the Northern Provinces and the Eastern Provinces. At present, it appears that even air services are to be regionalised; the plane takes off now from Lagos, and goes on to Benin, then to Calabar, then Port Harcourt, Enugu and back to Lagos. I believe it also touches Tiko. Then, Sir, we have another air route from Kano, Kaduna, Jos, Ilorin, Ibadan and Lagos. There is now no communication between Kano and Port Harcourt, as hitherto, and we would very much like to see this service restored. Last year the Honourable the Director of Medical Services assured me that two disused army huts had been acquired to relieve the congestion in the hospital at Enugu. I saw these two huts, Sir, put up. The erection was completed about four months ago, but until the time I left Enugu about a fortnight ago, there was not a single patient in any of these huts, and the congestion in Enugu hospital remains as it was last year. We still have two patients on one bed. We still have patients sleeping on the floor and patients sleeping on the verandah. I cannot say whether this absurd situation has since been remedied, but up to the time I left, Sir, this was still the condition. I am sure that the Honourable the Director of Medical Services will do all he can to expedite the opening of these two huts to relieve the congestion. The suggestion has been made, Sir, to me by several members of the Junior Service, especially new recruits into the Junior Service, that the Director of Medical Services should do something about the

prison named in the warrant or in such other prison as may be directed by the Governor, without bail, and shall not be discharged or tried by any court without the direction of the Governor;”

That is all I desire to read, Sir. The meaning of this section is that when once a man has been arrested under the warrant and imprisoned in the prison named in the warrant, he shall not be released during the continuance of the Proclamation; furthermore, he is not entitled to bail and what is worse he has no right to be tried. In other words, he can be kept there indefinitely. If the suspicion is unfounded he has no chance at all of proving his innocence. When I raised this point, Sir, in the Eastern House of Assembly, the Government member who replied to the point admitted that that Ordinance was now an anachronism. I am sure, Sir, that the Government will agree that it is indefensible that any man can be detained in any prison without a right to be tried. It does not matter whether he is found guilty or not, but I think, Sir, it is a fundamental right of every living man to be tried, no matter what offence he is accused of, and I think, Sir, that that Ordinance should be amended suitably because the time has come at last when the people of this country should not live under such laws. This law was enacted in 1917, and I think thirty-one years have now elapsed since its enactment and the conditions which obtained then certainly do not obtain now. In those days, I can quite understand that head hunting and slave raiding might have made it necessary to enact such drastic laws, but now, Sir, these practices are exceptional in our present society and I think the law should be amended accordingly. There is one point, Sir, on which I would like to make a suggestion to Government. In this country there is growing a certain feeling of derision for anybody—any African—whom it pleases His Majesty to honour either by conferment of a knighthood or any other honour. People look on such people as Government slaves or people who can be described as “Yes men”. Well, it is a really pitiful state of affairs because these honours are conferred in recognition of services rendered and I think that any person who has been fortunate to receive honours should be congratulated and not despised. Therefore, Sir, I am humbly suggesting that it might please Government to consider adopting what is done in the Army—that is, if an Army officer or soldier is honoured, if a medal is conferred on him, there is a citation, a statement is made to the public of the deeds of valour by the soldier which have merited the award, and it might be well, Sir, that Government might consider in future letting the country know exactly what acts of service these people have done to merit the honour to be conferred on them. I think, Sir, that if this is done, people will not be quite so concerned when they receive these honours. Then, Sir, the Honourable the Fourth Member for the North said that he hoped that the Third Member for Lagos and the

Fourth Member for the Western Provinces no longer wanted to drive to the Sahara. Yes, I agree with him entirely but I would like to remind him, Sir, that at last year's Meeting the Second Member for the Northern Provinces warned us that the moment the Government was withdrawn—the British Government—they of the North would continue their interrupted conquest to the sea. He has again given us a gentle reminder of that in this Meeting when he said that the North must have an outlet to the sea. Sir, about ten years ago when we were in the University, we heard every day a German statement that "this great country must have a Lebensraum. This great country must have an outlet to the Atlantic ocean." The words of the Honourable Second Northern Member, Sir, frightened me, to put it mildly. Then, Sir, the Honourable Gentleman, the Fourth Northern Member, also stated that what is wrong with our political leaders is that they put ideas into narrow and empty heads. Well, Sir, since he said that I have been wondering where else one would put ideas except into narrow and empty ones. I would have thought, Sir, that empty heads wanted ideas because they were empty. However, he can have it his own way, Sir.

Your Excellency, just one last point. Our respected friends of the West and North have spoken at considerable length on the question of traditions and culture and respect for natural rulers. We in the East, Sir, are not confronted with the same problem in that connection. I would like to read the speech made by our Chief Commissioner. Unfortunately, I have not a copy of the Hansard of the Eastern House of Assembly, so I will read the extract contained in Your Excellency's printed Address of 2nd March, at page 13, reporting on the Eastern Provinces. "Regarding the development of local development in the Eastern Provinces, His Honour the Chief Commissioner, in his address to the House of Assembly in December, summed up the achievement of the year 1947 as follows:—

'The development of Native Administration or, perhaps more correctly, the development of local Government in the Eastern Provinces, remains a matter of the greatest importance and urgency. I am aware of the desire of a number of Members, if not all Members, of this House to see a greater element of democracy brought into the system of local Government. Not that I can agree that the present system is not democratic, but I fully realize that there is, in a number of cases, insufficient scope for the progressive and educated elements. It is my intention to provide this scope as early as possible, but you will realize that reform must inevitably be slow for, in accordance with democratic principles, the people themselves must be consulted.'

I think, Sir, that that properly puts the case for the Eastern Provinces. In the Eastern Provinces, Sir, we have no big Chiefs.

The Presiding Member (The Hon. the Chief Secretary to the Government):

Council will adjourn until 9.30 tomorrow morning. I shall be grateful if Honourable Members will be good enough to remember the changed time of assembly tomorrow morning, when I hope we shall be able to conclude this debate. We shall not sit tomorrow afternoon, being Friday.

Council adjourned at 5.50 p.m.

Debates in the Legislative Council of Nigeria

Friday, 12th March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 9.30 a.m. on Friday, the 12th of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Attorney-General,
The Honourable G. L. Howe, K.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Commissioner of the Colony,
The Honourable E. A. Carr.

- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Oyo Province,
Commander the Honourable J. G. Pyke-Nott, R.N.
- The Secretary, Eastern Provinces,
The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable Akinpelu Obisesan.
- The Second Member for the Western Provinces,
The Rev. and Honourable Canon S. A. Delumo.
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Aderemi I, C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Bowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam,

The Second Lagos Member,
Dr the Honourable N. Azikiwe.

The Second Nominated Member,
The Honourable P. J. Rogers.

The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.

The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.

The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.

The Third Lagos Member,
The Honourable Adeleke Adedoyin.

The Member for Calabar,
The Honourable E. E. E. Anwan.

ABSENT

UNOFFICIAL MEMBERS

The Third Nominated Member,
Major the Honourable J. West, M.C.

Temporary Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 11th of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

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

Your Excellency, I rise on behalf of the Unofficial Members of this House to welcome you back to the throne. Last Monday we were perturbed when your indisposition was announced and although there was no bulletin issued, every one of us was careful to keep himself informed of the progress you were making. Your Deputy, with characteristic patience, forbearance and tact, deputised for you to the satisfaction of us all. We welcome you back and we hope that there will be no relapse.

The Hon. the Chief Secretary to the Government :

I, on behalf of the Official Members, wish to associate myself with the announcement which has been made,

His Excellency the Officer Administering the Government :

Thank you very much indeed. I am much touched by what has been said and I am glad that it was only a temporary indisposition and I am now back again. I am very disappointed to have missed what I heard were some extremely interesting speeches during my absence. I am very glad to be back again.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam) :

Your Excellency, I rise to give notice that at a later meeting of this Council I will move the following Resolutions:—

“ Be it resolved :

“ That it is fitting that we should take this unique
 “ occasion of the present Session of the Legislative
 “ Council in Kaduna to put on record on behalf of
 “ ourselves and the entire peoples of Nigeria and
 “ the British Cameroons, our deep regret for the
 “ death of our two former Governors and
 “ Commanders-in-Chief in the distinguished
 “ persons of Sir Donald Cameron and Sir Bernard
 “ Bourdillon; and to express and offer our heartfelt
 “ sympathy to both Lady Cameron and Lady
 “ Bourdillon.”

“ Be it resolved :

“ That the peoples of Nigeria and the British
 “ Cameroons very much regret the terrible and
 “ shocking incidence which led to the assassination
 “ and death of Mohandas Karamchand Gandhi and
 “ that we, in company with the whole world, do
 “ mourn the passing away of this great man of
 “ India, and we hereby offer our heartfelt sympathy
 “ to India and her peoples, and especially to his
 “ bereaved family and Mrs Gandhi.”

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, I beg to give notice of the following Resolutions which I would like to move at some other time of the meeting of this Council. The first is as follows;

“ Be it resolved :

“ That the Honourable the Director of Education
 “ should formulate and submit a Five-Year Plan
 “ for combating and eradicating illiteracy in
 “ Nigeria for the consideration of this Honourable
 “ House next Budget Session.”

The Second is this:—

“ Be it resolved :

“ That this Honourable House approves of the unity of
 “ Nigeria by federation of the various regions

“ which should become autonomous in due course,
 “ and that the whole country be developed towards
 “ self-government on this federal basis.”

The Hon. the Financial Secretary :

Your Excellency, I seek the permission of Council to defer consideration of the following Motion until a later stage in this Session :—

“ Be it resolved :

“ That the amendments of duties and exemptions under
 “ the Customs Ordinance, 1942, set out in the
 “ Customs (Duties and Exemptions) Order in
 “ Council, 1948, be referred to a Select Committee
 “ for consideration and recommendation to the
 “ Council whether such amendments should be
 “ confirmed under the provisions of section 12 of
 “ the said Customs Ordinance, 1942.”

His Excellency the Officer Administering the Government :

If Council has no objection, the Motion will be deferred.

Motion deferred.

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; No. 16 by the Honourable the First Member for the Eastern Provinces; No. 22 by the Honourable the Member for Calabar; Nos. 35, 38, 44, 51 and 53 by the Honourable the Member for the Colony; Nos. 56, 59, 61 and 63-66 by the Honourable the Atta of Igbirra; Nos. 68 and 74 by the Honourable the Second Member for the Western Provinces; Nos. 76 and 78 by the Honourable the Fourth Member for the Eastern Provinces; Nos. 86, 89, 93, 94, 104, 114-117, 126, 129, 130, 134, 140 and 145-151 by the Honourable the Second Lagos Member; Nos. 158 and 166 by the Honourable the Second Member for the Eastern Provinces; No. 167 by the First Member for the Eastern Provinces; Nos. 183-186, 188, 192, 200, 204, 206, 211, 213, 214, 216 and 219-222 by the Honourable the Second Lagos Member; Nos. 235 and 238 by the Honourable the Fourth Member for the Western Provinces; Nos. 239-242 and 245 by the Honourable the Third Member for the Western Provinces; Nos. 248, 257 and 258 by the Honourable the Fourth Member for the Western Provinces; Nos. 262-316 by the Honourable the Second Lagos Member and No. 317 by the Honourable the Third Member for the Eastern Provinces are not yet ready.

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

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

(a) For a clarification of the present situation regarding Rubber in Nigeria?

(b) Are Firms buying it from producers; if so, state names of the Firms and where?

(c) Would he advise planters to continue to produce Rubber or stop tapping or cut down existing trees for local serial commodities?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Owing to the return of Malayan rubber to the world market and the continued production of synthetic rubber in the United States, the demand for Nigerian rubber has declined. There is now no market for wild rubber but good quality plantation rubber still commands an adequate return for the efficient producer. Exports declined with the fall in price in mid-1947 but have risen again in response to price increases towards the end of the year.

(b) Yes, Sir. The following firms buy rubber in the Warri Benin area:—

United Africa Company, John Holts, Mandilas and Karaberis, C. S. Mandrides, S. Thomopolus, H. Flionis, British Bata Co., Czech Nigerian Export Co., Guardian Stores, Joseph Asabora, Ede Rubber and Palm Trading Estates, while the Bata Co. buys at Aba. The rubber produced on the Pamol, the Cameroons Development Corporation and J. A. Thomas' estates is exported direct.

(c) The recent increase in exports indicates that producers still find rubber a profitable commodity and there is no reason to suppose that the better quality product from existing plantations will not continue to command a fair price for some time to come. In view of the uncertain market prospects for the more distant future, fresh planting is not advocated at present.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

Referring to the statement in a certain local paper that up till the present, Native Rulers of Nigeria bury their money in the ground, to ask

(a) In what provinces, divisions and districts is this habit still practised?

(b) Who are the Government Officials who discovered the practice?

Answer—

The Hon. the Chief Secretary to the Government:

(a) There is no evidence available to Government to support this statement.

(b) As far as I am aware no such discoveries have been reported to Government.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What is the official status of the Eleko of Lagos?

- (b) What does official recognition of the Eleko imply?
 (c) Are such status and recognition compatible with the Treaty of Cession of 1861?

Answer—

The Hon. the Chief Secretary to the Government:

- (a) Government is unaware of the existence of an Eleko of Lagos.
 (b) and (c) Do not therefore arise.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

- (a) Is it a fact that the stipend of Oba Falolu, the Eleko of Lagos, had been withheld for some time?
 (b) If so, what is the reason for this act?
 (c) Is Government aware that there is belief in certain circles that Oba Falolu is being victimized because he gave a mandate to the Deputation of the National Council of Nigeria and the Cameroons to the United Kingdom?

Answer—

The Hon. the Chief Secretary to the Government:

- (a) It is a fact that payment of the stipend of Oba Falolu, Head of the House of Docemo or Ado, has been suspended.
 (b) The stipend has been suspended on account of the failure of the Oba to conduct himself in the manner required by the Governor as contained in Government Notice No. 801 published in *Gazette Extraordinary* No. 57 of the 4th of October, 1933. The Honourable Member's attention is invited to page 16 of His Excellency's printed Address to this Council where the reasons are more fully explained.
 (c) Yes, Sir. But this belief is totally unfounded.

Supplementary Questions to No. 80 (b). The Second Lagos Member (Dr the Honourable N. Azikiwe).

What is the official status of Oba Falolu?

Answer—

The Hon. the Chief Secretary to the Government:

I must apologise that I am not able to answer a question of that kind immediately without notice, but I shall certainly be glad to answer it at another time.

The Second Lagos Member (Dr the Honourable N. Azikiwe).

I would also like to know what does the official recognition of Oba Falolu imply.

Answer—

The Hon. the Chief Secretary to the Government:

Certainly I will make a note of those two points.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Is the Ikoyi Reservation a segregated area?

(b) If so, who are privileged to reside therein?

(c) If not, will Government explain the principle that governs the allotment of plots in Ikoyi Reservation?

Answer—

The Hon. the Chief Secretary to the Government:

(a) By Ikoyi Reservation is presumably meant the Government residential area at Ikoyi; if so the answer is No, Sir.

(b) Does not arise.

(c) Government has the first call on plots in all Government residential areas for housing Government officials. Plots surplus to Government requirements are available for European or African unofficals subject of course to the usual building and usage restrictions.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) How many European women held permanent and temporary appointments in the civil service in 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947?

(b) What did it cost the country annually for those ten years?

(c) Of these women, how many were married and unmarried, year by year?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The figures in respect of employment in established posts are as follows:—

1938	74
1939	74
1940	73
1941	67
1942	68
1943	70
1944	65
1945	72
1946	106
1947	124

As the Honourable Member is no doubt aware the recent increase is due to expansion of welfare services, particularly those provided by the Medical and Educational Departments. It has been impossible to obtain figures of temporary employment of women during the years mentioned.

(b) I regret that figures of cost over ten year period have not been obtainable.

(c)				<i>Married.</i>	<i>Unmarried.</i>
1938	...	...	...	—	74
1939	...	...	...	1	73
1940	...	...	...	—	73
1941	...	...	...	—	67
1942	...	...	...	6	62
1943	...	...	...	11	59
1944	...	...	...	15	50
1945	...	...	...	14	68
1946	...	...	...	22	64
1947	...	...	...	25	99

Supplementary Question to No. 83 (b). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Is inability to furnish the figures of cost required a good or adverse reflection on the Accountant-General's office?

Answer—

The Hon. the Chief Secretary to the Government:

I think Sir, that, if the Honourable Member will reflect he will appreciate that if it were necessary to obtain from each Department a record from all parts of the country of all women employed in temporary and in permanent posts for all the years in question, it would involve an enormous amount of research. It could be done, I imagine, but I should not myself consider that the amount of time and effort required would be justified.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Has the Government of Nigeria declared its intention to transmit any information about the Colony and Protectorate of Nigeria to the United Nations Organisation, in accordance with Article 73 (e) of the Charter of the United Nations?

(b) Has such information been transmitted? If so, will documents concerning same be laid on the table of this Honourable House?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The transmission of information under Article 73 (e) of the Charter of the United Nations is obligatory on those member states, of which the United Kingdom is one, who have signed the Charter.

(b) Yes, Sir. The documents in question are lengthy and will have to be printed before they are laid on the table of this Council. It is hoped to lay those documents on the table at the next meeting of this Council.

Supplementary Question to No. 85 (b). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Sir, will the documents be available at the Nigerian Secretariat for the perusal of any Honourable Member?

Answer—

The Hon. the Chief Secretary to the Government:

It is suggested in the answer, Sir, that the documents should be laid on the table of this Council at the next meeting of the Council. As soon as printing has taken place, if the Honourable Members wish, I shall however be glad to distribute them in advance of the next meeting.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

In view of the fact that Great Britain, as a Member of the United Nations administering non-self-governing territories, has declared in unprecedented terms that it "recognizes the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost . . . the well-being of the inhabitants of these territories: "

(a) How many Africans and Europeans are members of the Executive Council?

(b) Is it a fact that Official Members of the Legislative Council, who are invariably public servants and non-natives, exercise voting rights?

(c) Of the 44 members of the Legislative Council, how many non-Africans are Nominated Official Members and Nominated Unofficial Members?

(d) Of the Judges and Magistrates in the country, how many are non-Africans and Africans, respectively?

(e) Are energetic steps being taken to effect changes so as to enable Great Britain, as a Colonial Power, a Protecting State and a Trustee State to respect treaty obligations, since only the complete exercise of executive, legislative and judicial power, by the indigenous inhabitants of Nigeria and the Cameroons, can this international commitment be implemented in accordance with Chapter XI of the Charter of the United Nations?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Two Africans, ten Europeans, eight of whom are ex-officio members.

(b) The Official Members of the Legislative Council, who are not of necessity non-natives, exercise voting rights but African Unofficial Members are in the majority.

(c) Three non-Africans are nominated Official Members and three non-Africans are nominated Unofficial Members.

(d) There are eight non-African and two African Judges, eleven non-African and seventeen African full-time Magistrates on the establishment of the Judicial Staff at the present time.

(e) It is the policy and practice of His Majesty's Government to respect all existing treaty rights. It is also the policy of His Majesty's Government to encourage the peoples of the Colonies to

take an increasing share in the management of their own affairs and as the Honourable Member is aware, the New Constitution of Nigeria is an important step forward in that direction.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Will Government state the facts in relation to the newspaper report that an Assistant Medical Officer of Ibo descent refused to attend to a Railway employee of Yoruba descent on account of the latter's tribal affiliation?

(b) Is Government aware that, if the report be true or false, it may be calculated to embitter the relations of Ibo and Yoruba communities and might lead to serious consequences if not to a breach of the peace?

Answer—

The Hon. the Chief Secretary to the Government:

(a) So far as can be ascertained the report is quite without foundation. The facts appear to be as follows: On the day in question the patient complained to the Assistant Medical Officer *i/c* Loco Dispensary, Ebute Metta, that he was suffering from a severe disturbance of the bowels. His appearance did not indicate that his condition was as bad as he alleged and a thorough examination confirmed that he was grossly exaggerating his complaint. The Assistant Medical Officer accordingly prescribed an appropriate medicine and asked him to return to work. The patient attended the dispensary again the next morning and complained that the medicine he had been given had brought him no relief and that he was in fact worse. He also stated that on the previous day he had collapsed. The Assistant Medical Officer offered to send him to the General Hospital for observation and investigation but the patient refused on the grounds that he had nobody to look after his domestic affairs and asked to be placed on the sick list. He was then thoroughly examined again but the Assistant Medical Officer found nothing to cause him to alter the opinion he had formed the day before. He accordingly repeated the patient's medicine and told him to go back to work, whereupon the patient became extremely abusive with the result that the Assistant Medical Officer ordered him out of the dispensary. He did not report for treatment again.

(b) Yes, Sir. The Government strongly deprecates attempts to magnify trivial incidents which may embitter racial and tribal feeling.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Has Government seen or read the newspaper report with reference to Nigerian stowaways alleged to have been treated with brutality on board a British ship?

(b) Is Government in position to state the facts of the case?

(c) If not, will Government make investigation and publicise same for general information?

(d) Will Government contact the shipping companies plying on the West African coast to comply with the general practice and custom of Admiralty Law or International Maritime Law with particular reference to the way and manner stowaways should be treated on the high seas?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) The facts, as far as Government has so far been able to ascertain them, were issued in a statement to the Press and published in the "Nigeria Review" on the 14th of February, 1948. Further enquiries are still being made and if any additional information is obtained a further statement will be published.

(c) Does not arise.

(d) There is no reason to think that the shipping companies are unaware of their legal obligations in regard to stowaways but the companies concerned are being asked by Government to ensure that all Captains of ships under their control are reminded of their obligations in this respect.

Supplementary Questions to No. 98. The Second Lagos Member Dr the Honourable N. Azikiwe).

This refers to another incident. It is another stowaway incident. I think this is another stowaway incident, not related to the answer made.

Answer—

The Hon. the Chief Secretary to the Government :

I am unaware of another incident, but I suggest, Sir, that if the Honourable Member wishes to ask a question about that, it would be better to ask a separate question

The Second Lagos Member (Dr the Honourable N. Azikiwe).

It is really a separate question, but I simply said that there was a misunderstanding because there were two separate reports about this incident.

Answer—

The Hon. the Chief Secretary to the Government :

If the Honourable Member is referring to the incident about which I know, then there may be several reports about it. I have nothing to add to what is stated here and to the public announcement which has already been made by the Government. It is stated in the reply that if further information can be obtained it will be made available.

Answer—

The Second Lagos Member (Dr the Honourable N. Azikiwe).

I am sorry, Sir, but I think the incident you are referring to relates to what happened off the coast of Axim, but the incident I

am asking about happened at sea when some Nigerians were alleged to have been tied to a post and beaten severely, and later prosecuted in England. It also was reported in the Press.

Answer—

The Hon. the Chief Secretary to the Government:

That was not the incident, Sir, to which my answer referred and if the Honourable Member wishes to raise that separate incident by notice of question we shall do our best to answer him.

The Second Lagos Member (Dr the Honourable N. Azikiwe).

Thank you.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What is the total number of voters (1) in Lagos, and (2) in Calabar?

(b) Of these voters how many are (1) persons of African descent, (2) persons of European descent, and (3) persons of Asiatic descent?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (1) 6,159.

(2) 510.

(b) "The Voters' lists are restricted to British Subjects and British Protected Persons. The Voters' lists however, do not make any distinction as to racial origin and it is not therefore possible to provide the information asked for."

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Has any scheme been prepared in connection with the utilization of our coal and/or lignite resources for the local manufacture of petroleum, kerosene, tar products, plastics, etc.?

(b) If so, will same be laid on the table of this Honourable House?

(c) If not, will such a scheme be considered, in view of our potential resources in these two minerals?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir. The development and utilisation of Nigeria's coal and lignite resources are under investigation by a team of experts from Powell Duffryn Technical Services Limited, a firm of advisers on technical matters connected with the coal industry which recently visited Nigeria at Government's request. Their report is awaited.

(b) Does not arise.

(c) The question will be fully considered when the expert report is received.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it a fact that there are 2,000,000,000 tons of haematite or iron ore deposits around the Lokoja area of Kabba Province?

(b) If not, will the correct facts and figures about our iron ore deposits be stated?

Answer—

The Hon. the Chief Secretary to the Government:

(a) and (b). There are no proved economic haematite or iron ore deposits in Nigeria. A reconnaissance made many years ago suggested that there might be a large tonnage of relatively low grade ore near Lokoja, Kabba Province, but until further detailed investigation can be made no facts or figures can be given. There are other known occurrences of low grade ferruginous deposits but none of these has yet been found to be an economic mining proposition.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What are the minerals in Nigeria and the Cameroons, according to the latest information from the Mines Department?

Answer—

The Hon. the Chief Secretary to the Government:

It is assumed that the question refers to known economic minerals which can be profitably mined or which it might be possible economically to mine in the future. The former are cassiterite, coal, columbite, galena, gold, sphalerite, tantalite and wolframite. The latter are beryllium, diatomite, fluorite, haematite, kaolin, lignite, limestone, mica, monazite, phosphates, rutile, salt, silver, talc, topaz and zircon.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What effort has been made by Government to provide Fire Brigade to serve the community needs of the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, and (d) Cameroons?

(b) Where are the localities of such Fire Brigades?

(c) Are the communities concerned satisfied with such an essential service?

(b) On the assumption that American and Canadian cars were of over and the majority of British vehicles below 18 horse power, the approximate figures are:—

1940	...	...	...	...	...	...	50
1941	...	...	...	...	...	...	39
1942	...	...	...	...	...	...	26
1943	...	...	...	...	...	...	8
1944	...	...	...	...	...	...	20
1945	...	...	...	...	...	...	23
1946	...	...	...	...	...	...	171
1947	...	...	...	...	...	...	522

(c) and (d)

			U.S.A.	Canada.	United Kingdom.
1940	...	...	27	23	86
1941	...	...	12	27	15
1942	...	...	24	2	13
1943	...	...	6	2	5
1944	...	...	18	2	20
1945	...	...	22	1	44
1946	...	...	82	89	454
1947	...	...	303	219	1,103

(e) and (f)

No records are available until 1946. Passenger cars subject to allocation were distributed in 1946 and 1947 as follows:—

	1946.	1947.	
Northern Provinces	...	15	102
Eastern Provinces	...	22	61
Western Provinces	...	24	68
Cameroons	...	1	10
Colony	...	13	67

In addition forty-eight cars in 1946 and 121 cars in 1947 were allocated to Heads of Departments for the use of officials whose duties involve extensive touring.

(g) The allocation of consignments between zones is based on the relative urgency of requirements and the length of the waiting list in each area.

(h) The available records do not distinguish successful applicants by race.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

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

What are the qualifications necessary and required for the Africanisation of the Political and Administrative Department and what is the Government doing to attract suitable Africans to take up appointments in this Department so that the various Districts and Divisions in the Provinces can be staffed adequately to cope with the work?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The qualifications necessary for entry into the Administrative Service are as follows:—

A high standard of general education, intellectual ability, leadership, character and physique; a University education (Honours) is generally desirable, but not indispensable.

(b) Government is awarding scholarships to suitable Africans to enable them to obtain the necessary educational standard with a view to qualifying themselves for consideration for appointment to the Administrative Service. This policy will, it is expected, attract an increasing number of suitably qualified Africans to apply for appointment.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

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

What are the reasons for the numerous vacancies shown in the Staff List published in October, 1947 and cannot some qualified Africans be found to fill some of them?

Answer—

The Hon. the Chief Secretary to the Government:

The number of vacancies shown in the Staff List is due to the fact that many vacancies which occurred during the war years have not yet been filled, and also to increases in the approved establishment to meet the expansion of Government services and the execution of the Development Plan. These vacancies will be filled by Africans whenever suitably qualified Africans can be found.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) How many (a) wives (b) daughters of European Civil Servants in Nigeria are in the employment of the Government?

(b) If the answer to the above discloses that there are any wives or daughters of European Civil Servants still in the employment of the Government, how soon is it expected that their services will finally be dispensed with?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (a) 14.

(b) Nil.

(b) It is the policy of the Government to offer employment to wives and daughters of non-African Civil Servants only when other suitably qualified candidates are not available and then only in a temporary capacity. When sufficient suitably qualified candidates are available or the posts which these temporary women employees now hold can be dispensed with their employment will be terminated.

Supplementary Question to No. 170. The First Member for the Eastern Provinces (The Honourable C. D. Onyeama).

Could the Honourable the Chief Secretary to the Government give us the Departments in which these wives were employed?

Answer—

The Hon. the Chief Secretary to the Government:

I certainly could do so with notice.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) How many European officials excluding those employed under the Development Plan were in Government service in the year ending March 31, 1947?

(b) How many such officials were in Government service on January 31, 1948?

(c) If the figures disclose an increase in the number of such officials employed in the year ending March 31, 1947, to ask what is the reason for the increase?

(d) Is the Government satisfied that local talent was not available to fill the vacancies which arose?

Answer—

The Hon. the Chief Secretary to the Government:

(a) 2,085.

(b) 2,367.

(c) The increase results from the filling of vacancies allowed to accumulate during the war and of vacancies created by post-war increases in the approved establishment. These increases in establishment were made necessary to meet expanding services and the execution of the Development Plan.

(d) Yes, Sir.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) What is the qualification required for (a) Confidential Clerk, (b) Secretary-Typist?

(b) How many Africans are employed as (1) Confidential Clerks, (2) Secretary-Typists?

(c) If none, why not, and what is Government doing to ensure that Africans are employed in these capacities?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (a) A sound education, a thorough knowledge and wide experience of office routine, ability to type accurately, preferably a knowledge of shorthand and cyphering.

(b) A good standard of education and certified speed of 120 words per minute shorthand and 60 words per minute typing.

(b) (1) None.

(2). One African is acting as Secretary-Typist in the Nigerian Secretariat.

(c) In the past applications have not been received from suitably qualified African candidates, but in order to encourage more qualified candidates to apply for such posts it has been decided to advertise vacancies and to hold examinations.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What are the criteria used in assessing the maturity of Lagos and Calabar Townships for exercising the franchise?

(b) Why were other townships overlooked in this connection?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The franchise was granted to Lagos and Calabar as a result of the constitutional reforms of 1922. Those reforms deprived the Colony of the privilege which it had hitherto enjoyed of a separate Legislative Council, and in consideration thereof the township of Lagos was granted the privilege of electing three members to the new Legislative Council, the authority of which extended over the Colony and Southern Provinces of Nigeria. At the same time it was considered inconsistent that the franchise should be granted to the capital of the Colony, and should be withheld from the former capital of Southern Nigeria, Calabar.

(b) Similar considerations did not arise in the case of other towns.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Why is discrimination practised in the sale of petrol by the Public Works Department to tax-payers?

(b) Is Government disposed to discontinue a policy which enables a privileged class of tax-payers, namely, civil servants, to obtain petrol cheaply, because of their official connection?

(c) If not, what is the reason?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The price charged to officials for petrol by the Public Works Department, throughout Nigeria, is 2s 7d per gallon. This price includes all elements of taxation and the fixed Public Works Department charge for overheads, but disregards the cost of transport and the profit motive.

(b) and (c) This matter, which is related to the rates of mileage allowances paid to officials, is under review.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What are the comparative revenues and expenditures of the following departments in the last ten years, viz: Public Works, Posts and Telegraphs, Marine, Colliery, Electricity Undertaking, Nigerian Railway?

(b) Is Government satisfied that these revenue-earning departments are being run with energy and enterprise, as do the private corporations?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (i) During the last ten years the various sub-heads of revenue directly earned by the Public Works Department have totalled:—

1937-38	1938-39	1939-40	1940-41	1941-42
£	£	£	£	£
78,955	133,527	130,759	191,718	239,711
1942-43	1943-44	1944-45	1945-46	1946-47
£	£	£	£	£
281,086	274,253	281,153	265,844	260,916

(ii) During the same period the expenditure of the Department has been:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Public Works ...	168,317	184,985	180,368	183,386	189,222
Recurrent Maintenance Works ...	313,602	392,040	357,885	348,624	460,689
Recurrent Maintenance Services ...	—	—	—	—	—
Extraordinary ...	207,746	244,888	109,412	48,633	49,373
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Public Works ...	234,577	258,080	271,557	294,567	334,714
Recurrent Maintenance Works ...	560,421	586,925	462,411	524,898	690,335
Recurrent Maintenance Services ...	—	—	20,131	258,600	269,658
Extraordinary ...	110,329	201,825	388,751	569,797	775,784

(iii) In the same years the revenue and expenditure of the Posts and Telegraphs Department were:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Revenue ...	162,266	157,832	153,819	143,829	176,735
Expenditure ...	231,833	232,444	220,341	220,948	233,811
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Revenue ...	249,995	268,712	305,782	323,062	399,967
Expenditure ...	310,166	328,695	369,018	382,617	516,569

(iv) The revenue and expenditure of the Marine Department were:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Revenue ...	401,388	305,879	287,558	278,631	451,708
Expenditure ...	499,253	350,731	348,517	352,927	331,098
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Revenue ...	481,759	429,579	387,941	382,390	465,000
Expenditure ...	439,224	507,991	778,432	542,087	661,891

(v) The revenue and expenditure of the Colliery under the revenue account were:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Revenue ...	137,522	128,866	119,704	127,219	160,219
Expenditure ...	106,595	119,572	94,523	95,918	131,089
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Revenue ...	218,794	287,119	386,820	294,175	398,993
Expenditure ...	231,466	283,408	366,302	435,677	535,506

(vi) The revenue and expenditure of the Government Electricity Undertakings were:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Revenue ...	128,775	134,636	153,100	154,658	154,558
Expenditure ...	153,214	105,314	110,498	110,173	122,326
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Revenue ...	167,158	183,591	215,363	224,200	238,995
Expenditure ...	148,008	163,213	200,476	234,603	240,351

(vii) Revenue and expenditure under the Railway Revenue Account and the Railway Net Revenue Account totalled:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
Revenue ...	2,965,331	2,152,871	2,145,769	2,498,769	3,453,256
Expenditure ...	2,734,096	2,612,706	2,472,267	2,275,539	2,678,506
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
Revenue ...	3,965,639	4,481,987	4,215,912	3,987,631	4,960,885
Expenditure ...	3,096,227	3,334,537	3,554,196	3,577,658	4,148,846

(viii) There was also the following expenditure on Capital Works:—

	1937-38	1938-39	1939-40	1940-41	1941-42
	£	£	£	£	£
	83,667	143,074	68,031	20,495	14,406
	1942-43	1943-44	1944-45	1945-46	1946-47
	£	£	£	£	£
	70,299	76,054	254,848	232,597	964,332

(b) Yes, Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What are the restrictions placed on internal trade between North and South and why is this policy fostered?

Answer—

The Hon. the Chief Secretary to the Government:

The following restrictions are at present in force for the reasons stated:—

- (i) Public Notice No. 232 of 1943 as amended by Public Notice No. 264 of 1945, and Public Notice No. 23 of 1945, prohibits the backward movement from the Northern Provinces to any other part of Nigeria of certain scheduled textiles, bags and sacks except with the permission of the Director of Supplies. This regulation is necessary in

order to ensure that the proper distribution of commodities which are in short supply is not disturbed by subsequent transfers from one area to another.

- (ii) The Northern Provinces are a prohibited area under the Liquor Ordinance, Chapter 131, and accordingly the importation of intoxicating liquor into the Northern Provinces is prohibited, except under permit. This restriction on trade in intoxicating liquor from the South was imposed by treaty obligation, and reflects the wishes of the Mohammedans, whose religion forbids the drinking of alcohol.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is there any tangible reason why a High Commissioner for Nigeria has not been appointed to be stationed in the United Kingdom, as a means of fostering cordial relations between the two countries?

(b) Is there any tangible reason why a "Nigeria House" has not been established in the United Kingdom?

Answer—

The Hon. the Chief Secretary to the Government:

(a) It is not the practice to appoint High Commissioners in the United Kingdom to represent Colonial territories.

(b) It is not considered that the establishment of a "Nigeria House" in the United Kingdom would be justified at the present time in view of the very considerable expenditure which such a project would involve.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many Nigerian soldiers served in the various theatres of World War II?

(b) Were their services appreciated by superior officers of the United Nations?

(c) Of the soldiers mentioned above, how many were non-commissioned officers and how many were commissioned?

Answer—

The Hon. the Chief Secretary to the Government:

(a) During the last war (1939-45) the number of Nigerian soldiers who served in the various theatres of operations are as stated under:—

(1) In East Africa	...	...	...	4,842
(2) In Middle East	...	...	...	17,179
(3) In India and Burma	...	...	...	42,658

(b) Certainly.

(c) About one man in five held non-commissioned rank, this ratio being the normal one in the British Army. None held commissioned rank in the R.W.A.F.F.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it a policy of the Government that Nigerians should not be commissioned in the Royal West African Frontier Force?

(b) If not, what accounts for this impression?

(c) What is being done to remove the impression?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir.

(b) Specific announcements of Government's policy on this subject have been made on several occasions and the impression suggested by the Honourable Member should not continue.

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

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many natives of Cameroons served in the World War II?

(b) How many were non-commissioned officers and how many were commissioned?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The approximate number of natives of the Cameroons who served during the last war was 1,700.

(b) Approximately one in five men held non-commissioned rank during the last war. (*N.B.*—This ratio is the normal one in the British Army).

No native of the Cameroons held commissioned rank in the R.W.A.F.F.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Will Government indicate the total number of soldiers supplied by the Provinces and the Colony of Nigeria, including the Cameroons, during the World War II?

(b) How many died or were wounded or were missing, on a regional basis, as above?

Answer—

The Hon. the Chief Secretary to the Government:

(a) 181,118.

(b) The numbers who died, were wounded or reported missing were:—

Died	...	...	...	...	3,845
Wounded	...	...	...	...	1,718
Missing	...	...	...	...	13
					5,576

Casualties were not recorded on regional basis.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

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

(a) To furnish a statement showing the number of Magistrate and Supreme Courts in each of the Northern, Eastern and Western Regions of Nigeria, and the places where they are situated?

(b) How many judges and Magistrates are stationed in each Region and where?

(c) How many cases were left unheard at the end of 1947 in both Supreme and Magistrate Courts in each Region, giving figures for civil and criminal cases separately?

Answer—

The Hon. the Chief Secretary to the Government:

(a) *Northern Region.*

One Supreme Court at Kaduna.

Two Magistrates' Courts Grade I at Kano and Jos respectively.

Eastern Region.

Four Supreme Courts at Enugu, Onitsha, Aba and Calabar respectively. The temporary Supreme Court at Opobo was closed at the end of January, 1948.

Eleven Magistrates' Courts Grade I at Onitsha, Enugu, Aba, Abakaliki, Ikot Ekpene, Opobo, Port Harcourt, Degema, Calabar, Owerri and Buea respectively.

Western Region.

Two Supreme Courts at Ibadan and Warri respectively.

Five Magistrates' Courts Grade I at Ibadan, Abeokuta, Ife, Benin City and Warri respectively.

(b) One Judge is normally stationed at each of the Supreme Courts mentioned in (a). One Magistrate Grade I is stationed at each of the Magistrates' Courts referred to in (a).

(c) The arrears of cases at 31.12.47 were as follows:—

	<i>Northern Region.</i>	<i>Criminal.</i>	<i>Civil.</i>
Supreme Courts	...	41	20
Magistrates' Courts	...	59	113

<i>Eastern Region.</i>		<i>Criminal.</i>	<i>Civil.</i>
Supreme Courts	... ..	29	239
Magistrates' Courts	... ..	647	1,002
<i>Western Region.</i>		<i>Criminal.</i>	<i>Civil.</i>
Supreme Courts	... ..	7	101
Magistrates' Courts	... ..	324	612

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

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

Will Government consider the advisability of allowing all Ijaws to be under the Rivers Province since they are the same people living on the banks of the River including those on the creeks and lagoon in the West?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the Reply to Question No. 46 made at the meeting of the 25th March, 1947.

BILLS

(Second Reading)

The Emir of Katsina (Alhaji the Hon. Usuman Nagogo, C.B.E.):

Your Excellency, with your permission, I rise to say only a few words before this Council. It is a bit too early to comment on the new Constitution but the presence of so many welcome strangers to deliberate together here in Kaduna on the future plans for the whole country is one visible proof that the unity of Nigeria will be a reality. That is one very great advantage already gained from the new Constitution. At this juncture it is time for action and not for words. The Council must now, I repeat now, frame a policy for the progress of the country. By saying "progress", I believe many of you will at once think of more tarred roads, more university education, more electricity and water supplies and the rest of them. In my opinion, the progress of this country depends largely on Agriculture. Nigerian soil produces cotton, groundnuts, palm kernels, rubber, rice, etc., and many kinds of roots and vegetables. All these crops could be developed by modern farming methods. Our farming is still mainly primitive. It must be improved. Use of manure and compost must be taught. We cannot stand on our feet politically without economic freedom. Hence we must again improve the standard, the quality of our crops. There are markets locally and abroad for all the crops we can produce. With the money so obtained we can get from other countries goods which we are anxious to obtain for our markets. From the floor of this House, with your permission, I would like to address a word of warning to the youth of this country.

Many are swarming to the offices to be employed as clerks. They do not want to do manual labour. This is a great mistake. Many

of them must apply for technical training. When they are fully trained they need not apply for jobs—jobs will apply for them. It is not shameful to work with your hands, but it is an honour to you and your country.

I support the Appropriation Bill.

The Oni of Ife (The Hon. Aderemi I, C.M.C.):

Your Excellency, I arrived at this chamber yesterday morning just to find my name at the tail end of the order of the day. Assuming that this does not imply that I am by any means the least, I will proceed with my speech, but before I proceed, I wish to join the chorus of congratulations that had been poured on your Excellency and those high Officials who for one reason or another deserved our congratulations. I also associate myself with the cordial welcome extended to the members who have just been sworn in at this session. Your Excellency I have been providentially privileged to listen to the speeches of all those before me. I have heard criticisms, not only of the Appropriation Bill, or of the Heads of Government Departments but also of the opinions of the Honourable Members themselves. Some of the criticisms are fiery, some penetrating, some constructive, some objective and of course there are not wanting some that are inevitably funny. I have seen interest private and public, brought into play. Interest; that sticky thing which influences the life and action of people and nations, that unavoidable thing from whose clutches nobody, nay, no people is immune. To me it is all interesting. I am myself no exception. It is a healthy sign of liveliness. I consider that as vigour manifests itself in the youth so also does it manifest itself in the life of young institutions. I hope that we the members of this honourable house will continue to work with zeal and enthusiasm and whenever there happens to be an occasion for us to disagree I wish that we disagree only as friends. I have no doubt that the Honourable Members of this house will always endeavour to live up to the rule of decency and ethics. But whatever happens I can assure Your Excellency that we the Natural Rulers of the West and I believe also that our brothers of the North, having accepted of our own accord to take a hand in this national duty will carry on our duty enthusiastically, remaining always unruffled.

Now I pass to some general remarks. In the course of this debate I heard some Honourable Members portraying the New Constitution as something which was bound to bring unification of Nigeria. If by unification they meant the fusion of Nigeria under one unitary Government I hasten to record my disagreement with them.

I crave your Excellency's indulgence to clarify the stand of the people of the Western Provinces as regards to the future Government of Nigeria whenever it becomes self-governing.

The people of the Western Provinces and their Natural Rulers most readily accepted the New Constitution not because they thought it was absolutely perfect but because they saw therein excellent features which point to emergence of a united Nigeria by federation rather than by a fusion. They saw its foundation solidly laid for eventual growth on the right line. A firm foundation that is capable of carrying the weight of any superstructure that may be built upon it in the future, and because they prefer an evolutionary to a revolutionary growth.

I personally deprecate the idea disseminated among the youths and the mass in this country that Nigeria is ripe for self-determination. Every right-thinking person, every well-meaning person in this House will agree with me that, even though independence is our goal, we are not qualified presently to govern a big country like Nigeria successfully on democratic lines. Is there anybody in this House (or outside it) who is in doubt that if Nigeria is handed over to us now, the idea of Regionalisation will cease forthwith, and that Police State will replace the democratic set-up we now have? A sort of Police State which it is certain shall send all dissenters to the gallows! Nigeria, Your Excellency, with its teeming millions of population, its many races widely differing in their culture, outlook and way of life has a big and glorious future before it, *if only* it emerges at any time as a federation of States internally independent each with right to have two independent houses of legislature and Statute Book. It is such a course alone that can prevent the inordinately ambitious from forcing his racial way of life on his less ambitious neighbour. Nigeria represented at the top by a Federal Council should I feel be our target. These, Your Excellency, are my views: but they are not only mine: they represent the views of the Natural Rulers: of the illiterate but intelligent aristocrats: of the common people and last but by no means the least they represent the views of the great majority of the highly educated sons and daughters of the west, for they are wedded to their traditions and customs and desire to preserve the best in them. I am happy to say that they also represent the views of the Natural Rulers of the North and those of their people. I have no doubt that our Eastern neighbours also will admit that these views point to the only way by which clash of interest and clash of culture can be permanently subdued. Your Excellency, I envisage a form of Government based more or less on the pattern of the United States of America or Switzerland.

Your Excellency, I disagree with the Honourable the Second Lagos Member, who said that it was by an ignominious condescension that the Natural Rulers of Nigeria had accepted to serve in this House. The suggestion also that the Natural Rulers were overawed by fear of possible victimization under the Appointment and Deposition of Chiefs Ordinance was as imprudent as unfortunate. After all it was the duty of the millions of Northerners and millions

of Westerners to restrain their Natural Rulers from accepting nomination to the House of Assembly or the Legislative Council if they felt that such appointments would in any way adversely affect the dignity of their Rulers. With your permission, Your Excellency, I have to refer the Honourable Members to the first seven lines of paragraph 5 of my speech at the last Budget Session. I read on page 213 of the Legislative Council Debate of March and April, 1947:—"The attitude of the youth of the Western Provinces to the Constitution was exemplified by the speech of the youngest Member of the Western House of Assembly on the 13th of January, 1947. That young man referred to the inclusion of the Natural Rulers in the scheme of Government as a step in the right direction: He put it boldly and when he finished his speech there was a thunderous applause by the youth from the gallery".

Your Excellency, that is the way that the youth of the Western Provinces looks at the New Constitution.

I feel I should remind the Honourable Member in question that the Natural Rulers do not look for their support outside their own region, for they must know where they have their friends.

Your Excellency, the idea that this Constitution was undemocratic simply because every Member serving in this House had not been elected by popular vote bears no relation to the fact. After all, only a few Unofficial Members were nominated: since the Regional Houses were the electorates of the Provincial Members.

The Constitution in my opinion was the result of hard work, deep-thinking and indefatigableness. Nothing more suitable to our present condition could have been devised—election by popular vote has no meaning yet in most communities which form Nigeria whether in the North, the West or the East. Lagos and Calabar had enjoyed the benefit of Western civilisation for years before the communities in the hinterland had any opportunity of enjoying it. The best thing is to give to each community the privilege of election by popular vote as soon as it is ready to benefit from it. Natural Rulers are not unaware of their right to vote according to the dictates of their conscience. They have no reason to be overawed. Their duty, they know, is first and foremost the well-being of their people.

I pass now to Developments. The most outstanding achievement of this year is, I believe, the formal opening of the Ibadan University College. No colonial territory can ever hope to attain independence without prior possession of a University Institution many years previous to its attaining independence. The opening of the College is an indication of the sincerity of the Government's oft-repeated declaration to assist us to attain self-government as soon as possible: the cart does not go before the horse, for we have Burma and Ceylon as our examples. It follows, therefore, that we should have the men first, at least 50 per cent of our Senior Staff before we dare to ask for a Constitution which will prepare us for

independence within the framework of the British Commonwealth of Nations. It is also the answer to our complaints that not enough of our boys are being trained by the Government from its revenue. I shall not be doing justice to my conscience if I do not confess to a feeling that our boys are not being offered the right kind of scholarship in good number. Why no scholarships have been granted in large number in the faculty of Engineering in all its branches—civil, mechanical, electrical, mining, water and chemical? Why no scholarships have been granted in large number to our boys and girls for degree in modern languages. These are, among other things, the pre-requisites to the attainment of self-government on modern lines.

I do regret, like previous speakers, the non-inclusion of the faculty of Engineering on the programme of the University College. May I ask Your Excellency to strongly represent the feelings of this House to the Provisional Council with the request that it should add this much-needed faculty to its programme.

Your Excellency, when I ponder at the end of the third year of the operation of the Nigerian Development Scheme that so little had been done all because of shortage of men and materials, I cannot help but suggest for Your Excellency's consideration the appointment of a High Commissioner for Nigeria in London to take over from the Crown Agents the duties that that historic office has been and is still performing for Nigeria. Should that not be feasible, what about the appointment of two first-rate men to have their offices in England—one to be seconded from the Provincial Administration and the other to be found preferably from private industrial firms: the former to take charge of recruitment of staff, and the latter to take charge of Government's orders for materials.

Now a word about the Public Works Department. It is painful to say that the rate at which the Public Works Department are tarring the road between Ife and Ilesha is too slow. They have the staff and the materials, but goodness knows why the tarring is being done at a snail's pace. I wish to be pardoned if I am guilty of being parochial.

I pass to railway extension. I support the idea of railway extension advocated by the Honourable the Oba of Benin and the Honourable the Second Member for Lagos. If Nigeria will be properly developed its present mileage of railway should at least be doubled. Twenty-three years ago, four railways were scheduled for building. Two of them, Ifo-Idogo and Kano-Nguru were first constructed but before the completion of the latter the slump of 1928-29 intervened and the remaining two, namely, Odo Oba-Ife-Akure, and Aba-Oturkpo-Katsina Ala could no more be constructed.

The road which was to have passed through Ife to Akure had already been surveyed before it had to be inevitably shelved. Your Excellency, I have no personal interest. I am not saying this on account of the road which would have passed through Ife and which

has been cancelled, but I say that wherever it is constructed in Nigeria, I feel that that part of the country shall be fully developed and it will give employment to thousands of our people.

As regards the question of cocoa touched on by the Honourable the First Member for the Western Provinces and the Honourable the Second Nominated Member. As a farmer of over thirty years' standing, I can only say that it seemed as if to say that the soil of the cocoa belt had rebelled no more to yield in return for the enormous expenditure yearly launched by farmers on the maintenance of their farms. I consider that the scheme of the extensive making of nurseries for the farmers suggested by the Honourable the Second Nominated Member is not as good a remedy as the introduction of a new variety of cocoa bean as a substitute for the present one. As to the question of the price and grades of cocoa touched, I am afraid I cannot speak with definite authority upon that question beyond saying that the interest of the producers is the first concern of the Marketing Board, and that all other considerations are secondary. The scheme of four grades introduced together with price differentials had yielded good results this season in the improved quality of cocoa. The Board felt that its first and urgent duty was to build up a reserve adequate to subsidise cocoa prices whenever the cycle of trade brings the inevitable slump. There have been criticisms of a destructive nature in the press by persons who don't know anything about the planting, the harvesting and the shipping of cocoa beyond seeing its pods in the farms close to the roads or its beans spread for drying in the villages open to motor road. I only have a feeling of sympathy for those inexperienced persons who have had the impudence to suggest that I or my colleague could have been mere instruments in the hands of our official colleagues. After all, the money belongs to the farmers. The Government was doing its duty to save an important industry from destruction and the Board merely directs the shipping and marketing of cocoa—its members working gratis.

I can only say this on behalf of the Board. That it will continue to do its best to further the interests of the producers and having built the necessary reserve, will be too pleased generously to arrange the prices subject to the price condition in the world market. As the time is far spent I will leave my criticism of the Estimates to the time when we sit in the Select Committee.

In conclusion, may I say that in my view, it is desirable to go round the Regional Headquarters for our Budget Session and wait for time and experience to say if a change is needed.

Your Excellency, I support the Appropriation Bill.

His Honour the Chief Commissioner, Western Provinces :

Your Excellency, it is with considerable regret that I rise to my feet to lock horns with my old friend and venerable councillor the Member for the Colony. I was a little hurt to hear him say a few days ago that he did not want the Legislative Council to go to

Ibadan. Lagos is good enough for him. I think that that was most unfortunate coming from the venerable leader of this House. I will not go into the various very good reasons why this House should sit next year at Ibadan and the year after at Enugu because those have been explained by Government in writing and verbally, and have appeared in the Press. I think that I have the majority of the House with me when I say that it is a most excellent part of the New Constitution. My only excuse for mentioning the matter is that next year we are going to sit at Ibadan, I hope, and I want to say how delighted and pleased we of Ibadan shall be to welcome all Members of this House from the North, South, East and West to our noble city of Ibadan, and I go so far as to say that perhaps some of us may learn something to our advantage by a meeting held in that city.

My friend the Oba of Benin mentioned in his speech the matter of rubber in Benin. That has already been dealt with by the Honourable the Development Secretary, but if I may be forgiven for touching on the matter once again, I would say that I personally have travelled a good deal in Benin and Warri and myself felt unhappy about the position of the rubber trade. We did press the people during the war to produce the greatest possible amount of rubber, and it was a great help, a tremendous help, to us in the war, and now they have fallen on rather bad days and my only—I seem to be speaking almost as an Unofficial Member—my only plea is that the Department of Commerce and Industries should make a real effort to see if something cannot be done to help along the rubber industry. To the rubber plantation owners and the rubber tree owners I make an appeal to try a little harder to produce a good quality of rubber. My friend the Oba knows as well as I do, and probably knows a great deal better, that many people take no trouble whatever in the production of their rubber. It contains extraneous matter and all sorts of things which make it completely useless for the world market and perhaps of very little use in the home market as well. It is not a difficult business and I am sure that if they try harder they will be able to find a more reasonable market for their rubber in future.

Again I am sorry that here we have transport control and I am poaching once more. In this connection I understand that the Honourable the Oba of Benin meant not that petrol should be de-controlled—he is fully aware, I believe, that that is out of the question at present,—but that a man should be given his quota of petrol and then be allowed to use it on the roads as he thinks fit and right. That, of course, sounds very nice but it is unworkable in practice. Everyone knows that there is more money to be made by transporting passengers than there is by transporting produce. Everyone knows too how essential it is to get produce to the coast ports as quickly as possible and that the transport available must be organized in a way to enable that to be done with the utmost economy of petrol and with the utmost speed. That is the reason

why this control remains. I know how people dislike controls and I know perfectly well that there is an idea at the back of a great many people's minds, possibly at the back of some Unofficial Members' minds, that the Government loves control. There is something about it that has an appeal to the bureaucratic mind. Well, do let me assure Members that Government hates these controls just as much as anybody else does. Staff have to be employed on them which might very much better be employed on other things. These controls are only there because they have got to be there, and the moment that there is no further justification for these controls, they will go, and I am sure that in saying this that I am voicing the considered opinion of Government.

The First Member for the Western Provinces, in a dashing and exuberant speech, talked about co-operative movements, and there is nobody, as this House is well aware, in a better position to talk about co-operation than he is. His qualifications to talk about co-operation are very well known to this House. The Co-operative Department, as you are aware, Sir, during the war period has been through a trying time mainly through lack of staff. It has been through a time of consolidation, and it is to be hoped now that it will go ahead. I feel just as strongly as the Honourable Member who spoke, that co-operation is one of the most important developments that we hope to see in this country. I mention co-operation in connection too with a remark made by the Fourth Member from the Eastern Provinces,—he was actually talking on the subject of industrialization—and he brought in those magic words "self-help". Co-operation and self-help have a great deal in common. There is not enough co-operation in this country between African and African. I am talking in particular about co-operative marketing and I need not talk long about it because I will give just one example which will indicate exactly what I mean. I was travelling in Warri Province, and one evening I met an elderly farmer who had farms on the banks of the Niger. He said "Do you know it is a terrible thing but whereas forty years ago farming was a lucrative business today I have my farms on the banks of the Niger but it is honestly not worth while planting my yams because I get such a rotten return for them, so different from forty years ago. Is it surprising", he said, "that my children won't farm, leave the farm and go off to the towns, to Benin, Warri, Lagos and all the rest of it, and expect to make a better living and live a happier and fuller life away from their farms". That was in Warri Province. The other side of the picture is Warri town where the price of yams was so high at that time that there was a general outcry at the enormous price that people had to pay in the market, and those yams in Warri market were the same yams that came from the farms on the banks of the Niger. Well, it seemed to me that something was wrong somewhere, and I said "Surely the answer to that is co-operative marketing, is it not?" He said "Oh!" this, that and the other reason why that was out of the

question, and ended up by saying " Well, the fact of the matter is that we don't trust each other ". And I do appeal that there should be more trust, and that the producer should make a real effort himself, and not depend entirely on what Government may do for him; that he should make a real attempt by means of co-operative marketing and various other things, to save himself from the economic depths into which he seems to be plunging. The Fourth Member for the Western Provinces made reference to a Senior Administrative Officer who, he understood, would shortly be retiring on pension, and he paid tribute to the good work that he has done in this country over a period of more than a quarter of a century. I am sure that the gentleman in question will read what the Honourable Member has said with great pleasure and that it will make him feel that he is leaving behind friends in this country and that his work has been appreciated. I would like to say that the rumour that apparently is rife that he has been thrown out of the country because his ideas are too progressive has no foundation whatever in fact. The gentleman in question has suffered from ill-health and in fact he was an extremely sick man when he went home at the end of last tour.

I have only one more matter to raise and I am afraid that in this I am one of the fools who rush in where angels fear to tread. One wonders what all this is about. To wear a cap or not to wear a cap. To salute or not to salute. To genuflect or not to genuflect. To stand firmly on the feet and look a man in the eye or to lower the head. To us Europeans it all seems perhaps rather strange. We understand people of different customs. The French when introduced to your wife kisses her hand. The Englishman when introduced to your wife kisses her hand at his peril, and so we all have our customs and we all respect, I hope, the customs of others, and so the European tends to say " Is not this making rather a mountain out of a molehill? " How very wrong he is. The Honourable the First Lagos Member said something to the effect that the Emirs and Chiefs have been forced into this Honourable House against their will, and in complete opposition to the tradition and practically over the dead bodies of their subjects. The Oni of Ife in his speech this morning has dealt very fully with that point and so I need say no more about it. But what is the real reason behind this desire to oust the Emirs and Obas from this Honourable House? The reason is a perfectly simple and straightforward one. The idea of Chiefs sitting in this house is contrary to the political ideology of a certain party in this country. It has nothing whatever to do with the lowering of their dignity by sitting in this House. Nothing whatever to do with it. In the old Legislative Council of Nigeria the Native Authorities had no place, and the old Legislative Council, as everybody knows, was dead. The new Legislative Council in which we have the honour to sit is, on the contrary, a live place. And why is it so live? Because it has amongst it the real

representatives of the people in the form of the Native Authorities and those others who represent Native Authorities. The Honourable the Second Lagos elected Member stated that the New Constitution ignores the rights of the taxpayer. I think what was at the back of his mind was the idea that the electoral system should spread its meshes, or its spider's web perhaps, throughout the whole of the Protectorate of Nigeria:—that the Native Authorities and their representatives who are, in my opinion, and also I believe in the opinion of the vast majority of this House, the true representatives of the people, shall be ousted from this House and so give place to party politicians. The present Constitution works extremely well in the Western Provinces. The new ideology which has been preached in this House, if understood, would by the vast majority of the people of the Western Provinces be considered intolerable. The taxpayer in the Western Provinces looks to the Native Authority as his true representative and he looks not in vain. There is, it is true, a rapidly awakening political consciousness in the Western Provinces, and that consciousness is being encouraged and developed not only by Administrative Officers but by the Native Authorities themselves, who are steadily widening the basis of their administration, encouraging meetings, encouraging councils, divisional and otherwise, and generally with very few exceptions doing everything possible to bring the Native Authority system into line with the needs of a modern world. Of course, there are an enormous number of people who to this day have no interest whatever in politics. I think my Honourable Friend the Commissioner of the Colony will agree with me that the same to some extent is true even of the highly political city of Lagos. I believe that I am right in saying that many persons in Lagos who are entitled to do not take the trouble to register, I believe I am further right in saying that many persons who do register cannot be bothered to go to the polls to vote. I was talking to a friend the other day and he said, "You are, I gather, a great enthusiast in regard to the New Constitution". I said "Yes, I am. Why?" He said, "Well, there is one very funny thing about this New Constitution that I do not understand. "The population of Nigeria stands at about twenty-five million"? I said "Yes, I believe so." "And the population of Lagos stands at something in the neighbourhood of 250,000"? "Yes" "Then the population of Lagos is about one-hundredth part of the population of Nigeria as a whole and yet", he said, "you appear to have three members from Lagos on Legislative Council. Has not the Government lost its sense of proportion? Because", he said, "the proportion sum gives Lagos approximately a quarter of a member." I told him, of course, that he was talking nonsense. Nor did either he or I for one moment suggest that the Honourable three elected Members should be dismembered and carved up, but it is a fact—a digression for which I apologize—that the people in the Provinces do incline to think that Lagos is slightly over-represented—with apologies to the three members. To come back, the whole idea is, as I said, to banish Emirs and Obas from this

august assembly and to jettison the system on which this country has been built up, a system known as the Native Administration system. The true representatives of the people are to be removed from this House and they are to give place to people "we wot not of, people who represent we know not what."

Sir, I support the Appropriation Bill.

The Hon. the Acting Development Secretary :

Your Excellency, the Development Plan, or rather the progress of that Plan, has not passed unscathed through the fire of criticism. Indeed, so high were the hopes raised at its inception that I wonder that it has not been the subject of an even greater volume of criticism since nobody is satisfied with the progress of the plan. I sometimes think, however, that Honourable Members do not realise all that has been done and is being done. Nigeria is such a vast country that what happens in one portion thereof is frequently unknown in other parts. Information regarding the progress of various schemes has been publicised by the courtesy of the Press, and this courtesy will continue, I hope, to be extended, but, I hope, in much greater detail and steps are being taken to that end and to make this information available to Honourable Members at regular intervals throughout the year.

Before I discuss the detailed criticisms which have been levelled at the progress of the Plan, Honourable Members should, I think, know what progress has actually been made. The Plan provided for expenditure amounting to eight million pounds odd from its inception up to the 31st March, 1948. Actual expenditure up to 31st March, 1947, amounted to nearly one and a half million pounds. The revised estimated expenditure in 1947-48 is £3 and a quarter million. So that although we are some £3 and a quarter million under-expended to date, we do anticipate to have spent of the order of £4,700,000 by the end of this month. The bulk of this expenditure has been on road development, water supplies both urban and rural, buildings, leprosy control, education both technical and general, marine, agriculture and medical.

If I might venture a prophecy it would be that although the implementation of this plan has inevitably been slow in getting under way it will move with ever increasing speed in the next few years.

It is, of course, impossible to give a full list of all the works that have been carried out, and I shall leave it to my Honourable Friends, the Director of Public Works, the Director of Medical Services, the Director of Education and the Director of Agriculture to explain the work which has been carried out under the Plan in so far as their Departments are concerned. I propose to mention only some of the work which has been done by Departments whose Heads are not members of this Council.

The Anti-Malarial drainage measures in and around Lagos have been completed and the maintenance of these measures will be taken over by the Lagos Town Council.

The Gaskiya Corporation has now got into its stride. The buildings are completed, and the greater part of the press machinery has been erected. The newspaper published in Hausa has increased to a circulation of nearly 25,000 copies a week, while in addition the books section of the Corporation has so far published eighteen pamphlets in Hausa designed to be of use in connection with the Mass Education campaign. The Honourable the Emir of Abuja criticised the shortage of books in the Hausa language. I can assure him that the Gaskiya Corporation is aware of this need and will do its utmost to satisfy it. I will bring to the notice of the Corporation the Honourable Member's proposal that old Hausa books should be reprinted.

Oil Palm Research Station at Benin.—A very considerable amount of work has been done by way of research, particularly in connection with experiments designed to increase the yield, to eradicate nursery disease, and to maintain yields in mature plantations. The Annual Report, which describes in great detail the research work undertaken, is being printed and will be laid on the table of this House at a later date.

Forestry.—The Forest School has been expanded to accommodate forty-six students and 131 additional junior staff have been recruited and trained. Two of the students trained in the Forest School have been granted scholarships for training in forestry in the United Kingdom.

In the Northern Provinces a most important experiment has been initiated in the Anara reserve of Zaria Province to test the possibility of producing small size sawn timber from the poor savannah forests which cover the Northern Provinces, and a free grant of £2,000 by the N.C.D.B. has been made to Zaria Native Authority for the purchase and erection of a sawmill. Simple though the experiment is, it will, if successful, open the widest possibilities for a type of forest which at present is as idle as it is extensive.

Textile Development.—The Plan provided for the erection of eight Textile Centres in all. In the Western Provinces centres have been completed at Oyo and at Ado Ekiti, and the Centre at Auchi is in course of construction. In the Northern Provinces, demonstrations of improved methods of weaving and dyeing have been given over a period of some months in Kano City and district and in Zaria and Katsina Provinces. A site for a centre has been selected at Minjibir in the Kano Province.

Spinning wheels have been supplied on loan to carpenters and blacksmiths to copy, and their products have been sold to the local spinners and weavers. In view of the large demand for spinning wheels and looms it has been arranged that the Department of

Commerce and Industries shall manufacture these wheels and looms and sell at cost to prospective spinners and weavers. The Department is also assisting in the training of local carpenters and blacksmiths so that they can take over the supply of these articles.

Veterinary.—A permanent immunisation centre has been opened at Mai Idontoro, where a European Officer is stationed in charge of a fully trained staff. A second centre is under construction at Foggo and work on a third is about to begin at Potiskum. During the year a Veterinary Development Officer has been employed with a team on a survey and entomological investigation of the main cattle tracks of the Northern Provinces, and has obtained valuable information on which will be based extensive programme for the improvement of those tracks and the eradication therefrom of Tsetse fly, which at present causes so many deaths amongst animals being trekked to the markets in the Southern Provinces. In the Eastern Provinces work has commenced on the Improvement Centre at Jagiri in the Cameroons.

As has already been said, as much progress as was hoped has not been made in the implementation of the Plan, that is due in large measure to shortages of staff and materials. With regard to shortage of staff, let me give just two examples showing how vacancies which it was hoped to fill have not been filled.

Road Development.—There is provision for seventeen Executive Engineers and thirty-one Inspectors—there are nine vacancies for Engineers and sixteen vacancies for Inspectors.

Agriculture.—There is provision for eight agricultural Officers and six Specialist Officers. There are eight vacancies for Agricultural Officers and six vacancies for Specialist Officers.

As for the shortage of material, I do not think there is any need to stress this. You see it for yourselves. One example is provided by the Lugard Memorial Hall here at Kaduna, the completion of which has been delayed for lack of reinforcing steel. Most of the materials necessary for building are in short supply, as is only to be expected in a world devastated by years of war. The wonder is not that we have received so little but that we have received so much. Nor would I have you think that nothing is being done about this shortage, and to ensure that the most careful consideration is given to our requirements, during last month two officers, one from the Central Economic Planning Staff and one from the Colonial Office, visited Nigeria to ascertain and examine our capital equipment requirements for the next twelve months, and in broad outline for the succeeding two years. While I do not wish unduly to rouse hopes that all our requirements will be supplied, we can at least be sure that our needs are receiving the consideration which they merit.

Now, Sir, for some of the individual criticisms which have been made.

The Honourable the Member for the Colony and other Honourable Members mentioned the Fisheries Development Scheme and were disappointed at the comparative lack of results. They expressed the view that it should be abandoned since it was considered that the money which had been spent on it had been wasted. I share their disappointment at the comparative lack of results but I certainly do not share the view that the scheme should be abandoned. I need not stress the importance of improving the diet of the greater part of the population of this country and the desirability of increasing the supply of fish to that end. Even the present supply of fish in the Lagos market is quite inadequate to satisfy the needs of Lagos alone. I would moreover remind Honourable Members that it is only just over two years ago that the Council approved of the Fisheries Scheme as a ten year scheme. It is true that the progress which it was hoped to make has not yet been made but some very valuable information has been gained. Work has so far been concentrated almost entirely in the Lagos area and it has been learned that:—

(1) the creeks and lagoons around Lagos are already overfished and if no steps are taken the yield from these waters will gradually decrease;

(2) the species of fish which breed best in the conditions prevailing in those waters are the grey mullets and cyprinid perches. There are, I think Honourable Members will agree, only two methods of increasing the fish supply, either by finding new fishing grounds or by cultivating fish, that is farming them, as is done on a large scale in Far Eastern Countries particularly China and Java. It seems that the only new fishing grounds are likely to be deep sea fishing grounds, and in Select Committee approval will be sought to contribute towards a West African Fisheries Research Scheme, the primary object of which is to investigate the possibility of deep sea fishing. So great is the importance which is attached to Fishery Research work that the Secretary of State has agreed that Colonial Development and Welfare Funds shall bear three-quarters of the cost of the Fisheries Research Scheme, amounting to £277,533. Such a large sum would not, Sir, be expended from Colonial Development and Welfare Funds if it were thought that it was likely to be wasted. The other method is to establish fish farms and this it is hoped to do when we have succeeded in recruiting a fish farmer. We have tried to get one from China and from Java but so far have failed. We should not at this early stage abandon our efforts to find a solution to the problem of our fisheries. To do so, Sir, would, I think, be showing a lack of foresight, particularly in view of the great importance of increasing the supply of protein food in the diet of the majority of the people of this country.

The Honourable the Oba of Benin emphasized the necessity of constructing a railway to open up the country between Lagos and Asaba through Benin, while the Honourable the Second Lagos Member advocated a wide expansion of the Railway System of Nigeria. For some time to come, however, I would suggest, our efforts must be directed to re-equipping and repairing the existing railway, the maintenance of which had perforce to be neglected during the war. I would observe that railways are very expensive to build and to maintain and that it is generally admitted to be uneconomical to construct a railway in an area which can be adequately and efficiently served by road and water transport services. A survey for a railway from Odo Oba to the Ondo Province was made some years ago but it was considered that this area can be adequately and efficiently served by road and water transport services.

To illustrate how very expensive the construction and maintenance of a railway is: the cost of constructing and equipping a railway from Rahama on the Jos line to Damaturu in the Bornu Province has been estimated at £5,350,000. The actual cost of construction being estimated at £16,000 a mile. By comparison, the cost of a trans-continental railway to Khartoum to which reference was made by the Honourable the Second Lagos Member which would involve 2,000 miles of new line, 600 of which would be in foreign territory, would be of the order of £32,000,000, a sum which at 3 per cent interest would mean an annual interest commitment of £1,000,000, while much of the area traversed would be desert or semi-desert. To accept such a commitment would, Sir, I think Honourable Members will agree, be quite uneconomic.

The Honourable Member the Oba of Benin also expressed the view that the Transport and Oil Control should be relaxed. The position is that while plentiful supplies of crude petroleum are available there are world shortages of refinery capacity and of tankers. Moreover, consumption has increased particularly in the United States to such an extent that America, which used to be a large scale exporter, has now become an importer of petroleum products. The tanker shortage necessitates the direction of the refined products from the producing countries to the nearest consuming areas. For this reason production in the Middle East is largely directed to Europe and the Middle and Far East, while West Africa has to draw her supplies from the Dutch West Indies which are technically within the dollar area. The tonnages of petrol, kerosene and other oils available for Nigeria are therefore restricted both by reason of the physical difficulties of supply and the necessity to economise in dollar expenditure. For 1948, allocations are on the same scale as in 1947 and dollars have been made available for these quantities, but there is a danger that these quantities will not be obtained for supply, as opposed to currency, reasons. The current shortage of petrol, oil and kerosene must therefore be expected to continue for some time and may well become intensified. It is regretted that the utmost economy in consumption is therefore still essential.

The Honourable Member also referred to the necessity for a great expansion of town and village planning on simple lines and as to this, I think Sir, we are all in agreement with the Honourable Member. I would remind him that a scheme to encourage town planning and village reconstruction forms a part of the Development Plan. Under that scheme a free grant of £156,000 has been made from Colonial Development and Welfare Funds. This will be applied in the form of free grants or subsidies towards the cost of work to be done in townships and the work actually accomplished by villages and Native Authorities in the smaller communities. The limit of assistance in the case of towns will be 33½ per cent of the cost of construction and the provision of amenities; while in the case of villages a grant of up to 10 per cent of the value of the work done by the villages or Native Authorities may be made, in order to provide special amenities such as markets, village halls or such other forms of assistance as may appear to be most appropriate in each individual case. In the case of villages, Sir, very few applications for assistance have been received and I should be grateful for anything which Honourable Members can do to make the existence of this scheme more widely known and to encourage communities in their areas to undertake the reconstruction of their villages on simple lines.

The Honourable Member also referred to the present position of the Rubber Industry. He pointed out that prices are not encouraging and urged that factories should be erected wherein such articles as bicycles tyres could be manufactured locally. As regards the position of rubber in general I would refer the Honourable Member to the reply given to Question No. 52. Regarding the suggestion that a factory should be set up to manufacture articles from the rubber produced locally, I can say that such a project is already being examined by private enterprise.

The Honourable the Fifth Member for the Northern Provinces, in order that work should proceed more rapidly, pressed for buildings to be erected not in permanent materials but in semi-permanent and temporary materials. I can assure him this is a matter to which consideration is being given.

Some Honourable Members have criticised the emphasis which has been laid on the development of social services. They have made it plain that they regard that emphasis as being at the expense of the economic development of the country that is so essential if the revenues of Nigeria are to be able to meet the residual charges in respect of those social services which will fall upon this country when assistance from the Colonial Development and Welfare vote ceases. I think, Sir, this seems to imply some misunderstanding in the minds of Honourable Members that the development of social services is not connected with the economic development of the country. It is, however, a most, if not the most, important part of that development—money spent on improving the health and physique of the people and on improving their education, both

general and technical, is money spent on the economic development of the country, since the economy of this country is founded on the health and skill of the people thereof. Furthermore, as the Honourable the Financial Secretary pointed out in his Budget Speech, although 24 per cent of our expenditure is on social services, 21 per cent is spent directly on economic development. There seems here to be no disproportion, Sir.

Much has been said about industrialisation, and criticism has been levelled at the Government for not industrialising Nigeria. The Government's industrial policy has been laid down and published. Briefly it is that Government is anxious to encourage industrial development but does not normally intend to undertake or to finance large scale industries. This will usually be left to private enterprise, but the Department of Commerce and Industries has already initiated small-scale schemes and will continue to do so. As soon as these schemes are economically established, they will be transferred to approved African enterprise.

Honourable Members will, I think, be interested to know in this connection that during the course of the year experts from Messrs Powell-Duffryn Technical Services Limited visited this country to examine and advise on the possible development of our coal and lignite deposits.

It seems possible in a country of this size that the most rapid and widely spread economic development may come through the development of industries in a small way by individuals and small companies in many parts of the country rather than from large developments by big corporations. As Honourable Members will remember, the Nigeria Local Development Board was set up to finance purely local minor schemes of development, such as town and village planning schemes and local schemes for the development of village industries and industries on a small scale. There are, however, many small enterprises in this country which lack the security required before commercial institutions will lend them the money necessary in the initial stages of an undertaking, money without which, of course, they cannot develop, and to supply that need was clearly a matter of importance for the future welfare of Nigeria. Towards the end of last year, therefore, Your Excellency approved in addition to those bodies to whom the Nigeria Local Development Board could make loans or grants of companies registered in Nigeria and persons working in partnership in Nigeria. It is hoped that the Board will be able to supply this need, and since Your Excellency's approval was granted many applications have been received for loans from small commercial enterprises. The functions of the Nigeria Local Development Board are not, however, confined to making loans or grants. It is also empowered to embark on projects on its own initiative where it is thought unlikely that private commercial enterprise will embark upon these projects. In fulfilment of this function the Board already finances the Pioneer Oil Mills, which it is hoped will improve the quality and increase the percent-

age of oil extracted, and which are managed by the Department of Commerce and Industries on behalf of the Board. Four Mills are already in operation, three have been sold to the Cameroons Development Corporation, one is in course of erection for eventual sale to an African owned company, and sites for the remaining four mills have been chosen, one in the Western Provinces. So confident is the Board in the ultimate success of this project that fifteen more mills have been ordered and are expected to arrive this year. I should make it plain that it is not the desire or the intention of the Board to continue to run these mills if they can sell them either to a Co-operative Society, to a company registered in Nigeria, or to a group of persons working in partnership in Nigeria. This expenditure is, of course, a recoverable investment. The Board deals with and is intended to deal with only smaller enterprises. For the larger schemes recourse will, as was stated, in Your Excellency's speech, be had to the Colonial Development Corporation. Proposals are under consideration for schemes to be submitted to the Colonial Development Corporation, amongst others, to establish a cotton spinning mill, to provide machinery for the processing of locally grown oil-seeds, to manufacture lime, to establish a bag making factory and to produce charcoal and carbon-black.

In this connection the Honourable the Third Lagos Member, when he mentioned the Groundnut Scheme, adverted to a possibility that this Scheme would afford profits to private capitalists. This, of course, would not be so. No decision has yet been taken on the Mission's Report, but it is anticipated that any scheme which may be formulated on the basis of such Report would be a statutory scheme dependent for its existence upon an ordinance to be passed by this Council. There would be no departure from this Government's traditional land policy save with the consent of this Council.

The Honourable Member also referred to the purchase and sale of unprocessed grey sheeting from Japan. The approval of the Finance Committee of this Council was sought for this transaction which was on Government's account and the Honourable Member is referred to the report of the Finance Committee which was subsequently made to this Council.

The Honourable the Fourth Member for the Eastern Provinces stressed that it was the duty of the Government to control the prices of consumer goods. This duty is already carried out in respect of certain of the more important consumer goods through the existing price control mechanism. In a country as large as Nigeria however the enforcement of control by a countrywide inspectorate would involve the employment of a very large staff and the cost would be prohibitive. The Government must necessarily therefore rely on the close co-operation of the public in the enforcement of this control.

Sir, I would conclude by saying that Government welcomes the criticisms which have been offered of the Development Plan as an indication of the strong desire of the people of this country for social and economic progress. Although it is true that much remains to be done, I hope that I have shown that much has been accomplished.

The Hon. the Director of Public Works :

Your Excellency, in view of the comments made during the course of this debate and in those of the Regional Houses of Assembly on the constructional side of the Development Plan, it would seem appropriate that I should take this opportunity to make a very brief review of progress to date. For this purpose I would compare what has been accomplished with the Ten-Year Plan of Development which was laid on the table on December 13th, 1945, and approved by this Council on February 7th, 1946. This Plan provided for constructional expenditure up to the end of this financial year of £1,676,000 exclusive of salaries and plant, and it was divided into four heads. Roads—£625,000, Buildings—£434,000, Rural Water Supplies—£293,000, Urban Water Supplies—£324,000.

Of this amount I am anticipating that £1,140,000 will be spent by the end of this month, that is, 67 per cent of the total. That performance has lagged behind expectation is entirely due to shortage of staff and materials. As regards staff the position can be gauged by again quoting figures. During the same period the plan budgeted for an expenditure on staff of £376,000. The actual figure spent was £106,000, or 28 per cent. To sum up, therefore, 67 per cent of the work has been done with 28 per cent of the staff.

Now Honourable Members will no doubt wish to know what there is to show for this expenditure. I will first take roads. 84 per cent of the allotted amount has been spent. This is represented by 724 miles of new road work in hand. 420 miles of these have been completed and can be used by traffic. In addition, thirty-two miles of bituminous surfacing have been done. The work includes such important roads as that from Lagos to Ikorodu, and Shagamu to Ibadan, which will provide a direct route to Ibadan, and when the extension from Ijebu-Ode to Benin is complete, a still more direct and better route between Lagos and Onitsha. Then there is the Mokwa-Kontagora road, which provides a new main road into the Northern Provinces, the Kano Eastern Road which is needed for the evacuation of produce in the Bornu area. The Yola-Wukari Road which will open up undeveloped areas south of the Benue River and the Calabar-Mamfe and Bansara-Mamfe Road which open up through communication with the Cameroons.

As regards buildings, it is expected that 85 per cent of the Plan estimates will be expended by the end of this month. This expenditure is represented by twenty-three large institutions completed and at various stages of construction, in addition to a number of senior and junior service quarters. Work is located at Lagos, Yaba, Kaduna, Kano, Maiduguri, Makurdi, Zaria, Samaru.

Vom, Enugu, Onitsha, Aba, Abakaliki, Uyo, Ibadan, Benin, Akure, Abeokuta, Shagamu and other places. About 50 per cent is represented by educational establishments and 25 per cent medical. Now, Sir, many of these establishments are of considerable size and cost over £80,000, and it was never intended, nor is it economically practicable, to complete them in under two years.

Rural water supplies have lagged behind somewhat, and in this case delays in the arrival of equipment and plant for deep drilling have prevented any serious start of that part of the programme until fairly recently. Nevertheless, quite a lot has been done, about 44 per cent of the estimated expenditure is accounted for, and to show for this there are some 50,000 feet of wells, that is about ten miles, completed or nearly completed, comprised within 653 water points. Now, Sir, the Ten-Year Plan allows for one water point for every 500 people. Therefore, on this basis, some 370,000 people are now provided with easy access to water which they did not have before the Plan started. In addition to all this, some 3,000 feet of deep drilling has been done.

The saddest story is that of Urban Water Supplies, for here only 35 per cent of the amount allotted in the period, is accounted for, and even this is largely on materials rather than on construction. Nevertheless two large schemes are being constructed, and another has been begun recently. Several small schemes are in hand and many others are being investigated and designs prepared, both departmentally and by consulting engineers. The location of these schemes has been given in the answer to Question No. 142 asked by the Honourable the Second Lagos Member.

The position as regards urban water supplies is particularly distressing because we have been unable to recruit one single water engineer. This is presumably on account of the specialised nature of the qualifications and experience required. It is perhaps not realised that most water supplies of a major nature require at least one and probably two years of investigation before the plan and ordering of materials can be done. A further two to three years will probably be required for construction and installation of the machinery, so it may well be five years after the initiation of the scheme before the first tap can be turned and water will flow. Experienced and competent engineers are essential for the investigation and design of water supplies. Some relief has been afforded by consulting engineers, and some seven or eight schemes have been dealt with or are still under investigation by them.

There is another point of difficulty. Urban water supplies are not free gifts. In respect of two-thirds of their cost they are financed by loan, the charges on which, as well as of maintenance and running, fall on the consumers. In the interests of the consumers, therefore, it is essential that the cheapest supply should be provided, and it is this search for the cheapest which is the cause of quite considerable delay. In the case of one town of 40,000 people, detailed examination has been made of no less than four

different sources of supply and means of water provision, with the result that the first estimate of £300,000 has been reduced to one of £125,000, on which basis it is hoped to finalise proposals. There is another case also where four different sources have been investigated, but here, unfortunately, it has not so far been possible to reduce the estimated cost below £200,000. It is thought, Sir, that delays due to such causes, annoying though they may be, are of the sort that will be appreciated by the consumers who have to pay. I would also like to draw the attention of Honourable Members to the figures of cost that I have quoted. These apply mainly to towns in the Southern area of the middle belt of Nigeria. Water supply schemes in these areas are going to be difficult and expensive.

Sir, I am sometimes surprised at the primitive belief of critics in the power of a water engineer. Many Honourable Members will remember the account of one of the world's first water supplies, so graphically described in the Book of Exodus, wherein we read "And the people thirsted there for water and murmured against Moses. And Moses cried. What shall I do unto these people, they be almost ready to stone me?" The story then goes on "Go on before the people and take thee thy rod and thou shalt smite the rock and there shall come water out of it that the people may drink". "And Moses did so". Sir, times have changed, and I regret that these methods are no longer available to a Director of Public Works.

I have already mentioned, Sir, that the anticipated expenditure by the end of this month is expected to be £1,140,000, and Honourable Members may be interested to know the Regional distribution of this expenditure. It is as follows:—

- Northern Provinces—42 per cent.
- Eastern Provinces—30 per cent.
- Western Provinces—15 per cent.
- Colony—13 per cent.

I would, however, Sir, like to make one thing clear. The basis of comparison adopted is that of the original Ten-Year Plan, on which estimates and requirements for staff were based. Since its inception, however, there have been a number of building projects added in revised plans by Heads of Departments, and it has been inability to make much progress on these revised plans which has led to the disappointment of their authors. I have already said that 28 per cent of the staff only has been engaged under this Plan. Honourable Members may well wonder how it is that such a large proportion of the work has been done with such a small proportion of the staff. They might think that there has been an overestimate of staff requirements. The answer to that is "No, Sir", for two reasons. The estimates of staff, in the first place, allow for a proportion for investigation and design. I have already explained the importance of investigation in the case of water

supply. It is equally so in the case of roads, for the location and investigation of bridges, and also in the planning of buildings. It is in these directions that we are lagging. But the main reason that fair progress has been made, is that a large proportion of the work has been done by the permanent establishment of the Public Works Department of all grades, and Native Administrations, who all, short staffed as they are, have, in addition to their heavy programmes of Public Works Extraordinary, Recurrent and Native Administration Works, shouldered so much of the burden of the Development Plan.

Sir, that dismisses the question of the Development Plan and I would now proceed to the matter of contracts which has been raised by several Honourable Members.

Quite a fair proportion of the works under Public Works Department's responsibility is, in fact, being done by contract, especially by small local contractors who have the capital and capacity for work to the value of £3,000 or so. There are also a large number of petty contractors who are at work. But when you turn to major contracts advocated by Honourable Members, where considerable capital and experience are needed, we have found that prices quoted in tenders have been very high generally, so high that to accept them would have meant considerable reduction in the volume of work possible within the funds available. Unless there is a reduction in prices quoted in future tenders, it is not to the benefit of this country that extensive use should be made of the contract system for major works unless they are of a specialised nature or beyond the capacity of the Department.

There is another aspect of the matter. A large contractor is, as a rule, only interested in a big work, or series of works, constructed in a relatively small area. The Development Plan, as is also that under Public Works Extraordinary, is based on dispersal, not concentration, so that each Region and each Province may obtain some benefit as it proceeds. It would, of course, be simple to expend the majority of the road funds available in any one year, say on the tarring of the Ilesha-Benin-Asaba road, such work could be put out to contract and could be done relatively quickly. It could also be done departmentally, and I would be only too pleased to do it. Concentration of road staff on only one job would make things relatively easy and simple. But what of all the other Provinces, North, East and West, who would have no funds to pursue their own requirements and would have to wait possibly a large number of years.

There is another point of view not often appreciated. There are over 35,000 people in Public Works Department employment who look for their living to continuation of that employment. I regret to say that recently, in the Trade Union of my department, there is a growing resentment against contracts. This has been a matter of frequent discussion between the Secretary of the Union and

myself. Such small industrial troubles as we have had this year have been, to quite a degree, on account of work put out to contract. There is, of course, room for the system of contract and direct labour to work side by side, and the problems involved are solvable. But I take the opportunity of mentioning the matter before this Council so that Honourable Members may realise that, "to put it out to contract", is not as simple as it sounds. Each individual case must be considered on its merits and a balance made of the often conflicting interests of speed, economy, expediency and a contended labour force.

I do not propose to deal now, Sir, with points of detail raised during the debate which affect my Department, as possibly they will be raised in Select Committee, but I would refer to the request made for a bridge at Kaduna. Actually, as soon as I arrived here, and before this Council met, I went out to the Kaduna river to have a look at possible bridge sites, but I would remind Honourable Members that there does exist a bridge at Kaduna, inconvenient though it may be, and one must remember that there are very many rivers without any bridges at all. Such bridges are decided in the first instance as to their necessity and priority by the Regional Assemblies and Regional Development Boards.

I would now turn to the question of staff. I suppose I am one of the Heads of Department who, according to the Honourable the Second Lagos Member is to have "a thin time" in Select Committee, because he has complained of shortage of staff. I do not know exactly what form the slimming process will take, but before it starts there are one or two points I would like to put for the consideration of Honourable Members. The Senior Service staff of the Public Works Department is of two types, temporary and permanent. The temporary staff is a short term staff for the specific purpose of carrying out the Development Programme. Its members are on temporary agreements and most of them will no longer be required in eight to ten years time as the programme approaches its conclusion. Rapid results are demanded by all Honourable Members, and for rapid results engineers with considerable experience are essential. The vacancies on this staff, which is what I have been complaining of, are not very suitable therefore for filling with relatively untrained engineers, even though they may have academic engineering qualifications. Furthermore, I have found that no man, whether he be expatriate or non-expatriate, with an engineering degree, is keen to take up a temporary appointment.

I think, therefore, that in his remarks on staff the Honourable Member was probably referring to the permanent and pensionable establishment. Although there are a number of vacancies in the engineering cadre of that establishment, I have not attributed lack of progress to this cause, as hitherto it has carried out the programme for which it was intended. It has to be remembered that an academic qualification does not make an engineer. It is only the

start, and experience is essential, at present we specify two years' practical experience in addition to a three years' University course. Nigeria is not yet an industrial country, and in my opinion, for the time being, it is most important that the University and practical training be acquired in an industrial country such as Great Britain, where young engineers will have the opportunity of observation and experience of every type of engineering work and of mixing with people concerned with such work in a manner quite impossible in Nigeria. Only in this way will a young African engineer enter the service on equal terms with his expatriate colleague, and accordingly I am a strong supporter of the overseas scholarship principle. The statement that this country is prepared to make mistakes and to profit by them does not apply to engineering. Engineering mistakes profit no-one. They are merely an utter waste of money. Surely it is far better to build up on sure and sound foundations an efficient engineering service of which Nigeria can be proud.

Sir, I beg to support the Appropriation Bill.

The Hon. the Director of Education :

Sir, it is customary during the debate on the Appropriation Bill for Honourable Unofficial Members to level forceful and insistent demands at the Department whose activities I have the privilege to direct. The fact that the intensity of their bombardment has on this occasion sensibly diminished may perhaps be due in part to the congenial atmosphere of Kaduna. I hazard a guess, however, that it derives in greater measure from the fact that as practical men of affairs coming from all parts of the territory they have, with the process of regionalisation, come to closer grips with the fact that the extension of a programme of educational, or indeed any other expenditure, must bear a close relation to the means of financing that expenditure.

Nevertheless, Sir, I continue to be enjoined to do things which offend against that impeccable principle. For example, many citizens of this country evince a desire to have a secondary school on their own doorstep. It has been said before, but it is worth repeating, that quantity must not be sacrificed to quality, and that a popular demand for a large increase in the number of secondary schools without regard for staff and other considerations would defeat its own object, and that it would be exceedingly unwise were the people of Nigeria to see arising in their midst institutions which are not secondary schools but which are merely called secondary schools. In point of fact there has been considerable development in the field of secondary education, though this may not be perceptible to the layman, who is apt to forget that it takes some eight years to build up a good secondary school.

My department, however, has not overlooked the fact that progress at any one level of education is not an independent thing, and that the key to educational development in Nigeria at present

is the operation of well staffed secondary schools. The possibility of a University is contingent on this. Nor is efficient secondary education merely the basis of higher education. From it, on the other hand, must come those men and women who are to be trained as effective teachers in the primary schools. Now, Sir, these desirable things cannot be achieved at once. Interim measures are needed, and where these fall short of the ideal they are necessary as stepping stones to that ideal. The existing Middle Schools in the Northern Provinces are a case in point. They are hybrid affairs which act as a bottleneck, but it would be folly to eliminate them with a stroke of the pen. For the next few years they will be needed pending the emergence of senior primary and full secondary schools.

In the meantime Honourable Members have been informed in Your Excellency's printed address of the progress made in the strengthening of teacher training and of secondary education in Government institutions and in the development of technical education. As regards the voluntary agencies, these have been assisted to the tune of £100,000 in respect of some fourteen secondary schools, and of a similar figure in respect of teacher training, from funds approved by this Council for the development of general education.

Some members, notably the Fifth Honourable Member for the Eastern Provinces, and the Third Honourable Member for Lagos, continue to confuse mass education with universal compulsory education. Government's policy as to the former has been laid down in recent years by Lord Milverton in his addresses to Council and, with your permission Sir, I will quote from the last two of these addresses and first from that of 1946:

"The relevant State Paper did not intend compulsory schooling for all. On the contrary, it advocated voluntary teaching and voluntary learning for those, mainly adults, who had not had the privilege of attending school. Nor did it contemplate a simultaneous attack on the whole body of uneducated adults. It contemplated a series of efforts to attract the public in areas which appeared to promise a popular response. Once more, mass education was to be more than mere literacy, though literacy was to be a necessary condition. The idea is to take one or more themes which are of great interest in the area selected and to make of these the literary staple."

And again in 1947:

"When addressing you at last year's Budget Session, I dealt with certain misconceptions in the public mind on the subject of mass education, and emphasised that a concerting agent was required. The Mass Education Officer has now arrived on the scene and set to work with notable speed and enthusiasm. In the past the success achieved in adult education has been proportionate to the interest taken in experiments by

the people's natural leaders. When the effort has been dependent on the temporary presence of an enthusiastic African or European, the campaign has too frequently been evanescent. A programme has been mapped out whereby campaigns will be started in certain selected areas where the leaders of communities are likely to give them full support and personal interest. It is proposed to support these campaigns by the production of literature in the form of booklets. Adult readers have now been produced in the principal languages, and a programme of one booklet a month in each of these is contemplated. Some of these publications will be propaganda booklets prepared with the assistance of the medical, agriculture, forestry and other departments. To stimulate local interest, assistance is being given to the production of local news sheets. Present indications are that there exists a demand for fundamental education amongst a considerable proportion of the unschooled population. If the initial interests shown is maintained and spreads, it is hoped to follow up the programme of fundamental education by one of social education on the lines proposed in the white paper."

That, Sir, has been Government's policy during the last two years, and in your own printed address you have indicated the progress made in development of that policy. On this subject my Honourable Friend the Emir of Abuja urged an increase in follow-up literature, as did my Honourable Friend the Third Member for the Eastern Provinces. The Honourable the Acting Development Secretary has dealt with that matter in his speech, and as for the request of the latter Honourable Member for a review of the status of men and women trained in linguistics at the school of Oriental and African studies, I will investigate the matter.

As to free and compulsory education, Sir, I can only repeat what I said on this occasion last year, namely, that its adoption, even if sufficient trained teachers were available, which they are not, would involve an altogether disproportionate amount of the territory's revenue: that there are considerable parts of the territory where prejudice against education is only now giving way to a certain degree of responsiveness, and, finally, that free education in the United Kingdom followed several decades after the adoption of compulsory and universal education. In brief, the school population of Nigeria cannot possibly be considered as a whole, since development has not proceeded uniformly in all parts of the territory. Nor have girls attended school in the same numbers as boys.

Again, the method of financing education must for some years vary with the predilections of the Regions. For example, in the Northern Provinces, where taxation is higher than in the other Regions, and where the tradition is strong that a general tax should cover all possible demands on the citizen, it is reasonable that school fees should not be charged until there is a really popular demand for education. In the Eastern region, on the other hand, where taxation

is much lower, there is a tradition of voluntary contribution, and I may say that in that Region the amounts contributed voluntarily towards education considerably exceed those disbursed by the Native Authorities in the Northern Region. I mention those facts, Sir, if only to illustrate that allegations of the subsidization of one region by another merely tend to darken counsel.

The Honourable the Emir of Abuja stated that the prime need of the North at present was education, and several members, not only from the Northern Region, welcomed the offer conveyed in Your Excellency's spoken address. I sincerely hope that the Northern Region will accept that offer with open arms, but I should be lacking in candour if I did not refer to certain factors which, quite apart from the very slender foundation of primary education on which we have to build in that Region, are likely to retard the advance which is so sorely needed. I will mention only four. First there is the backward drag of the system of purdah; second there is the further overloading of the primary school curriculum by the proposed introduction of yet another foreign language—English. Thirdly, there is the disposition to regard education as the business of that mystical entity, "Government", and not of the communities concerned. Fourthly, there is the fact that hitherto, probably for economic reasons, it has been the practice for Northern children to enter schools at a relatively late age. I will deal briefly with the third of these factors only; and leave Honourable Members to reflect on the others. My point is this, that the school cannot influence society until society itself has begun to change, and unless the schools are integrated with the communities which they are supposed to serve a process of ossification sets in. My appeal to Honourable Members, therefore, and particularly to those from the North, is to do all in their power to encourage the formation of parent-teacher associations, local school committees and the like, so that the primary schools may be really live institutions.

I now turn to a miscellany of points raised in the course of the debate, though I do not propose to deal with the many points of detail which were raised by Honourable Members. I hope that they will raise them in Select Committee.

The Honourable the Fifth Member for the Eastern Provinces brandished a code dated (I think he said) about the year 1902, and counselled me to include, among other things, Hebrew and astrology in the curriculum. May I inform the Honourable Member that the school syllabuses are at present undergoing revision by the Board's Curriculum Sub-Committee, and that any constructive suggestions which he may see fit to transmit to that Committee will, I am sure, be studied with the liveliest interest.

The Honourable the Oba of Benin referred to religious instruction in training centres and urged that it should not be a barrier to admission. On that point, Sir, it is only reasonable that, where a centre is established by a society with a particular religious

faith, the majority of entrants to the centre, other things being equal, should comprise adherents to that faith. For entrants of another persuasion, however, the rights of conscience are inviolable. That is the type of problem which it is proposed to resolve by the appointment of Boards of Governors at institutions which benefit from assistance under the development scheme.

Certain honourable members complained that admission to Government schools—Umuahia and Kaduna were specified—was made on a regional rather than a territorial basis. That is so, Sir, and I consider the practice a wise one until such time as regional differences have been ironed out.

The Honourable the Second Lagos Member alleged that there was victimization at Kaduna College and employed the adjectives "painful" and "baneful" to the pupils' traditional method of salutation to their superiors. As he went on to say that education should fit children to their environment, I do not think that I can usefully add to the comments on the subject made by the Honourable the Second Member for the Northern Provinces. My Department does not propose to interfere with accepted methods of salutation until society has clearly indicated a desire that they be modified.

The same Honourable Member referred to the question of grants-in-aid to private schools, as did the Honourable the Third Member for Lagos. I dealt with this matter when replying to the debate on Sessional Paper No. 20 of 1947 and do not propose to enlarge on what I said on that occasion.

The Honourable the Second Member for the Northern Provinces in the course of his forthright speech alleged that Yaba students from the Northern Region were considered to be backward and a nuisance. I replied to the Honourable Member's allegation in an answer to a question addressed to me at the last session of this Council and I have nothing to add to that answer except to say that whatever may have been the shortcomings of these students in the past they were certainly not regarded as nuisances.

The Honourable the Third Member for the Northern Provinces referred to the difficulty of recruiting young people for the teaching profession and mentioned as one of the reasons for this state of affairs the equation of teachers and clerks by the Harragin Commission. As to that, I can well understand that a young person is more attracted by the prospect of an immediate salary as a clerk than by the alternative of undergoing two years professional training as a teacher, and that he overlooks the fact that in the long run teachers can attain to greater heights. The Fourth and Fifth Honourable Members for the Northern Provinces tendered advice on the recruitment of staff, the use of temporary buildings and the adaptation of existing buildings. The points which they made in the course of debate will not be overlooked.

My Honourable Friend, the Second Nominated Member, drew attention to difficulties which would be encountered were expenditure on social services to outstrip that on economic services. His main theme was the need for the improvement of the quality of Nigeria's exports if disaster were to be avoided, and I am sure his point was appreciated by the Council. For myself, I have always found it difficult to understand how improved methods can be inculcated into an illiterate peasantry. The remedy, in so far as the Department of Education can help, seems to be that propounded by the Honourable the Fifth Member for the Northern Provinces, namely a campaign of mass education in the rural areas in close co-operation with the Department of Agriculture.

I was asked by the Honourable the Third Member for Lagos to take note of the success alleged to have been achieved in Brazil and Russia in combating illiteracy. I am aware of the experiments in Brazil, but I am not quite clear how far they have gone. As to Russia, the Honourable Member will recollect that the spearhead of the movement was the Red Army, and that the methods employed might not commend themselves to the inhabitants of Nigeria. In fact, the impetus must come from the community itself, and such a drive is not susceptible to five year planning or ten year planning unless there is an emotional drive from the people themselves.

The Honourable the Second Member for the Western Provinces alluded to the improved lot of the teaching profession, but complained of the delay in the distribution of grants-in-aid. I do not know whether the Honourable Member has forgotten that a further sum of £85,000 was voted by the Finance Committee of this Council to enable payment to be made before the close of the present financial year of the total amount due to the assisted schools in respect of the first quarter of the calendar year. That decision has resolved the problem whereby payments were made one quarter in arrears, a system in operation, I may say, since 1921, when Government decided to adopt the 1st of April as the beginning of its financial year.

Several Honourable Members welcomed the establishment of the University College at Ibadan, and some, notably the Third Member for the Eastern Provinces, emphasised the importance of setting up high standards from the outset. I greatly welcome that expression of opinion, and hope that the gentlemen elected by Honourable Members to serve on the Provisional Council of the College will be insistent in their demands for quality. I would ask Honourable Members to bear in mind that a University is not a mass production vocational machine, but a place where carefully chosen young people of adequate mental attainments are fitted to take their places in the different professions, but at the same time are given the outlook necessary for them to play their part as citizens in a much wider sense. If entry into the University College comes to be regarded as entry into Government service, the real justification for the University's existence will have been forgotten.

The Honourable the Emir of Abuja enquired as to the percentage of students from the Northern Provinces likely to be admitted to the University College. That is a matter for the College authorities, but I should myself judge that at the outset the number will be small, since, as the Honourable Member observed, the North has been slow to accept new ideas. My own opinion, however, is that the North, by eschewing the meretricious allurements of external examinations, will be the gainer in the long run.

Several Honourable Members deplored the absence of a faculty of engineering from the embryo college. That decision, which was taken on the expert advice of the Inter-University Delegation, derives not only from the formidable cost involved, but mainly from the fact that a fully qualified engineer must undergo his practical training in conditions just explained by the Honourable the Director of Public Works.

The Fourth Honourable Member for the Eastern Provinces inquired as to the position regarding a Regional College or Colleges. Council will recollect that the proposed Regional Colleges will differ from the territorial colleges proposed by the Minority Report of the Elliott Commission in one important respect. They will not have as one of their primary functions, teaching for the intermediate examination which is quite inappropriate as a finishing examination. That does not mean that the work of the Colleges will be on a lower level, but that it will be carried to the same level, but tested by a more appropriate finishing examination. In other words, they will provide various forms of "skill training" needed for employment in vocations that do not require University training.

The report of the Inter-University delegation on the subject provides a problem of peculiar difficulty. In the long list of activities which it is suggested should be undertaken by this type of college, a decision will have to be taken whether emphasis should be laid on the polytechnic aspect, in which case the college will have to be integrated with the scheme of technical education, or on the training of secondary school teachers, social welfare workers and the like, in which event these functions can be most effectively carried out at the regional level. For the solution of this problem a special investigation is clearly necessary, and Government is at present considering how this should be undertaken.

I come now, Sir, to the question of overseas scholarships, a topic which is manifestly one of considerable interest to Honourable Members. It is not very long ago since it was reported to Lord Milverton that the Central Scholarship Selection Committee, however valiantly it might strive, must inevitably incur the displeasure of Chief Commissioners, Bishops and other less important members of society. I therefore propose to defend that much maligned body, of which I happen to be a member, along with my Honourable Friends the Chief Secretary and the Director of Medical Services, not to mention several others, including several African ladies and gentlemen. But before doing so I would inform Honourable

Members that my department does not administer these scholarships. The amounts that appear under the relevant sub-head of Head 32 of the draft Estimates are inserted there merely for purposes of convenience. The Honourable the Third Member for the Eastern Provinces hinted, I think, that Government had not spent all the money or was not endeavouring to spend all the money provided in the Estimates for Scholarships. I have just learned, Sir, on that point that the latest revised estimates of expenditure under Head 13 Education, sub-head 15, Scholarships, Students Welfare, etc. is £30,800, that is, the full amount voted by this Council. The actual balance on December 31st, 1947, was £9,670.

Now, Sir, as to the mechanics of selection. Briefly, Regional Committees are appointed to examine the credentials of potential scholars who submit their applications to the Secretaries of these regional bodies in accordance with conditions prescribed in the Nigeria Gazette. The Regional Committees then draw up short lists of candidates and persons who appear on these lists are interviewed by the Central Committee. After interviewing the candidates recommended by the Regional Committees, the Central Committee submits recommendations to Your Excellency in respect of persons interviewed, and in making its recommendations the Committee takes an objective view of the needs of the territory as a whole. It follows, therefore, that scholarships are awarded on a territorial and not on a regional, and still less on a provincial, basis. Candidates are recommended after careful assessment of their natural ability and suitability for further training irrespective of their tribe or habitation, and I suggest to Honourable Members that that is the only reasonable criterion for adoption in the matter, despite their pleas for regional or, indeed, provincial quotas. As to the suggestion by the Honourable the First Lagos Member that the Selection Committee is animated by religious bias, I can here and now categorically refute that allegation.

The Honourable the Second Lagos Member, supported, I think, by a few others, urged that scholarship awards should be greatly increased. He suggested a figure of 200 annually for five years and implied that such a course would, if adopted, minimize complaints about shortage of trained staff. I think, Sir, that it is only right I should inform Honourable Members that the Selection Committee was considerably disquieted by the fall in the standard of this year's applicants for scholarships, and that being so, I suggest to the Honourable Member that we have "scraped the barrel dry" (I hope only temporarily), and that his proposed solution of the problem would involve the sending overseas of persons of indifferent calibre who on their return, were they to be given posts of responsibility, would merely reduce the efficiency of the service. I suggest to the Honourable Member that if the Africanization of the Service is to be accelerated by such methods it would be no service to Africa, and I would remind him, Sir, of your remark at the last session that there is one form of discrimination which should be retained in the Service, and that is discrimination against inefficiency.

Sir; my last point concerns African tradition and culture. We have heard much argument on these matters in the course of the debate and as a dispassionate observer I have listened to Honourable Members with the keenest attention. Everyone with the slightest interest in the history of ideas will recognize the questions now in dispute. Here in this very hall have been enacted in miniature, the perennial conflicts, the past and the present, heritage and change, tradition and innovation, authority and reason, realism and nominalism, absolutism and relativism and all the other isms which now rend this distracted world of ours and provide rallying points for thought and action. Here too in this hall I have discerned the never ending attempt to find a middle to the road, to face adventure without losing security. On that note, Sir, I conclude my commentary on the criticisms of the Department of Education made during the debate. May I thank, albeit belatedly, those Honourable Members who were good enough to speak in appreciative terms of the work of my staff and myself. Their remarks will be a source of great encouragement. May I also thank, almost equally warmly, those Honourable Members who refrained from mentioning the subject of education.

His Excellency the Officer Administering the Government :

Council will now adjourn until 9.30 tomorrow morning.

Council adjourned at 12.35 p.m.

Debates in the Legislative Council of Nigeria

Saturday, 13th March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 9.30 a.m. on Saturday, the 13th of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Chief Secretary to the Government.
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Commissioner of the Colony,
The Honourable E. A. Carr.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.

The Senior Resident, Oyo Province,
 Commander the Honourable J. G. Pyke-Nott, R.N.
 The Secretary, Eastern Provinces,
 The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

The Member for the Colony,
 The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
 The First Member for the Western Provinces,
 The Honourable Akinpelu Obisesan.
 The Second Member for the Western Provinces,
 The Rev. and Honourable Canon S. A. Delumo.
 The Third Member for the Western Provinces,
 The Honourable T. A. Odutola, C.B.E.
 The First Lagos Member,
 Dr the Honourable I. Olorun-Nimbe.
 The Emir of Gwandu,
 The Honourable Yahaya, C.B.E.
 The Emir of Katsina,
 Alhaji the Honourable Usuman Nagogo, C.B.E.
 The Oni of Ife,
 The Honourable Aderemi I, C.M.G.
 The Oba of Benin,
 The Honourable Akenzua II, C.M.G.
 The Atta of Igbirra,
 Alhaji the Honourable Ibrahimia.
 The Emir of Abuja,
 The Honourable Sulemanu.
 The First Member for the Northern Provinces,
 The Honourable Bello Kano.
 The First Member for the Eastern Provinces,
 The Honourable C. D. Onyeama.
 The Second Member for the Northern Provinces,
 The Honourable Abubakar Tafawa Balewa.
 The Second Member for the Eastern Provinces,
 The Honourable H. Bowari Brown.
 The Third Member for the Northern Provinces,
 The Honourable Iro Katsina.
 The Third Member for the Eastern Provinces,
 The Honourable A. Ikoku.
 The Fourth Member for the Northern Provinces,
 The Honourable Aliyu, Makaman Bida.
 The Fourth Member for the Eastern Provinces,
 Dr the Honourable F. A. Ibiam.
 The Second Lagos Member,
 Dr the Honourable N. Azikiwe.

- The Second Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

ABSENT

OFFICIAL MEMBERS

- The Attorney-General,
The Honourable G. L. Howe, K.C.

UNOFFICIAL MEMBERS

- The Third Nominated Member,
Major the Honourable J. West, M.C.
- Temporary Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 12th of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; No. 22 by the Honourable the Member for Calabar; Nos. 35, 38, 44, 51 and 53 by the Honourable the Member for the Colony; Nos. 56, 61, 63, 65 and 66 by the Honourable the Atta of Igbirra; Nos. 68 and 74 by the Honourable the Second Member for the Western Provinces; No. 78 by the Honourable the Fourth Member for the Eastern Provinces; Nos. 89, 93, 94, 104, 114-117, 126, 129, 130, 134, 140 and 145-151 by the Honourable the Second Lagos Member; No. 166 by the Honourable the Second Member for the Eastern Provinces; No. 167 by the First Member for the Eastern Provinces; Nos. 183-186, 188, 192, 200, 204, 206, 211, 213, 214, 216 and 220-222 by the Honourable the Second Lagos Member; Nos. 235 and 238 by the Honourable the Fourth Member for the Western

Provinces; Nos. 239-242 and 245 by the Honourable the Third Member for the Western Provinces; Nos. 248 and 258 by the Honourable the Fourth Member for the Western Provinces; Nos. 262-316 by the Honourable the Second Lagos Member and No. 317 by the Honourable the Third Member for the Eastern Provinces are not yet ready.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) During the labour trouble between the United Africa Company Limited and their employees at Burutu, how many workmen were (a) killed (b) injured, as a result of police action?

(b) Were the workmen armed? If so, with what weapons?

(c) How many policemen were (a) killed (b) injured, as a result of offensive action by the workmen?

(d) What was the necessity of firing on the workers?

(e) Will the Government appoint a Commission of Enquiry into this incident?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (a) None.

(b) Two persons only are known to have been injured. There may have been others who did not report having been injured.

(b) Yes: with stones, spades, bottles and sticks.

(c) (a) None.

(b) Ten men were treated for cuts and abrasions.

(d) To disperse a riotous assembly comprising about 500 persons which had:—

(i) already attacked and injured three peaceful citizens, two of them seriously, and had caused damage to property,

(ii) refused to disperse and return peacefully to their homes following a warning to do so by a Superior Police Officer,

(iii) overcome a Police Baton Party which was sent to disperse them following the warning given in (ii) above and which had to withdraw behind the Police Rifle Party,

(iv) refused to disperse following a second warning to do so by a Superior Police Officer,

(v) commenced to advance on and to throw missiles at the Police Rifle Party.

(e) It has already been announced that a Commission of Enquiry is to be appointed to enquire into and report on the action of the Police on the occasion referred to by the Honourable Member and it is suggested that the report of the Commission should be awaited.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

Whether it is not considered advisable that petitions addressed by a Native Administration employee or a peasant to Chief Commissioners containing charges, such as murder, man stealing, etc., against a Native Authority should not in the first instance be referred to the Native Authority for his comments before submission? If not, why?

Answer—

The Hon. the Chief Secretary to the Government:

It is not possible to lay down a hard and fast rule but the comments of a Native Authority would normally be invited on any petition making complaints against that authority.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

(a) How many subordinate Native Authorities are there in the whole of Nigeria?

(b) To which Native Authorities are these subordinate?

Note.—Figures to be given province by province, please

Answer—

The Hon. the Chief Secretary to the Government:

(a) There are 681 subordinate Native Authorities in Nigeria.

(b) The information which the Honourable Member requires is given in respect of the Colony in Public Notice No. 213 of 1947, in respect of the Eastern Provinces in Public Notice No. 6 of 1948, in respect of the Western Provinces in Public Notice No. 10 of 1947 as amended by Public Notice No. 6 of 1948, and in respect of the Northern Provinces in Public Notice No. 95 of 1945 as amended by Public Notice No. 121 of 1945, Public Notices 133, 134, 168, 175 of 1946 and Public Notices 156, 165, 175, 217, 221 of 1947. The Honourable Member is referred to the Gazettes in which these notices appear.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiyam):

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

(a) How many promotions were there among the staff of the Central Government in the Ogoja Province in the following Departments, Judicial, Police, Posts and Telegraphs, Prisons and the Provincial Administration?

(b) How many similar promotions were there in the following Provinces, Calabar, the Cameroons, Onitsha, Owerri and the Rivers?

Answer—

The Hon. the Chief Secretary to the Government:

(a) I regret that there are no records available to show where every officer who has been promoted in the past was stationed at the time of his promotion.

(b) Does not therefore arise.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Has the Administering Power responsible for the non-self-governing territory of the Colony and Protectorate of Nigeria volunteered to transmit information to the United Nations in regard to the development of self-governing institutions in this country, in conformity with the spirit of Article 73 of the Charter of the United Nations?

(b) If so, will such information be laid on the table of this Honourable House?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir. Such information is not required by Article 73 of the Charter.

(b) Does not arise.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

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

What are the basic salaries being drawn by Africans in the grades mentioned in Question No. 157 under the Harragin Schemes?

Answer—

The Hon. the Chief Secretary to the Government:

4 Marine Officers—£540 per annum.

3 Marine Engineers—£540 per annum.

2 Assistant Naval Architects-in-training—£112 per annum.

3 Accountants—2 at £590 and 1 at £450 per annum.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Will Government be disposed to consider the appointment of Nigerian and Cameroonian citizens to serve on the British Government's delegation to the United Nations, either as experts or as observers?

(b) If not, what is the reason?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Appointments to the British Government's delegations to the United Nations are not made by this Government,

(b) Does not arise.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

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

Is it true that Administrative Officers, Education Officers, Medical Officers, etc., visit Ijaw Districts very seldom because of lack of transport?

Answer—

The Hon. the Chief Secretary to the Government:

It is correct that difficulties of transport impose very considerable limitations on the amount of travelling which can be undertaken in many Ijaw Districts. Both Administrative and Departmental Officers, however, make every effort to carry out as much touring as these difficulties, and the existing staff position, allow.

Supplementary Question to No. 257. The Second Member for the Eastern Provinces (The Honourable H. Bowari Brown).

Your Excellency, I should like to know how long this deplorable state of affairs will continue in the Ijaw district, considering the fact that most parts of this district are so very much neglected that people are living under appalling conditions. I am sure it does not reflect anything like credit on the Government.

Answer—

The Hon. the Chief Secretary to the Government:

I think it is hardly possible to add to the reply which has been made at this time, but I will take note of the comment which has been made by the Honourable Member.

The Hon. the Director of Medical Services:

Sir, as compared with former years within my experience, there has been so little criticism of the Medical Department during this debate that when I enter the inquisitorial chamber next week to face the Members of the Select Committee I shall do so with no small degree of trepidation. Moreover, it would not appear that I need speak at any length, as, in the first place, I have no desire to contribute to the popular topic of under-development and, secondly, I have previously had occasion to speak upon the major points of policy raised, such as private practice and the Private Hospitals Ordinance.

Why this particular enactment should be regarded with such extreme disfavour I am at a loss to explain as from its very inception it was designed to ensure that members of the public entering such establishments would meet with conditions essential to the efficient practice of modern, scientific medicine. The appropriate regulations have been discussed from time to time with representatives of the Association of Private Medical Practitioners and with individual doctors both mission and private, including, if my memory serves me aright, the Honourable the First Lagos

Member. All appeared to be satisfied that, provided these statutory obligations are only enforced after a reasonable period for preparation, no hardship will, in fact, ensue, and I can assure this House that there will be no unreasonable or hasty application of any of the provisions of the Bill concerned. The Honourable the Third Lagos Member suggested that the nurse/bed ratio was somewhat liberal, but I can assure him that it is the very minimum consistent with a competent standard of nursing and that any reduction below this minimum will lead to the perpetuation of the arduous conditions appertaining to the nursing profession which we so deplore and are constantly endeavouring to alleviate. Two or three Honourable Members have suggested in one way or another that more use in the general scheme of matters medical in this territory should be made of the private practitioner, and the Honourable the Second Lagos Member went further to indicate his keenness to have socialized medical and midwifery services here, an aim with which I am in the fullest sympathy, not, strangely enough, being an ardent opponent of (the notorious) Mr Aneurin Bevan. I believe, however, that he will be the first to agree that at the moment this can only be a goal to be attained by graduated stages. Some form of national health insurance must come, Sir, but essential prerequisites include the universal organization of labour and industry, and, of even more importance, a very great increase in the numbers of potential panel doctors. As a first step towards a comprehensive state medical service prefaced by a national health insurance scheme of more limited application, I would suggest, Sir, for your consideration that Government should seriously study the proposal I have in mind to offer inducement, either by way of subsidy or part time salary, to medical men not desirous of entering Government service to settle down in strategic areas in which it is beyond our immediate or near future resources to establish reasonable medical facilities and in which a private practitioner could not normally be expected to derive a living commensurate with his status and responsibilities.

The question of private practice, Sir, is by way of becoming a hardy annual, but to the statement made in this House on this thorny subject a year ago I can only add that I have since had discussions with yourself and with a committee in the Colonial Office, the outcome of which is eagerly awaited. Personally, I am as anxious as the most impatient Member to see this matter settled once and for all, as to me in my official capacity it is, to say the least of it, a source of considerable and irritating embarrassment. On first sight it may appear to be a simple matter to abolish the privilege by a bold stroke of the pen, but I can assure this House that the consequences of such an apparently simple deed, and in my humble opinion a rash one, would prove even more embarrassing to the public as well as to myself than the present situation. I am not naturally a pessimist but I am a realist and I foresee that serious disorganization of the medical services of this country would result through premature retirements and impeded recruitment.

My friend and colleague the Fourth Member for the Eastern Provinces raised two matters concerning mission hospitals, namely, the provision of an electric light plant and construction out of development funds of a United Mission Hospital. The position in regard to the latter project is that after considerable discussion and correspondence the missions concerned are now busy preparing plans for submission to Government; while, as to the former query, I would invite my Honourable colleague's attention to page 177 of the Draft Nigerian Estimates, where at item 30 of scheme W he will note the sum of £12,000 has been provided for equipment for medical missions. This is mainly intended to cover the cost of X-Ray and electric light installations and he will further note that the item below provides £32,000 for buildings, a reasonable earnest, methinks, of Government's sincere intention to implement its revised policy regarding medical missions.

Lastly, Sir, I feel that I must refer to a rather grave charge brought against my department by the Honourable the Third Member for Lagos who submitted that the medical authorities were guilty of obstruction in respect of the preliminary arrangements for the funeral of the late, lamented patriot, Herbert Macaulay. I believe that the true facts of the case have been communicated to the Honourable Member by my friend and colleague the Honourable the First Lagos Member and that as a result he is prepared either to withdraw the charge on the grounds of mistaken identity or to reduce it from one of obstruction to one of somnolence, in consideration of the fact that the matter, settled I may say within the hour, was only brought to my notice round about midnight when I am normally either sound asleep or tossing about in bed wondering which of my many deficiencies, actual and alleged, are going to be revealed later on in the day in the local press.

Sir, I beg to support the Appropriation Bill.

The Hon. the Director of Agriculture :

Your Excellency, before I proceed to consider the points discussed by Honourable Members on the work of the Agricultural Department, I propose, with Your Excellency's permission, to give the House some information about progress made by the Department in connection with the Development Plan. The projects for which the Development and Welfare funds have been used range over all three Regions. They include in the Northern Provinces two experimental farms, one at Yola and the other at Maiduguri, each of these constitutes a headquarters for an Agricultural Officer and his staff and both farms are now in actual operation. A drainage and irrigation scheme in the Northern Provinces provides initially for work in the Niger and Sokoto Provinces. Expenditure has been incurred on small schemes in both Provinces. In this connection, I have recently had opportunity to consult members of a Rice Commission now in Nigeria whose recommendations will constitute useful guidance for future work in these and other Provinces. The

schemes already in operation include the provision of a poultry development centre and experiments with imported cattle in the Western Provinces. The farms on which these schemes are being developed are now fully established. A Development Officer is in charge of the work under the guidance of a Senior Agricultural Officer and a specially trained officer has been employed on poultry work. These schemes are conducted in close collaboration with the Veterinary Department. In the Eastern Provinces liming, manuring and livestock demonstrations are being conducted in order to show the value of lime on eastern soils. The use of plots on farmers' land had to be arranged for. This has presented some difficulty because of suspicion in the minds of the people. It is hoped that Honourable Members from the Eastern Provinces will do all that they can to dispel such fears. The cost of all this work, Sir, during the current year has amounted to about £50,000. The Oil Palm Research Station in the Benin Province is designed to serve the needs of both the Eastern and Western Provinces. Progress has been slow because of difficulties connected with building, but these are gradually being overcome and it is hoped that the station can be fully established during the forthcoming year. Expenditure on this station during the current year will amount to about £40,000 from Colonial Development and Welfare funds and about £13,500 from Nigerian funds. I propose now, Sir, to deal with the points raised by Honourable Members. I suggest that any of these which I happen to omit should be discussed in Select Committee. My Honourable friend the First Member for the Western Provinces made mention of the devastation and losses caused by black pod disease and swollen shoot disease. It is factually true that the shortfall in cocoa marketed from the main crop has been due mainly to the ravages of black pod disease. This disease takes a toll every year but its virulence is aggravated by heavy and prolonged rainfall such as that which occurred this year. The control measures which have been advocated by my department for several years and which have been given widespread publicity consist in the removal of diseased pods as soon as they appear. The diseased and shrivelled pods which are left on the trees after harvest should be removed for these harbour the disease and constitute an immediate source of infection. The remedy advocated is a simple one which can be carried out before and during harvest and which if generally adopted would reduce the disease to a minimum. It is to be hoped that the heavy loss suffered last year will bring home to farmers the importance of steadfastly carrying out these measures. Other remedies are under investigation but spraying and dusting are either impracticable or are certain to prove too costly at present for the average cocoa farmer. Officers of the West African Cocoa Research Institute at Tafo in the Gold Coast are conducting control investigations into this disease as well as into the swollen shoot disease of cocoa and it is confidently hoped that practical, new and effective remedies will be devised in due course. Upon the point raised by the Honourable the First Member

for the Western Provinces and the Third Lagos Member concerning assistance to farmers whose cocoa trees have had to be destroyed, I can now say that Government and the Cocoa Marketing Board have under consideration a proposal to make available certain funds to enable farmers to replant their cocoa. Cocoa nurseries of improved material are already being established in some areas. In this connection, Sir, it will be necessary, of course, to devise careful measures to see that the funds are expended in the way in which they are intended. It would be unfortunate if funds were utilized in such a way or the enterprise were made so profitable as to encourage a farmer to cut down not only diseased but healthy trees in order to obtain ready money. The Honourable the Second Lagos Member mentioned his desire to see established a faculty of agriculture in the University College. He will have appreciated now from a reply to a pertinent formal question that it is the intention of the University to establish such a faculty. The Honourable the Third Lagos Member advocated the extension of the cultivation of tobacco. Officers of my department are assisting the British American Tobacco in the development of this industry and beyond that there is little more that can be done at the present time. In respect of the training of ex-servicemen at Kaduna and elsewhere my department is willing and ready to assist greater numbers as suitable numbers come forward. My Honourable and Reverend Friend the Second Member for the Western Provinces questioned the reason why palm presses were not used more extensively in the Western Provinces. The use of these has been demonstrated in the Western Provinces from time to time but they have not been found acceptable to the people. The most apparent reason for this seems to lie in the somewhat different nature of the fruit produced in comparison with that in the Eastern Provinces. The fruit grown in the West is predominantly of a type with a thin pericarp. This means that the soft oil bearing material which covers the nut is small in comparison with the bulk of the kernel. In other words, the percentage of oil to kernel is small in comparison with that produced from Eastern Provinces palms. It may well be asked how these facts affect the use of palm presses. The explanation is that the high percentage of nut renders the work of operating hand presses very laborious, more laborious than Western Provinces' farmers seem prepared to face. This does not mean, however, that the position is hopeless, for Pioneer Oil Mills with their facilities for mechanical pressing can operate satisfactorily. As my Honourable friend the Development Secretary has said it is intended by Government to facilitate the introduction of these mills to the Western Provinces. The Honourable the Second Member for the Eastern Provinces expressed hopes for agricultural development in the Rivers Division. I shall be glad to discuss this in some detail in Select Committee. My Honourable friend the Second Nominated Member in his able address stressed the need for a more brisk policy in agricultural development. I am fully appreciative of the need for expansion of the work of my

department, and for the first time since the war I have quite recently received an assurance of the availability of mechanical agricultural equipment in sufficient quantity to enable demonstration of an appreciable scale to be started. I shall refer more fully to this and to staff matters in Select Committee. There is, however, one point in this connection to which I suggest Honourable Members from the Provinces will wish to give some thought. It is not economically practical to use heavy equipment on very small holdings such as those which obtain in this country unless a large number of boundaries of these can be crossed and recrossed. It is desirable, of course, that heavy machinery should operate over large areas in order to effect maximum economy and it is desirable also that ploughing of land should take place on the contours. This will inevitably destroy at least temporarily the traditional farm boundaries as they now exist. It will necessitate a great measure of readjustment and co-operation and probably some little sacrifice on the part of those who desire to participate in the use of modern equipment. I have been assured by some of the Emirs and their Councils that adjustment of practice in this manner can be readily made but I wish to say that it will assist me very greatly if Honourable Members will give thought to the best means by which these adjustments can be made. When I was recently in Sokoto Province I witnessed the use of a tractor there in ploughing heavy land in preparation for rice. This has attracted a very considerable amount of attention and while in discussion with the Council of the Emir of Gwandu I ascertained that farmers were paying as much as up to £3 or £3 5s an acre in order to have the heavy top tilth or initial cultivation for rice carried out. It is quite certain that the use of mechanical equipment to reduce this somewhat high cost will be possible. My Honourable friend advocated the establishment of central nurseries for the sale of cocoa tree to farmers. A start has already been made in the establishment of nurseries for the supply of tress of high yielding parentage, and this work will be extended as rapidly as possible. May I say, Sir, that this valuable accomplishment has been made possible only by the employment of very highly qualified staff, a large part of whose work has been done in what my Honourable friend has chosen to call stuffy laboratories. The back-room boys do not always get the recognition they deserve. The Honourable the Fifth Member for the Northern Provinces has referred to the lack of a suitable export crop for the middle belt of Nigeria. I would remind him that the Colony and other adjoining provinces to the south of the Niger and Ilorin Provinces look to these areas in large measure for the maintenance of their food supply. There is always a good local market for high quality food supplies such as rice, yams, onions and other crops. There is an ever extending market for rice and I have made it my business recently to investigate the possibilities for extension of this crop on a large scale. It is true to say that expansion in the production of cotton and groundnuts can take place, particularly in the Niger Province, but in my opinion farmers in the Middle

Belt, including the Kabba Province, will have to rely upon revenue from the sale of food crops in West Africa for many years to come. It is my firm intention to give early demonstration of the value of mechanical equipment in these areas. Sir, I beg to support the Appropriation Bill.

The Hon. the Commissioner of Labour :

Sir, as I have already been stigmatized by one Honourable Member as being a square peg in a round hole, I will not claim the attention of the House for more than a few minutes, but there are just four points on which I would ask Honourable Members to bear with me. Firstly, the Reverend and Honourable Member for the Colony spoke of the dangers and the catastrophies resulting from the excessive number of hours during which motor drivers are compelled to drive their motor lorries. No one deploras these accidents more than myself, and I wish to assure the Honourable gentleman that my Department is fully aware of the strain on the drivers caused by these harsh working conditions. The matter has already been fully investigated by a Labour Advisory Board and recommendations have been made to the Governor in Council, firstly for the regulation of the hours during which a man may be permitted to drive, and secondly for adequate periods of rest. I trust that the fact that these steps have been taken will to some extent allay the apprehensions of my Reverend and Honourable Friend, and will also help to bring about an appreciable reduction in the number of accidents on the roads. The Honourable the Second Lagos Member referred to the tin mining industry and to the allegedly unsatisfactory wages paid to the workers in that industry. The steps which have already been taken here provide an excellent example of the two different methods which are employed for the regulation of wages and conditions of service. Firstly, and in the case of the unorganised and unskilled labour on the minesfields, a Labour Advisory Board has already made recommendations for a general increase in wages and for better conditions regarding food supplies and housing. These recommendations will be considered by the Governor in Council and if approved they will become legally binding on the employers. Secondly, the graded staff, and by the graded staff I mean the semi-skilled and skilled workers,—both technical and clerical—this staff is fairly well organised in the tin mines, and with the help of my department has succeeded in obtaining wage increases and better conditions of employment, following negotiated and recorded agreements with its employers. Thirdly, the Honourable the First Lagos Member complained that boys and girls leaving school in the Provinces in Classes II and III could not secure registration in Lagos, and that therefore they had no chance of obtaining employment there. Now, Sir, the position is this. Lagos is already inundated with boys and girls having Classes II and III Certificates, and already there is no work for the large majority of them. It would be, I contend, manifestly absurd to register large numbers of applicants coming in from outside Lagos and to throw them on

to an already saturated labour market. If by any chance they did succeed in obtaining employment they would only be depriving Lagos boys and girls of their chance of obtaining work, and if they did not succeed, which is much more likely, they could only hope to exist on the bounty of their friends and relatives, and large numbers of them would only drift inevitably into a life of crime. In my opinion, Sir, they are much better off in their own homes and villages. My Honourable friend went on to say that these same juveniles could not obtain registration in Ibadan, even though they were inhabitants of Ibadan. Sir, this is correct, because there is no general registration in Ibadan, and registration and labour cards are not required in order to obtain employment there. Fourthly, Sir, and finally, perhaps a word of explanation is required regarding the statement made in this House by the Honourable the Second Lagos Member. He told us that it had been decided to send a team of Nigerian athletes to compete in the British Olympic trials. No such decision has, in fact, been made, but in fairness to my Honourable friend I must go on to say that he gathered his information from an English newspaper, which he has kindly lent me, so that I could see the misstatement for myself. I repeat, Sir, no decision has been made in this matter. But the Athletic Association which I have the honour to represent has made recommendations to Government asking for financial assistance towards sending a few selected young men to England to take part in such competitions as the Athletic Association of Great Britain may consider desirable; and later on, Sir, it will be my pleasant duty to ask Honourable Unofficial Members in Select Committee to be as generous in this regard as they fairly and justly can be, bearing in mind that we are providing the first opportunity for Nigerian youths to show whether or not they are the equals of young men of other countries. For my own part, Sir, I feel assured and confident that they are. Sir, I beg to support the Appropriation Bill.

The Hon. the Chief Secretary to the Government :

In rising to make one or two general observations towards the end of this most interesting debate I am sure that Members of this Council will extend to me their indulgence. They will realise, I am sure, that it is not by any means easy for a comparative newcomer like myself to enter discussion of Nigerian affairs on equal terms in this Council.

At the beginning of the month when I took my place in the Council I felt rather as Daniel must have felt when he entered the lions' den. Indeed my position has been even more difficult and alarming than his. He was at least not required to make a speech to the lions—or to preside at a moment's notice in their deliberations. But in result I have been as kindly treated as he was and I should like to express my gratitude to all Honourable Members for the consideration and forbearance which they have shown to me.

I do not propose to reply to specific points of detail raised in this debate. The Honourable Financial Secretary is much better able to do so than I and I know that he is most anxious to deal with all these points either here or in Select Committee. My object is merely to make short reference to one or two of the questions which have been raised and to give you, for what they are worth, the impressions which I have formed on those questions since I arrived in Nigeria less than three months ago.

I should refer first to one point made by the Honourable the Fourth Member for the Eastern Provinces. Perhaps I may, in passing, extend to him my congratulations on the high standard of the contributions which he has made in the debates at this meeting of the Council. He said that important Bills and Motions had been delivered to members shortly before the Council assembled here and that the Council had had insufficient time to study them. As regards Motions, there is sound ground for the Honourable Member's criticism both in respect of a few Government Motions and a number of private Motions. We shall do our utmost in future to distribute Government Motions to Honourable Members well before the meeting and I hope that Unofficial Members will submit their Motions in ample time to allow prior distribution. But with regard to Bills, I am not sure that the Honourable Member's complaint is justified. All important Bills are referred to the Regional Houses in the first instance, and those few quite minor Bills which for special reasons have been dealt with at this meeting of the Council without prior consideration in the Regional Houses were duly printed for three successive weeks in the official *Gazette* as the Standing Orders provide. We entirely appreciate, however, the necessity to give Honourable Members the fullest possible opportunity to study the questions which are to come to the Council well in advance and I ask all Honourable Members to co-operate with us in securing that purpose.

Next I wish to refer to one important point raised by the Honourable the Second Member for Lagos. Before doing so may I, on behalf of Government, associate myself with the welcome extended to the Honourable Elected Members from Lagos by other Members of this Council. The Government warmly welcomes their decision to take their seats in this Council and I should like to add an expression of appreciation of the careful preparation and readiness to see the point of view of others and the good humour which have marked their contributions to the Council's debates. That does not by any means imply that I agree with all or indeed most of what they have said. It is perhaps a pity that the new spirit should be accompanied by old complaints. We shall have later opportunities of debating most of the major questions which they have raised and for the moment I merely wish to refer to one important point which affects this Council. The Honourable the Second Member for Lagos, amongst other points affecting the

constitution, cast doubt on the freedom of action of Nominated Honourable Members. He quoted a statement made by the Duke of Buckingham in 1868 in support of his theory. The admirable speech of the Honourable the Second Nominated Member was perhaps sufficient answer to the suggestion that Nominated Members are not free to criticise the Government. I did not detect any sign that he was cringing under Government pressure. What is more, the same authority quoted by the Honourable Member went on to make it quite clear in the subsequent paragraph that the Duke of Buckingham's comment is out of date and that Nominated Unofficials in general "have come to interpret their duties and opportunities not differently from elected members." The plain fact is, as we all know, and it should be widely understood by the public, that every member of the unofficial majority in this Council speaks and votes freely and fearlessly exactly as he wishes. Any suggestion to the contrary is dead—as dead as the Duke of Buckingham.

The next question to which I wish to refer is one which is of first importance to the agricultural community of Nigeria. The Honourable Financial Secretary proposed in his speech that for oilseeds a new Board or Boards should be set up for the marketing of palm oil, palm kernels, groundnuts and benniseed. He suggested that the model provided by the Cocoa Marketing Board might be followed. Honourable Members well know how far-reaching is the importance of that proposal. I do not pretend to have been able to study closely the working and functions of the Cocoa Marketing Board, but it is, as Honourable Members know, a statutory body with full powers to control the marketing of cocoa and to spend large sums in the interests of the growers. It is a body on which public spirited Nigerians of high standing and extensive experience sit down with officials and experts to work for the best interests of the cocoa industry. It is, moreover, advised by a Cocoa Advisory Committee which has a majority of Nigerians and is widely representative of the industry. The system may not be perfect. It may be improved with further experience, but it is, I suggest, a system which provides a new hope and opportunity for the great agricultural community of Nigeria.

It is of little use working for political self-government if the people through their representatives are to have no part in the direction of their economic affairs. In the Colony where I served previously the primary producers built up a number of powerful representative associations which have in recent years done magnificent work in the interests of the farmers. And when the time came for negotiations with the Ministry of Food about prices it was not only the Government on their behalf which carried out the discussions but representatives of the industry concerned went to London and conducted the negotiations direct with conspicuous success. I hope that we shall see the same achievement here in the

future. It cannot be done overnight. It requires patient education and organisation amongst the producers but I am sure that eventually it can be done.

Since I have been in Nigeria I have heard a number of references to exploitation and monopoly. We all know the historical reasons for that sort of criticism. It is well to be on our guard against such dangers, but fear of exploitation has, I think, had one dangerous result. It has bred in many people an inclination to criticise and oppose in questions of economic development and not to direct their energies to constructive work. I suggest to you that a negative attitude in these matters will get us nowhere. The higher prices now approved for our export crops provide an opportunity for a change of attitude. The best insurance for the future prosperity of the agricultural community is, I suggest, that they should co-operate together to protect and promote their common interests. That is a cause in which many agriculturists who have so far taken little or no part in public life will wish to give their time and effort. I confidently hope that the great opportunity will not be lost.

In this generation we in Nigeria have an enormous task before us in the field of economic development. Our aim is to make full use of the resources of this great country in order to increase Nigeria's national income and advance its general standard of living. Without that advance there is no hope of expanding the social services to the extent which we all want to see. Economic progress and development cannot, I suggest, be achieved by one particular method. Direct Government schemes can do something: we hope that public corporations will be able to do more. I have no doubt that if the right pace is to be attained we shall also need to attract private capital for new enterprises in increasing amounts from overseas. But I believe that the work of the Government and the public corporations, and private enterprise too, will not succeed unless one condition is satisfied, and that is that the Nigerian people are made true partners in the work to be done. The time is past when we can leave work of economic development solely to the experts. We must encourage Nigerian enterprises in every way, we must give opportunities for investment of Nigerian capital in new ventures, we must welcome Nigerian participation in new schemes, but perhaps most important of all we must encourage the agriculturalists themselves to organise together for their common good. That is why I commend so strongly to the Council the proposal that the palm oil and groundnut industries of Nigeria should be placed for the future on a new basis—on the basis of co-operation and greater security.

I should also like to make some reference to the Government Service. As a newcomer I can perhaps do so with greater freedom than those who have served in Nigeria in the past. I have had some opportunity of meeting members of the service not only in

Lagos but in the Provinces. It is well that we should all recognise the debt which Nigeria owes to its Public Service. A tradition of integrity and devotion to duty has been built up in this country which is now amongst our first national assets. Unofficial Members will know much better than I do what that tradition means to the people. Right through the country the people have learnt that when they approach the representatives of the Government they can expect a fair hearing and an unbiassed decision. One Honourable Member made reference, in jest I believe, to the picture of one man carrying another on his back. It is a false picture. Amongst the vast majority of the people I believe that Government officers in Nigeria are regarded certainly not as oppressors but as friends and helpful advisers, and indeed protectors against all forms of injustice. A tradition of freedom from partiality and corruption has been created in Nigeria which can stand comparison with that of any administration anywhere in the world. Everywhere I have been I myself have found in the Service an intense, almost a passionate, devotion to the needs of the people. I find Administrative Officers the first to denounce exploitation or injustice. I find Administrative Officers, and Departmental Officers too, putting before anything else the interests and needs of the people amongst whom they work.

We all hope that the number of Nigerians entering the Senior Service of Government will in the future steadily increase. We hope that that process will take place with gathering momentum. We welcome the representations which Honourable Members have made in this respect though, as the Director of Education has made clear, the extent of the sustained effort throughout our educational system which is necessary in order to accelerate the Nigerianisation of the service is not everywhere realised. We all hope to see the people of Nigeria taking an ever greater share in the direction of their own affairs. We believe in that policy as a matter of positive faith. We are determined to carry it out, not grudgingly and reluctantly but enthusiastically and confidently. We of the Government Service look upon our task at this time as a supreme opportunity. We do not regard our present policy as a departure from previous efforts but as a natural development and fulfilment of them. As more Nigerians come forward to take up positions of constitutional and administrative leadership that will be at the same time the achievement and the justification of our work.

As they do so I earnestly trust that they will not disregard the traditions which have been handed down to us by those who created our present administration. I trust that the fine spirit of devoted service to public interest will be treasured and maintained.

One Honourable Member raised the question of participation of Government officials in politics. On politics generally I might say at once that I agree with the Honourable the Second Member for the North that we need have no fear of increased political activity in our national life. It has been said that it should be part of a man's

religion to see that his country is well governed. It all depends what we mean by politics. If we mean malicious abuse and the pursuit of personal power we want none of it. But if politics means a keen interest in public affairs and a readiness to associate with others of like views to achieve common aims then we should welcome an increase in political activity. It is vital, however, that the position of Government officials in relation to politics should be clearly stated and understood. A Government officer may, of course, hold whatever private political opinions he wishes. It is, however, of absolutely first importance that his private opinions should not affect his official work. A Government officer has two main duties. First he must give honest advice without fear or favour. We do not want officials who allow their advice to be influenced by what they believe may be acceptable to their superiors. But his second duty is this. When a decision has once been given it is his clear duty to carry it out whether he agrees with it or not—and to carry it out with all the vigour and ability at his command. It would indeed be a bad day for Nigeria if the execution of Government policy became dependent on the private opinions, political or otherwise, of individual Government officials. If that ever took place we should be on a disastrous road and in the end we should have to come back and start again. The great work which we have to do in Nigeria can only be done if the Service remains a loyal and impartial servant of all the people of Nigeria.

Finally let me pay my tribute to the Honourable Members of this House for the way they have conducted themselves at this meeting of the Council. I earnestly assure the Honourable the Fifth Member for the North that suggestions made in this debate are given the greatest possible weight. I also take this opportunity to assure the Honourable the Third Member for the West that we shall take any steps which may be necessary to ensure that when members of this Council seek information from Government Departments they shall always promptly receive it.

During this debate we have certainly covered a good deal of ground. We have discussed a very wide variety of subjects—from the constitutional future of the country to the wearing of shoes, and from the original Nigerian treaties to the best method of consuming illicit gin without harmful effect. There are, of course, differences of outlook and approach. There are cleavages of opinion. It would be an unhealthy state of affairs if it were not so. Many members, particularly those with pressing administrative duties, have come here at personal sacrifice. They have come because they put the claims of their people before their personal interests and because they wish to ensure that the decisions taken here in this Council are sound and defensible. I congratulate them on their public spirit. I trust that the lessons in representative Government which we are learning in the Regional Houses and in this Council will take deep and lasting root. Whatever our differences of opinion or outlook, however strongly we may

disagree on the questions of daily debate, we all, every member of this Council, know that a prosperous and progressive Nigeria can only be built on the two rocks of an impartial and incorruptible public service and a Government and legislature which truly carry out the wishes of the people. On those essentials we all fully agree. I hope and believe that we can all continue to co-operate unreservedly to achieve them.

Perhaps Your Excellency will permit me to conclude with a personal comment. It has indeed been the most valuable and fascinating experience to me to be able to meet members of this Council and listen to their discussions. It has been a special pleasure to see opposite my friends from the North and to find in them the characteristics which I first admired in those whom I met in the tents of the deserts of Arabia. I then learnt to respect the religion and the civilisation of Islam which stands today, as it has always stood, for discipline, dignity, generosity and chivalry. It has been good, too, to hear from the East the philosophy of personal liberty and equality: to see from the West the example of a sense of public responsibility provided by a progressive aristocracy: to hear from the Elected Members what I think Lord Milverton described as a burning political zeal: to hear, too, such a valuable contribution on behalf of commerce from the Honourable Second Nominated Member and to appreciate the personality of the Senior Unofficial Member who occupies a unique place in the Council and in the affections of all its members.

Our strength is in diversity, and I suggest that if any of these elements were lacking the whole would suffer.

I regard it as a great privilege to work with Honourable Members and I pray that I may be able to be of some real service to them and to the great country which they so well represent.

The Hon. the Financial Secretary :

I am sure that I have the sympathy of the whole house in having to follow such a brilliant speech by the Honourable the Chief Secretary. It is in the Standing Orders, I believe, of this House, or perhaps a tradition that when maiden speeches are made that the person making that speech shall be heard without interruption. That Standing Order was quite unnecessary in the case of the speech of my honourable friend. May I take this opportunity to say, Sir, in the absence of my Honourable friend the Attorney-General, that the Chief Secretary may be assured of the support and loyalty of the whole Civil Service.

I did appreciate, Sir, the way in which this budget has been received, and I do accept on behalf of the members of my staff and many others the very kind and generous references which have been made by the majority of Honourable Members. This year has been a particularly difficult year in presenting the new estimates under the new Constitution. I think my Honourable friend the

Third Lagos Member referred to the lethargy of Government. I offer him secondment to the Finance Branch of the Secretariat. I should like to mention, and I hope it will not be considered, Sir, invidious, the work of the Government Printer in Lagos and his staff. He has worked during the last three months day and night in order to get these estimates in the form that the honourable members have now. I should like also to mention Mr Gray and Mr Adebo of my office. Mr Adebo is well known to this Council. He has acted as Secretary to the Select Committee on the estimates for a number of years. I regret that he will not act as Secretary to the Select Committee next year, because it has been decided to send him to the United Kingdom in order to get some further financial experience both in local government taxation and public finance generally, and he will also be seconded to the Colonial Office for a short time.

I do claim, Sir, that with some exceptions the proposals in respect of taxation and expenditure appeared to be acceptable to this Council, and I shall deal with those exceptions mainly in Select Committee, but there are a number of major issues which I would like to deal briefly with in the Council. There are, first, a number of matters not directly concerned with the Budget, and if I may have your permission, Sir, to use rather a full note on the first point, I shall be grateful to the House. The first part of the speech of the Honourable the Second Nominated Member, the Member for Commerce, referred to the position of officials in relation to United Kingdom income tax. It did sound to me as if he were accusing the official members of a crime similar to taking money from a children's money box. In fact when I left the chamber quite a number of members looked sideways at me. The facts are that just over a year ago a double taxation agreement was made between the British government and the government of the United States, and one of the clauses provided for a normal reciprocal arrangement whereby officials of the United States Government enjoyed certain immunity from the imposition of Income Tax in Great Britain during short visits to that country and *vice versa*. A similar clause was offered by the British Government during negotiations with this Government, when it was pointed out that if only officials were accorded the privilege, the result would be invidious and some odium would be directed at the officials. The matter, Sir, was pressed at a high level, but the British Government was not prepared to extend the privilege on the grounds that the principle involved had not been adopted in other agreements. Nor was it proposed to accept a new principle. Now the practical effect of the arrangement is, I believe, somewhat like this. A Government official who goes on leave for a short time to the United Kingdom in certain circumstances is not liable for British income tax, whereas on the other hand a non-official who visits the United Kingdom is

liable for British income tax in certain circumstances. Both the official and the non-official when they retire have to pay British income tax. I do sympathise, Sir, with the Honourable Member, and I undertake to forward his protest, again supported by this Government, to the Secretary of State, for representations to be made to the Board of Inland Revenue. Further, the Honourable Member will have the opportunity next week to raise the matter with the Commissioner of Income Tax, who will attend Select Committee, and who, in fact, was the representative of this Government in the negotiation. I come next, Sir, to the question of advances and basic allowances, on which quite a considerable time was spent in the debate. I understand that the Honourable the Second Lagos Member wanted more advances, whereas the Honourable the First Member for the Eastern Provinces wanted fewer and smaller basic allowances. The figures are as follows. In the Junior Service 410 advances have been made—motor car advances. In the Senior Service 1,775 advances have been made. (In passing, Sir, I would like to pay a tribute to the Posts and Telegraphs Department, who in the last few days have been most helpful in expediting replies to the many questions raised by Honourable Members of this House.) A suggestion was made that advances are approved in respect of persons requiring transport solely from their house to office. Now that is not so, Sir, and if the Honourable Member who suggested that would visit Lagos he would see each morning a broken-down Public Works Department' bus carrying a large number of officials from house to office. The Honourable the First Member of the Eastern Provinces gave us in some detail the position of a person who received an advance. Roughly it was this, that you applied for an advance, you were paid £400, then this Government paid standing allowances and mileage allowances at the rate of, I think the figure was £12 a month, and so that over a period of fifty months an officer received £600, whereas the car had cost £400, and he suggested that there was a profit of £200. He went on to say that no doubt the motor car would have some residual value, and he suggested a figure of £50, so that such an officer would have made a profit of £250. Now, Sir, I am a little diffident about this, for I did receive an advance for a motor car, but apparently, Sir, I bought the wrong type of car, because my car requires petrol and oil to make it go, and I have to pay for that petrol and oil. It requires money to be spent on it for maintenance, for repairs, for renewals, and I find at the end of each month, instead of having made a profit, that it has cost me five or six pounds, which I pay out of my own pocket in order that I shall carry out more efficiently my official duties. These allowances, I believe, came into operation in 1942. It was at a time when cars were in very short supply, when prices were very high, and a committee was appointed to report on the position. In the Gold Coast a similar difficulty arose, and it was proposed there, and in fact it was accepted that persons

who required cars for the efficient performance of their duties should be given a lump sum grant towards the cost of the car. In other words, if a car cost £500 the person was given a lump sum grant of, I believe, something like £100 to £150, and when the car was disposed of the Government had a claim on part of the residual value of the car. However I undertake, Sir, that before the next meeting of this Council I will investigate this matter. It will arise, because if the new duties which are proposed are approved by Council, it may be necessary to revise the mileage rates. But I promise to keep the Finance Committee informed of progress made. A suggestion was made that this Government was importing ready made uniforms from the United Kingdom. I have failed to find one instance of this, and I would be grateful if the Honourable the Third Lagos Member would give me the information which I have not got. A point was made, Sir, about the delay in the payment of pensions and gratuities. I admit that this was so, but in the last month, following an enquiry, I understand that the position now is very much improved, and that there are no reasons for complaint. The next point relates to Income Tax, the income tax of small and large companies. Take small companies first. An example given was that a company might have a capital of £500 and at the end of the year it has made a profit of £50 and has to pay £18 10s tax. Compare that with the person who invests £500 in a house. He pays according to the personal rates of tax. So does a shareholder who has invested his money in the company, although the deduction is made at the company rate he does get a refund. There is the further point, and it is a point in which I am very interested, and that is the suggestion that we should endeavour to encourage African enterprise by allowing a concession, in the first years of the registration of the company, provided that they do not distribute their profits but retain them for further capital expansion. I can say, Sir, that this is acceptable to Government, as a Draft Bill providing for a concession to new companies is already under consideration. Unfortunately there was not time to refer it to the Houses of Assembly, and so I directed it should be deferred until the next Session. As regards large companies—the company tax rates on large companies—some reference was made by an honourable member to “sleeping capitalists”. I have never found that capitalists sleep. The suggestion was that we in this country should raise the company rate in a range increasing to 15s in the £. There should be some relation between company rates of tax and individual rates of tax. In the United Kingdom, for instance, the company rate is 9s in the £, which roughly approximates the average rate of tax paid by individuals. In this country if a very high rate of company tax was imposed, the department would merely be spending time making a refund in respect of local shareholders in relation to their personal rates of tax, which may be at 4½d or

1s. or more in the £. The suggestion that an excess profits tax should be introduced, I think, Sir, is a bad one, because excess profits tax has to be operated in relation to a norm of profits in a previous period. As far as Nigeria is concerned, the company income tax is of very recent growth, and I do not believe that the necessary information would be available. But apart from whether the information is available or not, are we going at this stage, when other countries are reducing their rates of company tax and excess profits tax in order to attract capital investments, are we in Nigeria going to say "No, we are putting up these rates of tax". The Honourable the Second Lagos Member referred to a Czech company proposing, I think, to make rubber shoes and rubber products. Are we going to encourage that Czechoslovakian company to come into Nigeria when the rates of company tax go on a sliding scale up to 15s in the £. Is it not more likely that they will take out of this country the raw material and put their factory up in the Gold Coast. There is this further point. I referred to the double taxation agreement which Nigeria and other West African Colonies have made with the United Kingdom. I speak, Sir, as a Nigerian and not as an Englishman. We who are called to service in this country look upon it as the country of our adoption, and we do fight where necessary for the good of Nigeria and Nigerians, no less than any other member of this Council. The double taxation agreement with the British Government was a very delicate matter. One main question, the crux of the issue, was to determine the origin of profits. Primary products from Nigeria are sent to England and sold there, and it could be argued that the profit is not made in this country, but in England, and therefore the British Exchequer should take the full income tax on those profits. That is not the Government case which is that the profits can be said to some extent to be made here. Previously before this double taxation agreement our income tax rate I think was 5s in the £ company tax and the rate in Great Britain was 9s in the £, but the old agreement provided that we received 4s 6d out of the 9s. When the double taxation agreement was being negotiated, we pressed that that position was unfair, and that the profits in fact could be said to have been made in this country. The result was that under the double taxation agreement we now get our local rate of tax, 7s 6d in the £, whereas the British Government takes the rest—1s 6d in the £. If we now propose substantial increases in company tax rates and remember it is from these foreign companies that we do get the bulk of our company tax, if we do increase these rates it may well be that the British Treasury under the notice clause in the agreement will say "We wish to determine this agreement and to reconsider our position". For those reasons, Sir, I do suggest, I would urge this House not to increase the company rates of tax. I next refer, Sir, to the individual rates of tax raised by the Third Lagos Member. What he said was roughly this—that is it not unfair that the Europeans or non-Africans pay

at a flat rate, whereas the Nigerians pay at different rates. He appealed for this anomaly to be reviewed. I am grateful to him, Sir, for his suggestion, but I fear that I could not recommend acceptance, because it does seem to me to suggest that the Honourable Official Members of this House, who are paying tax at the rate of something of the order £300 or £400 a year, would only pay £150 a year, which would result in a considerable loss to our revenue. On the other hand, if his point is that because the rate is 5s in one district and 10s in another, therefore the rate in Lagos under the Income Tax Ordinance should be higher than elsewhere, I am afraid I do not follow him in principle. The varying rates under the Direct Taxation Ordinance reflects the different income levels of different areas, whereas the Income Tax Ordinance properly assumes the same income and expenditure of a taxpayer irrespective of area. When I come to Kaduna I pay exactly the same rate of tax as I do when I am in Lagos and I am not clear why it is thought it should be otherwise. If the Honourable Member wishes to follow that point, I shall be happy to do so, Sir, in Select Committee. I would like to refer next to the tin industry. Two points have been made, one regarding the export duties and the other regarding royalties. There are, in fact, no export duties in respect of tin, although under the Ordinance there is provision for what is in fact a cess. It was 1s 6d in the £, it is now 6s 8d in the £, and it is a cess in order to obtain from the industry a contribution to the International Tin Research Organisation. It is not a revenue measure. Now coming to royalties, Sir. Let me first deal with the matter in principle. Mining taxation is, as my Honourable friend suggested, a specialist subject, and I do not claim to be an expert on mining taxation, but I will put before the House certain points which should be considered. The first thing to remember in relation to mining taxation is that these companies take assets out of the earth and do not replace them, and that is a very sound argument for a high rate of tax. On the other hand, it must be remembered that mining is a very risky business. A lot of money is lost by people digging holes in the ground and finding that there are no minerals. But you must take those two points together and then determine what your rates and how you are going to impose your royalties. The present taxation of the mining industry includes income tax, on which it pays 9s in the £ and royalties at ten per cent of the London price. That means if the London price is £400 we get £40 a ton, if it is £500 we get £50 a ton and so on. Apart from that I do feel that Honourable Members know or should know the great importance to the economy of this country of the tin industry. The railway could not continue its present rates if there were no export of tin. The employment given in the country is very considerable, and there are varying contributions to Government revenue. Some reference was made by an Honourable Member to the goose which laid golden eggs, and I would ask the Honourable Member to remember that in this connection. But what is more important, Sir, than any of these

things, is the suggestion that the royalty rate should be increased from 10 per cent to 20 per cent or 30 per cent. I know that the Honourable the Second Lagos Member and the Honourable the First Member for the Eastern Provinces are not shareholders in the concession's company but if the royalties are increased that company would receive a higher payment on their 50 per cent share which the Honourable Members oppose. But something which is more important is that, at a time when the question of commuting or buying out this concession is being examined, that it should be known that the African Members of this House propose to increase the royalty rate, which would increase two fold and three fold the value of that concession. I do hope, Sir, that we shall hear no more about increasing royalty rates at this meeting of the Council. I was very interested, and I am sorry that the Honourable the First Member for the Eastern Provinces is not present, in the subtle way in which he proposed to remove the Honourable Official Members of this House from the Council. He suggested that officers who received over £1,500 a year should no longer draw expatriation pay. This question of expatriation pay was debated at length in the last Council. We were debating there the theory. Since then we have had the opportunity to examine the practice. The Honourable the Second Lagos Member said he did not know of any other country which offered expatriation pay. I can refer him to a number, from my last Colony in which I served, to East Africa where it is being adopted and in Hong Kong in the Far East and in Fiji in the Pacific. But we in Nigeria are in competition also with Commerce and Industry to obtain the services of the best people possible and if expatriation pay was abolished you would reduce the chances of getting staff for this country. It would be false economy, in my opinion, to reduce the rates of pay in the higher posts in order to save a certain amount of money. In case any Honourable Members feel in relation to the Standing Orders that I am speaking on something in which I have a personal interest, may I say that I can state objectively that it is in the public interest. May I pass, Sir, to import duties. I did endeavour in my opening speech to explain the principles on which we were imposing or suggesting the imposition of import duties. It did seem to me, Sir, that the Honourable the Second Lagos Member was rather inconsistent in his analysis, and I would have left the matter there except that an Honourable Member from the Eastern Provinces described the analysis as scientific, and I felt that I should correct that impression. He proposed that we should increase the import duty on wearing apparel. Now one of the things which I am so anxious to avoid is any avoidable increase in the cost of living in the lower income groups of this country. It cannot be said, surely, that those items listed as wearing apparel, singlets and so on, are not items of normal consumption of the average person in the lower income groups. Certainly as regards the civil servant and rates of pay in the Civil Service, which are of

great importance in the economy of this country, a substantial increase in wearing apparel would mean an increase in the cost of living, and the next thing we should be faced with a demand for increased wages to meet that increase. The next group which I have extracted from the Honourable Member's speech related to a reduction of duty on nails, butter and cheese and iron sheets. If you reduce the duty on nails, presently 8s 4d a hundred pounds, to 5s, does the Honourable Member really believe that that reduction would be passed on to the consumer who buys a pennyworth of nails. It would merely be putting money into the hands of the importer, the wholesaler or the retailer, and that we do want to avoid. He referred to reducing the duty on butter and cheese by a farthing. Would that really be passed on to the consumer, or would it again be handed to the retailer as an additional profit. The next group I took note of was that we should increase duties on motor spirits and oils. I have tried to avoid in respect of motor transport any increase in costs of distribution, particularly in relation to produce, but if the rate of petrol is increased from 10d to 11d or 1s you are going to increase the very rates which I believe it is in the interests of this country to keep down. The next group—increases in spirits, tobacco, cigarettes and other luxuries. I can take a completely objective view as regards spirits, as I think my honourable friend the First Member for the Eastern Provinces can. We have no difficulty at all in conscience in putting this class of duty up very high but I do suggest to the House that before we adopt further heavy duties on these particular items, we should stop to think of their ceiling in this country. There are many people who if you put up the duty on their imported cigarettes by another 6d they will say "Grand, we will now smoke the local cigarette" and the revenue will lose or they may say "We will not smoke at all." I have merely put that, Sir, as a point to be seriously considered by Council. A further suggestion was that we could increase the rate of duty on cinematograph films. I agree that the present duty is small but if the duty was increased say from 1s per hundred feet to 2s per hundred feet, are you not going to encourage the proprietor to put up his prices? I do not say, Sir, that this is a final argument, but it is a point which has to be considered and which we did consider in the review of the import duties of this country. I would have wished, Sir, not to have referred to the opening remarks of my Honourable friend the Second Member for Lagos in relation to the economics of this budget but I do feel compelled to do so. With respect, may I say that his speech was not that of an economist, for which I had hoped, but of a politician, which I had feared. I can only judge his reaction as an economist from what he did not say and not from what he did say. As he did not criticise the financial policy which I outlined, I assume that I have his support. I was not able, Sir, to ascertain the arguments of the Honourable Member in his generalizations that the Nigerian economy should be independent. There is no country in the world that is not dependent in one way or another on other

countries, but, Sir, if he means that the time is ripe for an independent Nigerian currency, for an independent money market, for an independent Nigerian investment market, for an independent Nigerian banking system, I can only say I profoundly disagree with him. If on the other hand he has in mind the reduction of the extra-territorial investments in this country, I will walk with him a very long way along that road. Nor, Sir, can I deal with his slighting reference on the economic plane to Great Britain, because he failed to make clear the grounds of his complaint nor did he indicate with examples if he considered the alleged disadvantages outweighed the possible advantages. I do not want it to be thought, Sir, that I am introducing debating points as I do want to make a strong appeal to the Honourable the Second Member for Lagos. His influence in the Civil Service in Lagos is very considerable. The standard of wages in Lagos affects the whole country and I do appeal to him that during the next few months he will make every effort to put to labour in Lagos that it is in their interests that this growing demand for increased wages should be halted. Nigeria has reached the time—we have had five different commissions on wages in two years—when we have got to attain wage stability, otherwise the budget and the economy of this country is going to be very adversely affected.

I pass, Sir, very briefly, to export duties. References were made to hides and skins and to a falling market. I may say, Sir, that I have cabled London and Kano (not the company) the Secretary of State in order to obtain the latest information as to the prices in the English and American markets, and I have also sent telegrams to Kano in order to find the local state of the market. I will leave a number of other points which I had noted, Sir, for Select Committee, but I would like in conclusion to refer to the budget in general. I too share the apprehensions of a number of Honourable Members as to whether the rate of expenditure in Nigeria is not galloping too fast. As I said earlier, Sir, we have had a number of committees relating to wages and their recommendations have been costly. We have introduced new rates of pay and we are now reaching, I hope, some stability. The budget reflects only a surplus of £52,000. As one Honourable Member said, it is an absurdly low margin to cover the potential commitments which do arise during a year. But if I dared to attempt to outline the budget speech which I hope to be able to make next year in this Council, it would probably be on these lines, that for the next year or two we should hold our recurrent expenditure. We should increase in our expenditure votes only the contributions to sinking funds, to reserve funds, and so build up, and that is what I am trying to do, to build up a revenue margin so that in five years time when we have to take the weight of the Colonial Development recurrent expenditure, we can do so without increasing taxation. We should do this by removing from the budget these contributions to renewals funds, the supplementary contributions to renewals funds and the

contributions to stabilization funds, and I hope that in five years time that that will be done without adversely affecting the main structure of the budget.

Sir, I beg to move the second reading of the Appropriation Bill.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a second time.

His Excellency the Officer Administering the Government :

I have already had occasion to draw the attention of members of the public to the fact that they are admitted to this chamber on the strict condition that they observe strict silence. This applies equally to those who sit in the upper gallery and those who sit down below. I will not repeat that warning. Any person who creates any disturbance whether by means of a demonstration of applause or otherwise will be required to leave the chamber immediately.

The Hon. the Financial Secretary :

Sir, I rise to move that this Bill be removed to a Select Committee with the Financial Secretary as Chairman with all the Unofficial Members and the Honourable the Acting Development Secretary as members.

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the Motion standing in my name:—

“ Be it resolved :

“ That the amendments of duties and exemptions under
“ the Customs Ordinance, 1942, set out in the
“ Customs (Duties and Exemptions) Order in
“ Council, 1948, be referred to a Select Committee
“ for consideration and recommendation to the
“ Council whether such amendments should be
“ confirmed under the provisions of section 12 of the
“ said Customs Ordinance, 1942.”

I would suggest, Sir, again that the Select Committee in this case should be composed of all of the Honourable Unofficial Members of this House and the Financial Secretary and if the house agrees, I would ask that after Council adjourns this morning that Honourable Unofficial Members would stay in their places so that we can discuss procedure, both in respect of this Select Committee and the Select Committee on the Estimates. I promise not to keep them more than half an hour,

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Motion adopted.

His Excellency the Officer Administering the Government :

The debate on the following Motion by the Honourable the Second Lagos Member will continue.

“ Be it resolved :

“ That Unofficial Members of this Honourable
“ Assembly, consistent with the dignity of their
“ high office and their responsibility to their
“ constituents, should be granted compensation for
“ their legislative duties and services at the rate
“ of £600 per annum for each Honourable
“ Member.”

The Hon. the Chief Secretary to the Government :

It may be useful to Honourable Members if I explain at this stage what the Government attitude is to this Motion which has already been discussed on a previous occasion. I have considerable sympathy with the arguments which were put forward by the Mover of this Motion. Those arguments have been considered by the Government and I shall explain to you in a few words the conclusions which we reached. Many Members of this Council have other duties which take up the greater part of their time. Many of them receive salaries or remuneration in one way or another in respect of those other duties. We think that the principle to be applied in a matter of this kind is that where a legislator devotes the whole or most of his time to his legislative duties a case exists for payment of permanent salary. That is not so in this legislature at this time, and therefore we do not consider that the time has come for the payment of full-time salaries to the Members of this Council. It is, of course, possible that the matter will be reviewed as constitutional advance takes place in the future, but at present we do not consider that the Government can support the Motion which has been put forward.

I have only one other point to make and that is that payment of salaries is, of course, quite another matter from the question of allowances to Members of this Council. I gather that the question of allowances to Members of this Council to cover some of the expenses to which reference was made in the earlier discussion is to be raised in Select Committee. I will, therefore, make no further reference to that side of the question, but as regards the Motion on the Order Paper, I regret that the Government is unable to support it.

His Excellency the Officer Administering the Government :

If no other Honourable Member wishes to speak to the Motion, I will call on the Honourable the Mover to reply.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, I am grateful to the Honourable the Chief Secretary to the Government for making clear the position of the Government on this Motion. Ordinarily, the Honourable Member concerned should consider the advisability of withdrawing the Motion but I am not disposed to do so. I would rather that it be placed on record even though the Motion is lost, because of the principle involved.

I am afraid I find it difficult to agree that there is any important difference between allowances paid to Members of a legislature and compensation. So far as I am concerned, whether you call it salary or perquisite or allowance or compensation or remuneration it is the same thing; the principle is the same, that is, that individuals who represent certain constituencies are given a certain sum of money for doing so. That is why I feel that I should press this Motion to a division and I assure my friends that if I am defeated I will take my medicine like a man.

So far as the points raised by the other speakers are concerned, I feel that they have not disagreed with me in principle. At least, tacitly, by accepting payment of some sort they have agreed in principle that those who represent others in a legislature are entitled to some sort of compensation or remuneration or perquisite or allowance.

The Honourable the Fourth Member for the Eastern Provinces raised the point that this country could not afford the cost. What is the cost? There are twenty-eight Unofficial Members in this House, and what is suggested in the Motion is £600 per annum, and it was made quite clear, when the Motion was moved that, Honourable Members were free to amend that sum, either on the upward or downward trend, which none of them has done. Multiplying twenty-eight by £600 we have a total of £16,800. Turning to Head 37, Item 6 of the Estimates of Nigeria, I notice that we are called upon to vote £18,000 for outfit allowances to our civil servants. Some of these civil servants are expatriates and some of them are indigenous. They are paid salaries and certain perquisites and other allowances. To say that this country cannot afford to pay £16,800 to those who are called upon to make laws and discharge their legislative duties, is to beg the issue, because the country can afford to pay £18,000 for outfit allowances. Again under Head 23, Items 6 and 7 of the Nigeria Estimates, we are called upon to spend £18,500 in order to pay for clothing, bedding and stores of prisoners. If we can spare £18,500 for the comfort of our prisoners, I cannot agree with my Honourable Friend that this country cannot afford to pay £16,800 to maintain our legislators. Finally, under Head 37, Item 2 of the Regional Estimates for the Northern Provinces, I notice that during the meeting of the Northern Regional Assembly some members raised objections to the guinea a day paid to them and they asked that they should be paid three guineas instead; they insisted and succeeded so that the vote has been increased from

£700 to £12,000. In other words, Sir, my Honourable Friends from the North agree in principle that they deserve some sort of compensation or remuneration or perquisite or allowance for discharging their legislative duties. Therefore, it is quite obvious that when my friend the Fourth Member for the Eastern Provinces says that the country cannot afford the cost, that argument is weak, as I have demonstrated.

My Honourable Friend the First Member from the Western Provinces raised the point that it will ultimately ruin this country to spend £16,800. I do not understand what he means by "ultimately ruin" the country. I suppose he used the expression relatively, but I want to assure him that to spend £16,800, rather than ruining the country, would make conditions much better for Members of the Legislative Council for the following reasons. Members of the Legislative Council are expected to be incorruptible, they are expected to have a clear conscience, and, like Caesar's wife, they must be above board. I am not insinuating that the contrary is the case when I assert that it is quite clear that an empty sack cannot stand upright. The person who is not economically secure cannot be free to express his opinion without fear or favour in a legislature of this nature, and if we have employees as Members of this House, it is difficult for such an employee not to think first of his job before thinking of the public interest. By being compensated, a Member of the Legislative Council will, to some extent, become independent and be free from manacles which otherwise would make it impossible for him to stand by his convictions; in fact, it will tend to strengthen his character and enable him to form sound judgment. Therefore, I feel that the argument of my friend that it will ultimately ruin this country is faulty.

My Honourable Friend the Fifth Member for the Northern Provinces was afraid that if salaries were paid to Members of this House, there would be a struggle for jobs. I agree with him. Competition is the soul of business. All things being equal, such a situation will tend to weed out mediocre personalities and give better types of legislators an opportunity to serve their country. I am sure my Honourable Friend will not claim that the present Unofficial Members are the best the country can produce.

I agree with my Honourable Friend the First Member for the Western Provinces that it is a privilege to be elected to serve the country, and I also agree with my Honourable Friend the Fourth Member for the Eastern Provinces that it is an honour to serve this country in a legislative capacity, but I would remind them that Churchill, Nehru, de Valera and others who regard service to their country as a privilege and an honour had to be granted some sort of compensation, perquisite or allowance. I am wondering since my friends regard it as a privilege and an honour, whether since identifying themselves with this Honourable Body, they had declined to receive the daily allowance of three guineas? I repeat, Sir, I would like to know who, among the Unofficial Members have

refused the three guineas a day since they became Members of this Honourable Body? Your Excellency, I submit, therefore, that acceptance of three guineas a day or one guinea a day before it was increased, is an implied and tacit agreement in principle with this motion, otherwise the Honourable Members concerned should have declined to receive any money, whether we call it compensation or allowance or what not.

Finally, my friend, the First Member for the Western Provinces, asked what will the people of England say when they hear that our legislators suggest that they be compensated for their legislative activities. I can assure him that they will be shocked to hear that we are not paid. With your permission, Sir, let me quote from the writings of an English Member of Parliament who will supply the Honourable Member with the needed information. At page 2 of the book in my hand entitled *The House of Commons* by Martin Lindsay, M.P., this is what he says :

“ What sort of men are these Members of Parliament, who legislate for every stage of our lives?—who decide that we must be educated, the conditions under which we work, what shall happen to us if we become unemployed, or ill, or destitute, or break the law, what taxes and insurance we pay and what we get for it, how much we shall eat, and many other intimate, personal matters? What exactly are their qualifications? Do they earn what we pay them? What sort of lives do they live?

“ First of all our legislators are a cross-section of the nation. As a wit once remarked, the House of Commons is like the Zoo for it contains ‘ one of everything ’: industrialists, trades union officials, farmers, doctors, journalists, manual workers, men of independent means, shopkeepers, barristers, a sailor or two, schoolmasters, engine drivers, tailors, stock-brokers, housewives: there is even a professional juggler. But though most occupations are included, they are by no means proportionately represented. For example, in the last two Parliaments every other M.P. has been in one of three categories: a company director, a trades union official or a lawyer. This over-representation of the ‘ talking classes ’ is due to the fact that few M.Ps. can afford to live on their salary and these three occupations are those which can most easily be combined with a parliamentary career.

“ The Member’s salary was raised to £600 in 1937 and to £1,000 in 1946. Out of this he has to pay all expenses except his railway fare to London, the main items being secretarial assistance, postage, travelling about his constituency and the extra cost of living in two places. So for the sake of economy most M.Ps. share a secretary, though they would be more efficient with one each (compare an American Congressman drawing £2,000 a year for ‘ clerk-hire ’). The expenses can be deducted from the salary before income tax is paid on the remainder of it. Even so, a Member who lives in his

constituency as well as in London can hardly spend less than about £700 on necessary expenses. In consequence, nearly every M.P. has an additional source of income. Many, in all parties, possess private means. Others receive a supplement from an organisation such as a trades union or employers' association, the danger of which, whether real or imaginary, is considered to be the temptation to promote purely sectional interests. The remainder, perhaps the majority, have to neglect the nation's affairs while dissipating much of their time and energy upon the day-to-day business of earning a living. It is to be hoped that Members will one day have the courage to put this right by voting themselves an adequate expenses allowance. There is one other financial reform which is long overdue".

I can assure my Honourable Friend from the Western Provinces, that it is a foregone conclusion what the people of England will say. It is quite clear. At first their M.Ps. were earning £400 a year; then they asked for their Cost of Living Allowance and got £600; then for their Harragin they got £1,000!

So in the same vein I submit that the motion before this Honourable Assembly is not far-fetched, because in principle my friends have already accepted same, and they have not made any amendment, either to reduce or to increase my figure. I was expecting some sort of amendment, either to increase or reduce the figure I suggested, namely £600. I also expected some sort of amendment in the phrasing of the motion or in the construction, but none was forthcoming, excepting the weak arguments that the country cannot afford it and that it will create a calamity. I think I have disposed these two arguments.

I reiterate what I said at first, Sir, that we should make legislative duties a full time job. A big country like Nigeria demands that legislators should have a full-time occupation so as to participate actively in the management of our affairs. More work could be done. I think that there is a lot of administrative law in this country. Most of the laws enacted provide for an officer or another to make certain regulations, so that more work is done outside the Legislative Council than inside. We should be given more work to do, to enable us to devote more time to making laws for our country. I submit, Sir, that this motion is not a novel idea and it is not unique. It is a generally accepted practice in the civilised world, and Nigeria cannot allow the forces of reaction and conservatism to make her depart from the path of progress. To argue that allowance is different from salary would be to play on words. A rose will smell just as sweet no matter by whatever name it is called. Your Excellency, I move the Motion standing in my name that Unofficial Members of this Assembly, consistent with the dignity of their high office, should be granted compensation for their services at the rate of £600 per annum for each Honourable Member.

His Excellency the Officer Administering the Government :

The question is that the Council agrees with the said Motion. Will those in favour say " Aye " those against " No. "

I think the " Noes " have it.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, I respectfully ask for a division.

Council in division.

For

5

The Honourable the Third Lagos Member.
The Honourable the Fifth Member for the Eastern Provinces.
The Honourable the Second Lagos Member.
The Honourable the Second Member for the Eastern Provinces.
The Honourable the First Lagos Member.

Against

35

The Honourable the Member for Calabar.
The Honourable the Fourth Member for the Western Provinces.
The Honourable the Fifth Member for the Northern Provinces.
The Honourable the Second Nominated Member.
The Honourable the Fourth Member for the Eastern Provinces.
The Honourable the Fourth Member for the Northern Provinces.
The Honourable the Third Member for the Eastern Provinces.
The Honourable the Third Member for the Northern Provinces.
The Honourable the Second Member for the Northern Provinces.
The Honourable the First Member for the Northern Provinces.
The Honourable the Emir of Abuja.
The Honourable the Atta of Igbirra.
The Honourable the Oba of Benin.
The Honourable the Oni of Ife.
The Honourable the Emir of Katsina.
The Honourable the Emir of Gwandu.
The Honourable the Third Member for the Western Provinces.
The Honourable the Second Member for the Western Provinces.
The Honourable the First Member for the Western Provinces.
The Honourable the Member for the Colony.
The Honourable the Secretary, Eastern Provinces.
The Honourable the Senior Resident, Oyo Province.
The Honourable the Senior Resident Adamawa Province.
The Honourable the Commissioner of the Colony.
The Honourable the Commissioner of Labour.
The Honourable the Director of Public Works.

*For**Against*

The Honourable the Director of
Agriculture.
The Honourable the Director of
Education.
The Honourable the Acting Develop-
ment Secretary.
The Honourable the Director of
Medical Services.
The Honourable the Financial
Secretary.
His Honour the Chief Commissioner,
Northern Provinces.
His Honour the Chief Commissioner,
Western Provinces.
His Honour the Chief Commissioner,
Eastern Provinces.
The Honourable the Chief Secretary
to the Government.

The Honourable the First Member for the Eastern Provinces
abstained from voting.

His Excellency the Officer Administering the Government :

The vote is :—

Ayes 5.

Noes 35.

One abstention.

The "Noes" have it.

Council will now adjourn. The time and date of resumption of
course, depends on the progress of the Select Committee, and will be
notified to Honourable Members in due course.

Council adjourned at 11.55 a.m.

Debates in the Legislative Council of Nigeria

Tuesday, 23rd March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 4 p.m. on Tuesday, the 23rd of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Attorney-General,
The Honourable G. L. Howe, K.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller,

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

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

The Senior Resident, Oyo Province,
Commander the Honourable J. G. Pyke-Nott, R.N.

The Secretary, Eastern Provinces,
The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

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

The First Member for the Western Provinces,
The Honourable Akinpelu Obisesan.

The Second Member for the Western Provinces,
The Rev. and Honourable Capon S. A. Delumo.

The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.

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

The Emir of Gwandu,
The Honourable Yahaya, C.B.E.

The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.

The Oni of Ife,
The Honourable Aderemi I, C.M.G.

The Oba of Benin,
The Honourable Akenzua II, C.M.G.

The Atta of Igbirra,
Alhaji the Honourable Ibrahima.

The Emir of Abuja,
The Honourable Sulemanu.

The First Member for the Northern Provinces,
The Honourable Bello Kano.

The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.

- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Bowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiām.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The Second Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Aiwān.
- Temporary Nominated Member,
The Honourable N. B. Edwards.

ABSENT

OFFICIAL MEMBERS

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

UNOFFICIAL MEMBERS

- The Third Nominated Member,
Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 13th of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

His Excellency, the Officer Administering the Government:

Before we proceed with the business on the Order Paper, there are just two points I should like to mention. Firstly, the Director of Veterinary Services has drawn my attention to the fact that I made a mistake in my speech at the opening of this Session. I refer to the statement that there were only two students taking the course which would qualify them to be Assistant Veterinary Officers. There are in fact four students taking this course. I apologise to Honourable Members for the mistake, but of course my comment on the fact remains unchanged.

Secondly, there is the question of the adjournment of Council. While it seems that we should be able to dispose of the business which remains before Friday, my own experience is that it is very dangerous to prophesy in these matters. However, if we are to adjourn on Thursday morning, we must decide now, because it will be necessary to make certain arrangements at once, particularly in regard to transport, and I am sure that Honourable Members themselves will wish to make their own arrangements in advance as far as is possible. It is, however, a question I would prefer to leave to Unofficial Members, so I will put the question that this Council do adjourn *sine die* after the close of business on Thursday morning. Will those in favour say "Aye", those to the contrary "No". I think the "Ayes" have it.

Accordingly, we will arrange to adjourn *sine die* after the completion of business on Thursday morning.

PAPERS LAID

The Hon. the Chief Secretary to the Government:

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

Sessional Paper No. 5 of 1948—Report on the Audit of the Accounts of Nigeria for the year ended 31st March, 1946.

Sessional Paper No. 6 of 1948—Report on the Audit of the Accounts of the Nigerian Government Railway (including Motor Road Services) for the year ending 31st March, 1946.

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; Nos. 35 and 53 by the Honourable the Member for the Colony; No. 65 by the Honourable the Atta of Igbirra; Nos. 89, 93, 94, 114, 116, 117, 130, 145-148 and 151 by the Honourable the Second Lagos Member; Nos. 185, 186, 192, 211, 213, 221 and 222 by the Honourable the Second Lagos Member; Nos. 239-242 by the Honourable the Third Member for the Western Provinces; Nos. 248 and 258 by the Honourable the Fourth Member for the Western Provinces; Nos. 264, 269-271, 274-277, 279-294, 296-299, 301-303 and 305-316 by the Honourable the Second Lagos Member and No. 317 by the Honourable the Third Member for the Eastern Provinces are not yet ready.

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

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

(a) How were the following areas of land acquired by Government—

Kaduna, Enugu and Port Harcourt?

(b) Was it by purchase, lease or deed of gift in fee simple?

(c) Who were the respective land owners?

(d) Approximate area of land occupied in each place?

Answer—

The Hon. the Chief Secretary to the Government:

(a) and (b).

(i) *Kaduna.*—The land occupied by Government was set aside by the Governor under the Land and Native Rights Ordinance (Cap 85).

(ii) *Enugu.*—The land occupied by Government was acquired in five separate parcels, the first two by absolute grant to Government on payment of compensation, the last three by Certificate of Title under the provisions of the Public Lands Acquisition Ordinance (Cap 88) on payment of compensation.

(iii) *Port Harcourt.*—The land occupied by Government was obtained by a grant in perpetuity on payment of compensation. The compensation payable to the people of Diobu was refused by them and it was later agreed that payment of an annual rent should be substituted.

(c) (i) *Kaduna.*—The land in question was and still is Native Land within the meaning of section 3 of the Land and Native Rights Ordinance and is under the control and subject to the disposition of the Governor in accordance with the terms of section 4 of that Ordinance.

(ii) *Enugu.*—The land owners for each of the five acquisitions were:—

1915 Acquisition. The Chiefs for and on behalf of the people of Udi.

1917 Acquisition. The Chiefs for and on behalf of the people of Udi, Ogui and Nike.

1928 Acquisition. The Chiefs for and on behalf of the people of Ogui.

1931 Acquisition. The Chiefs for and on behalf of the people of Nike.

1944 Acquisition. Samuel Onyia and four others of Ngwo.

(iii) *Port Harcourt*.—The land owners were the Chiefs and headmen for and on behalf of the people of Diobu, Omo-eme, Omoamassi, Omobiekan, Oguniba and Okrika.

(d) Kaduna	9.99 square miles.
Enugu	28.125 square miles.
Port Harcourt	13.44 square miles

(of which 8.94 square miles is swamp).

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

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

(a) What is the present condition in the Leopard area; how many persons had been arrested, tried and convicted for crime connected with victims supposed to be killed by leopards in the area since last April?

(b) Is it a fact that actual leopards were hunted and killed in the past six months in the area?

(c) Will Government consider the suggestion that the large forest round about the area be devastated?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The various measures taken during the last two years appear to have had a salutary effect in the so-called "leopard area" of the Abak and Opobo Divisions. No murder of this type has been reported since the 2nd of December, 1947. Between April and December, twenty-nine suspected murders occurred. Of the persons arrested in connection with these six men have been convicted. In addition twenty-six men have been convicted since April, 1947, in respect of murders committed before that date.

(b) Yes, Sir.

(c) No, Sir.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

How many clerks still in Government Service in Nigeria have been given the privilege of becoming members of Native Authority Councils and where?

Answer—

The Hon. the Chief Secretary to the Government:

No clerks in Government Service are at present serving as members of Native Authority Councils.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

(a) Whether Government is aware that Regulations No. 6 of 1934 (prohibiting hunting with lamps) and No. 78 of 1944 (prohibiting the use of traps), (Chapter 99), made by the Governor in Council under the above Ordinance are not properly being observed in certain places?

(b) What steps have been taken by the Native Authorities and the District Officers of those Divisions to prosecute the offenders?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir, but offences against these regulations are believed to be uncommon and to be confined to remote areas. Government will be glad to receive any information which will help to reduce the number of such offences.

(b) Native Authorities and Administrative Officers are aware that it is their duty to prosecute offenders, but it will be appreciated by Honourable Members that the fact that hunting with lamps is undertaken at night makes the arrest and identification of offenders difficult.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

How many veterinary practitioners are licensed to practise in Nigeria,

- (a) under Government auspices,
- (b) under missionary organization, and
- (c) under private enterprise?

(d) of the practitioners listed above, how many are (1) Africans, (2) non-Africans, (3) British, (4) other nationalities?

Answer—

The Hon. the Chief Secretary to the Government:

None. There is at present no statutory provision for the licensing of veterinary practitioners in Nigeria.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

126. To ask the Honourable the Director of Agriculture:—

(a) We are told that cocoa has earned profits for Nigeria; is this true also of other Nigerian produce, like palm oil, palm kernels, benniseed, groundnuts, etc.?

(b) If so, what is the profit standing to our credit with the Ministry or Control Board concerned?

Answer—

The Hon. the Director of Agriculture:

(a) The profits which originally accrued from the sale of cocoa were derived from the re-sale of the cocoa by His Majesty's Government. No such profits were made from the sale of palm oil, palm

kernels, groundnuts and benniseed, which were sold by the West African Produce Control Board to the Ministry of Food in the United Kingdom, but, as explained by His Excellency the Governor in his Address at the Budget Session last year, since the 14th of February, 1947, the difference between the price paid by the Ministry, after making the necessary deduction for buying allowances, freight, etc., and the price paid to the producer for palm products has been held in a suspense account to form the foundation for a stabilisation fund, a proposal referred to in the budget speech of the Financial Secretary at this meeting of Council.

(b) Accurate figures are not available but the figure approximates to three and a quarter million pounds.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) What is the latest prison population of Nigeria and the Cameroons?

(b) Is it not time the dress and cap of prisoners are re-designed to make them more comfortable?

(c) Will Government be disposed to accept the principle that prisoners, who are used to wearing shoes, have a right to do so whilst in gaol, so as to safeguard their health?

(d) If so, will this be put into operation without further delay?

(e) If not, what is the reason?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Nigeria	...	...	...	...	...	7,302
Cameroons	...	...	...	...	...	436
						<hr/> 7,738 <hr/>

(b) It is not at present proposed to alter the prison uniform and shortage of materials would in any event render it difficult to make a change at present, but any suggestion for alterations which the Honourable Member wishes to put forward will be considered. The Honourable Member will remember that the uniform of prisoners is designed to distinguish them, when working outside the prisons, from civilians.

(c) The suggestion which the Honourable Member put forward in this respect in the budget debate will be considered with the Prison Authorities. It is pointed out that under existing regulations a Prison Medical Officer may authorise a prisoner to wear shoes for reasons of health.

(d) Does not immediately arise (*see* the answer at (c) above).

(e) Does not arise.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

149. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) Is it a fact that Native Authority employees are compelled to purchase the *Gaskiya Ta Fi Kwabo*?

(b) If so, what is responsible for this policy?

(c) If not, what are the facts?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

(a) No, Sir.

(b) Does not arise.

(c) It is understood that the Gaskiya Corporation has a standing arrangement with most Native Authorities, under which they inform the Corporation of the total number of copies for which their employees wish to place a standing order. These copies are then forwarded by the Corporation to the various Native Authority offices for distribution.

Supplementary Question to No. 149 (a). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Sir. Would it not be more businesslike to distribute the *Gaskiya Ta Fi Kwabo* to the subscribers individually and thus remove the impression that any employees are compelled to purchase that periodical?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

I don't think, Sir, that the Gaskiya Corporation management regard the present arrangements as very satisfactory and they are moving in the direction suggested. Already a number of this periodical is distributed directly and I will mention the point made to the Chairman.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

What was the actual loss sustained by the Government when the Nguru Native Court was destroyed by women during the December riot of 1929, in view of the fact that the whole buildings thereon were erected by the people themselves?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

There is no record of any loss of Government property when the Nguru Native Court was destroyed during the December riot of 1929.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Is Government aware that the Aba community is dissatisfied with the drainage system in that the completed gutters are said

to be bad, too deep and dangerous to life, there being no slabs, no railings, and the construction of new gutters are very slow?

(b) What effort will be made to meet the needs of the Aba community in this respect?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) Complaints have been received from members of the Aba community regarding the depth of the drains, the lack of crossings and the delay in completing the drainage scheme.

(b) The drainage work so far completed in the African residential area at Aba is part of a comprehensive drainage scheme for the whole area which is necessarily a long-term project, since work on it is possible only in the dry season. So far the main drain and certain subsidiary drains have been completed. As each part of the scheme is completed the whole will become more efficient. It is expected to be completed by March, 1950.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is Government aware that the rate-payers of Aba have complained that the local township advisory board is undemocratic because the Local Authority is said to be empowered to select the unofficial members who are regarded as his obedient servants since they are not answerable to the people?

(b) Will steps be taken to see that members of the board are selected by the rate-payers to represent their interests?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) No, Sir.

(b) Government seeks to make the Aba Township Advisory Board as truly representative as possible: methods for achieving this end will be kept constantly under review.

Supplementary Question to No. 155 (b). The Second Lagos Member (Dr the Honourable N. Azikiwe).

Is the system of representation which enables Government to nominate representatives of ratepayers consistent with the reply to 155 (b).

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

Might I ask the Honourable Member the point again?

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Is the system of representation which enables Government to nominate representatives of ratepayers consistent with this reply?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

Well, Sir, the Honourable Member is referring to purely an advisory board. As it is an advisory board I do not think it need at all be representative of the ratepayers in its present constitution.

It may possibly be changed in the course of time, but at the present moment as an advisory board, with the members nominated and not elected, I do not think there is any need for direct representation of ratepayers.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

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

(a) What are the real grounds of Government's fear or reluctance to deal a death blow to the Manilla menace up to this time?

(b) Is Government aware that the rate of exchange was as low as four manillas to 1s and nine manillas to 2s recently?

(c) How long have we to wait for the promised Nickel Coins?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) There is no question of fear or reluctance, but the pressure of work in the office of the Financial Secretary has made it impossible to reach final conclusions on the method of withdrawal.

(b) Yes, Sir.

(c) There is an adequate supply of nickel coinage.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

167. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Are there any treaty obligations binding the Government in the matter of introduction of spirituous liquor into Asaba?

(b) If so,

(i) with what Government was this treaty entered into?

(ii) is this treaty still binding on the Nigerian Government?

(c) If the answer to (b) is in the negative will the Government consider allowing the introduction of spirituous liquor into Asaba and other Ibo speaking areas of the Benin Province?

(d) If not, why not?

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) Yes, Sir.

(b) The introduction of spirituous liquor into that part of Asaba Division lying North of a line drawn due west from the junction of the Rivers Niger and Anambra is prohibited under the First Schedule to the Liquor Ordinance (Cap 131). This is in accordance with the terms of Article IV of the Convention of St. Germain-en-Laye which was ratified by Great Britain in 1920. There is no provision in this Convention for the withdrawal of any of the High Contracting parties and Nigeria is therefore bound by it until it is abrogated. The revision of this convention will be considered when an opportunity is presented of effecting a general revision and modification of the Treaty obligations of His Majesty's Government in relation to the sale of liquor in Africa.

(c) Does not arise.

Supplementary Question to No. 167. The First Member for the Eastern Provinces (The Honourable C. D. Onyeama).

Sir. Is there any possibility of the terms of this treaty ever being reconsidered. It is now twenty-eight years old and things have changed a good deal, and is there any possibility of it being changed within the next fifty or sixty years?

Answer—

His Honour the Chief Commissioner, Western Provinces:

If the Honourable Member so desires, further and fuller information will be given to him after it has been possible to make a more detailed examination of the subject than is possible here at the moment.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

I shall be grateful for the information.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Why are the Eastern Provinces, Western Provinces, the Cameroons and the Colony, not having a House of Chiefs, respectively, as is the case with the Northern Provinces?

(b) Is Government aware that the annual Conference of Chiefs would have served a useful purpose as a nucleus for a House of Chiefs in the regions indicated above?

Answer—

The Hon. the Chief Secretary to the Government:

(a) When the present constitution was framed this question was fully considered and it was decided that a House of Chiefs should be established only in the Northern Provinces, where, as the Honourable Member knows, the system of administration differs considerably from that elsewhere in Nigeria.

(b) So far as the Western Provinces are concerned the question of continuing to make use of the Conference of Chiefs is under consideration.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What are the principles regulating the sale of timber to the Forestry Department by the native dealers in Onitsha Province?

(b) Is it a fact that timber dealers of Ozubulu have complained that the Forestry Department restrains them from selling to outsiders and fixes the price paid to them on a basis which is considered uneconomic?

(c) If so, what is the justification of a Government department interfering in the timber market, as alleged?

(d) If not, what are the facts?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The Forest Department does not buy timber from dealers in Onitsha Province.

(b) There is no record of such a complaint.

(c) Does not arise.

(d) The Forest Department does not restrain dealers from selling at the controlled price timber which has been taken legally and duly pass hammer marked. The maximum selling prices of timber are fixed by the Resident as Deputy Price Controller. These prices are at present under review.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Will Government state the pertinent facts in relation to the acquisition of land and coal fields now known as Enugu?

(b) What is responsible for the dissatisfaction expressed by the land owners over the acquisition and extension of this land and coal fields?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The Honourable Member is referred to the details regarding the acquisition of land at Enugu given in the reply to Question No. 38.

(b) Government is not aware of any dissatisfaction.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

When is it intended to improve the ferry services at Bansara, Afikpo Road, and Agenebode?

Answer—

The Hon. the Chief Secretary to the Government:

It is assumed that by the ferry services at Bansara and Afikpo Road the Honourable Member intends to refer to the crossing of the River Aiya on the Bansara-Mamfe Road, and to the ferry at Okpoha on the Abakaliki-Afikpo Road. As regards the River Aiya, the intention is to replace the existing ferry with a permanent bridge as soon as staff and materials can be made available. At Okpoha, the present volume of traffic does not warrant the construction of a permanent bridge, but this is being considered as a long term project; meanwhile steps are being taken to improve the landing ramps and to replace the wire hawser.

It is not proposed that Government should take over the privately-owned canoe ferry at Agenebode.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it a fact that certain elements in Victoria Division had petitioned Government in respect of their land, to enable them to cultivate food crops more beneficially to their communities?

- (b) If so, what are the facts?
 (c) What is Government's attitude on this issue?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) Yes, Sir.

(b) A petition was addressed by the Bakwari Land Committee to the Secretary of State in which the petitioners alleged that lack of good farming land was causing malnutrition and in which they laid claim in the name of the Bakwari people to the plantations which are now managed by the Cameroons Development Corporation. When the purpose of the Cameroons Development Corporation was explained to the Bakwari Clan Council both the Council and the Bakwari Land Committee expressed satisfaction at the formation of the Corporation. Nevertheless the Bakwari Land Committee asked that their petition should be laid before the Trusteeship Council and the petition has been forwarded to the Council.

(c) Government does not consider that the Bakwari Clan's claim to the plantations at present being managed by the Cameroons Development Corporation is well founded or that the Bakwari Clan is suffering from a shortage of suitable farming land. A Senior Administrative Officer is however investigating the latter complaint and should his report indicate that there is substance in this complaint steps will be taken to remedy it.

Supplementary Question to No. 214. The Second Lagos Member (Dr the Honourable N. Azikiwe).

Sir. Will facilities be granted to a native of the Cameroons or member of the Land Committee to proceed to Lake Success and be present at the United Nation Organisation when this petition is to be discussed?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

I think, Sir, I must ask for notice of that question.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

235. To ask the Honourable the Director of Agriculture:—

- (a) The number of Assistant Agricultural Officers who have, since granting such scholarships, been sent to Trinidad?
 (b) The length of service of each of these officers before going to Trinidad?
 (c) The efficiency of each of these officials since their return to Nigeria?
 (d) And the immediate prospects of their promotion to substantive appointments as Agricultural Officers in the Department?

Answer—

The Hon. the Director of Agriculture:

(a) Fifteen.

(b) The Officers who continue to serve in the Department have length of service as shown in the column opposite.

Years	Months
14	4
9	8
15	7
Nil	5
5	7
20	3
5	7
7	6
7	7
3	6
13	8
9	7
12	8
10	9
3	2

(c) The efficiency of these officers has varied, as is bound to be the case with any similar group of people.

(d) It is not considered to be in the best interests of the service or of the officers themselves that their prospects of promotion should be set out in a public statement.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

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

(a) Is it true that Sapele Pontoon service runs from 6 a.m. to 7 p.m. daily with only 30 minutes break at midday?

(b) How many hours are the men manning the pontoon supposed to do daily?

(c) Do the men do continuous work throughout the year without relief?

(d) If so, is it not necessary in the interest of the health of the men concerned to increase their number and so make it possible to run a double shift?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir. The ferry operates from 7 a.m. to 7 p.m. and the crew has two breaks for meals, totalling three-quarters of an hour.

(b) The ferry is allowed a crew of six, but nine are appointed to the vessel, thus giving fifty per cent for reliefs. Arrangements are being made to divide the crew into watches in order that no member shall be on duty for more than eight hours daily.

(c) The ferry does not operate on Sundays and Public Holidays. Members of its crew are transferred to other craft from time to time, but not at regular intervals. They are, of course, granted the normal periods of leave.

(d) No increase in the crew is considered necessary.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

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

In view of the congestion in the cause list in both the Magistrate and Supreme Courts throughout the Western and Eastern Provinces, what steps are being taken by Government to appoint more Judges and Magistrates?

Answer—

The Hon. the Chief Secretary to the Government:

Government fully appreciates the seriousness of the congestion in the cause lists of the Magistrates and Supreme Court. An increase in the permanent establishment of Judges is being considered and an increase in the permanent establishment of Magistrates has already been made. For the new permanent posts the Government is anxious to consider suitably qualified local candidates. Facilities have also been provided for the appointment of such local legal practitioners as are qualified and willing to assist by accepting temporary employment either as Judges or Magistrates, and I take this opportunity of expressing Government's warm appreciation of the action of those members of the Bar who are prepared to assist in this way.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) Would Government consider immediately the raising of the salaries of the Mission Nurses to that of the Harragin recommendation?

(b) If Government is not prepared to consider this case, why not?

Answer—

The Hon. the Director of Medical Services:

(a) It is assumed that the Honourable Member wishes to enquire whether or not Government intends to assist the Missions with funds in order that they may be in a position to pay their nursing staff at Government rates. Government has the matter of recurrent grants to Missions under consideration.

(b) Does not arise.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What Senior Service duty posts in each department remained unfilled at the end of 1946-47?

(b) What Senior Service duty posts in each department remains unfilled in 1947-48 up to date?

Answer—

The Hon. the Chief Secretary to the Government:

It is not possible to give an answer to this question in the exact form in which it is framed because vacancies are related not to duty posts alone but to the establishment required to keep these posts filled and to provide for leave reliefs. The following figures however give the vacancies in the approved establishment:—

(a) As at 1-12-46.

(b) As at 11-3-48.

Department.	Vacancies in the Senior Service Establishment.	
	(a) at 1-12-46.	(b) at 11-3-48.
Administrative ...	177	128
Development	26	25
Accountants	18	6
Agricultural	45	51
Audit	7	2
Aviation	1	2
Chemistry	2	1
Colliery	1	6
Commerce and Industries	6	8
Co-operation	4	4
Customs and Excise ...	4	6
Education	58	52
Electricity	25	33
Forestry	14	12
Geological Survey ...	9	9
Inland Revenue	7	9
Judicial	5	15
Labour	16	10
Land and Survey ...	13	7
Legal	8	3
Marine	20	37
Medical	76	105
Meteorological	2	2
Mines	8	5
Police	3	9
Posts and Telegraphs ...	35	20
Printing	5	4
Prisons	8	6
Public Works	168	159
Survey	20	16
Veterinary	11	15

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Is it a fact that Senior Service posts are being held over to create vacancies for Britishers who are being released from India and Burma?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Would Government define clearly and unequivocally its policy of Africanisation of the service?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the statement made on this subject by His Excellency in his opening address.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it correct that in 1945, about twenty-four Engineers were appointed from the United Kingdom and posted to the Railway Locomotive Workshop at Ebute Metta?

(b) If so, how many of them are still in the services of the Railway, how many have left and why have they left?

(c) What was the total cost of the appointment, including transport to and from United Kingdom, salaries, allowances and local transport to the Railway?

(d) What was the material benefit to the country?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir. An Army Railway Workshops Unit composed of two officers and twenty-five British Other Ranks was supplied by the War Office in December, 1945, to assist the Nigerian Railway in the repair of locomotives and rolling stock for a maximum period of six months.

(b) The Unit arrived in Nigeria on the 3rd of December, 1945, and left Nigeria on the 23rd of May, 1946. Many of the British Other Ranks were due for demobilisation and it was considered that the Unit could not continue to function efficiently without them. It was therefore decided that the Unit should be released. Three members of the Unit, after being demobilised, entered the Railway service as civilians filling existing vacancies in the Workshop Foreman Grade.

(c) £9,020 9s 6d.

(d) The assistance afforded in urgent repairs to locomotives and rolling stock.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Is it a fact that six Nigerian stowaways were detected on board of a British ship off Axim, Gold Coast, and were disembarked at sea?

(b) Is it a fact that four out of the six stowaways had been drowned, according to an eye-witness account?

(c) If (a) and (b) are true what action has Government taken to ascertain the facts?

(d) If the facts are substantially true will criminal action be taken against the Captain and officers concerned?

(e) Has Government any reason for doubting the story of an eye-witness, as published in the Lagos press?

The Hon. the Chief Secretary to the Government:

(a) My information is that two Nigerian stowaways were detected on board a British ship off Axim and disembarked at sea. They were taken ashore by fishing canoes which had been called alongside the ship by the Captain. Despite extensive enquiries made by the Police in the Gold Coast, Nigeria and the United Kingdom, no evidence can be found to corroborate the story that four other stowaways were concerned in the incident, and the statements of the fishermen who took the two stowaways ashore make no mention of there having been more than that number.

(b) Such evidence as is available indicates that the report is without foundation.

(c) On the day the story was published in the Lagos press Government telegraphed to the Gold Coast for a full report on the incident and now has in its possession statements by all those known to have been concerned in it.

(d) As the ship had left for the United Kingdom before the matter came to light no prosecution was possible even if consideration of the facts warranted that course. The Nigerian Government is, however, forwarding all the papers connected with the case to the Ministry of Transport in the United Kingdom.

(e) Yes, Sir. The evidence of the fishermen who took the stowaways ashore makes it clear that the eye-witness account in the Lagos press was, to say the least, greatly exaggerated.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

How many new periodicals and newspapers were granted permission to be printed and published in Nigeria in 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947?

Answer—

The Hon. the Chief Secretary to the Government:

<i>Year</i>				<i>Newspaper</i>	<i>Periodical</i>
1940	...	...	...	1	Nil
1941	...	...	...	1	Nil
1942	...	...	...	Nil	Nil
1943	...	...	...	2	Nil
1944	...	...	...	Nil	Nil
1945	...	...	...	3	Nil
1946	...	...	...	1	Nil
1947	...	...	...	11	1

These figures exclude official publications.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

278. To ask the Honourable the Director of Public Works:—

(a) How many towns are provided with electricity services by the Central Government and local governments?

(b) What is the regional distribution, town by town?

(c) What is the number of consumers for 1940-47, year by year?

(d) What is the revenue yielded by such service for 1940-47, year by year?

(e) What is the amount expended to maintain this service for 1940-47, year by year?

Answer—

The Hon. the Director of Public Works:

(a) 14 (Central Government 10, Native Authorities 4).

(b)	Northern Provinces	Eastern Provinces	Western Provinces	Colony
	Kaduna	Enugu	Abeokuta (N.A.)	Lagos
	Yola	Port	Ibadan (N.A.)	
	Zaria	Harcourt	Warri	
	Jos	Calabar		
	Vom			
	Kano (N.A.)			
	Katsina (N.A.)			

(c) It is regretted that records are not readily available in respect of the figures for the years 1940-45 but the total at the 31st of March, 1947, was 27,966.

(d) and (e) Central Government Undertakings:—

	(d)	(e)
1940 ...	£153,100	£105,845
1941 ...	£154,658	£109,937
1942 ...	£154,558	£119,525
1943 ...	£167,158	£142,037
1944 ...	£183,591	£152,970
1945 ...	£215,363	£174,623
1946 ...	£224,200	£194,398
1947 ...	£238,995	£226,488

It is regretted that it has not been found possible to obtain figures in respect of the amount expended by Native Authorities, but if the Honourable Member presses for this information it will be obtained and circulated.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many Post Offices and Postal Agencies, respectively, are established in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

(b) Of the Post Offices, how many of these have house-to-house delivery service?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The number of Post Offices and Postal Agencies that have been established is:—

	<i>Post Offices</i>	<i>Postal Agencies</i>
(i) Northern Provinces ...	37	24
(ii) Eastern Provinces ...	35	116
(iii) Western Provinces ...	39	169
(iv) Cameroons ...	6	5
(v) Colony ...	9	15

(b) House-to-house delivery service is established at Post Offices as follows:—

	<i>Number of Post Offices</i>			
(i) Northern Provinces	7
(ii) Eastern Provinces	6
(iii) Western Provinces	10
(iv) Cameroons	Nil
(v) Colony	4

The Second Lagos Member (Dr the Hon. N. Azikiwe):

295. To ask the Honourable the Director of Agriculture:—

(a) How many agricultural schools are in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

(b) How many students are enrolled in these schools, regionally?

(c) What are the conditions of studentship?

Answer—

The Hon. the Director of Agriculture:

(a) (i) One.

(ii) None.

(iii) One.

(iv) None.

(v) None.

(b) (i) At Samaru School— 20 from Northern Provinces.
20 from Eastern Provinces.
18 from Western Provinces.

58

(ii) At Ibadan School— 1 from Northern Provinces.
38 from Eastern Provinces.
31 from Western Provinces.

70

(c) A. Students wishing to take the Agricultural Assistants' Course must possess:—

1. Senior Cambridge Pass Certificate, or
2. Middle VI Pass (Kaduna College), or
3. Middle IV Pass, with outstanding service as Field Overseers or as Native Administration Agricultural Assistants.

B. Students wishing to take the Diploma Course (Ibadan only) for Assistant Agricultural Officers must possess the Higher College Pass or equivalent (Intermediate Science).

In addition Agricultural Assistants from both schools who have been outstandingly successful in the Agricultural Assistants' Course may take a supplementary Assistant Agricultural Officers' Course.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

300. To ask the Honourable the Director of Agriculture:—

(a) Has the Department of Agriculture made any attempt to educate the farmers of this country on how to enrich an impoverished soil, by the use of locally manufactured chemicals or imported ones?

(b) If so, in what way was this done, on a regional basis?

Answer—

The Hon. the Director of Agriculture:

(a) Yes, Sir.

(b) Experiments with both local and imported fertilizers have been carried out at most of the departmental farms in all Regions over a period of years before and since the war. Fertilizers were unobtainable during the war. Where these experiments have proved economically successful the results are being demonstrated to farmers.

As a result of continuous experimentation on Government farms in the Eastern Provinces, the stage has now been reached where the use of lime can be confidently recommended for annual crops on most types of soil found in that Region.

As regards the use of artificial fertilizers (other than lime) in the Eastern and Western Provinces, small scale experiments on Government farms were very satisfactory.

In the Northern Provinces experimentation on departmental farms has shown the value of superphosphate to most crops. Following successful preliminary trials last year, plans have been completed for the demonstration this season on a large scale of placement planting of superphosphate pellets with groundnuts.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many people in the country are in receipt of income of not less than £50, £100, £250, £500, £1,000, £2,000, £3,000, £4,000, £5,000 per annum?

(b) How many persons are in receipt of income of over £5,000 per annum?

(c) If the above information is available on a regional basis, *i.e.*, (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony, please indicate them?

Answer—

The Hon. the Chief Secretary to the Government:

The Department of Statistics is engaged on a comprehensive analysis of tax assessments under the Income Tax Ordinance, 1943, which, when completed, will be made available to Honourable Members of the Council. Only a small minority of the people in Nigeria are, however, subject to this Ordinance and the varying methods of assessment under the Direct Taxation Ordinance, 1940, do not as yet yield information from which the department could prepare an accurate analysis of individual incomes.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.):

318. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) What steps have been taken to publish the conditions of service of Native Administration Staff in one book?

(b) If none, when is it proposed that steps shall be taken?

(c) If it is not intended to produce such a publication, on what grounds has a decision been made?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

(a) Consultation with Native Authorities of the Northern Provinces has taken place and a draft model set of Orders governing conditions of service of Native Authority Staff has been prepared for detailed consideration by the various Native Authorities concerned. The Honourable Member will appreciate that the adoption of the conditions laid down in such a model is in each case a matter for decision by the individual Native Authorities by whom the staff is employed.

(b) and (c) Do not arise.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.):

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

(a) It is understood that Government proposes to erect a new hospital at Birnin Kebbi. What preparations have been made with a view to commencing construction?

(b) When is the work likely to be started?

(c) What preparations have been made with regard to the staffing of the hospital?

Answer—

The Hon. the Director of Medical Services:

(a) Provision exists in the 1948-49 Development Estimates and a site has been selected by the Site Board.

(b) It is hoped that it will be possible to begin work at the beginning of the next dry season.

(c) A Medical Officer, Dispenser, four Nurses and five Nurses-in-training have already been posted to Birnin Kebbi and other staff now in training will be allocated to the area as occasion demands.

The Hon. the Chief Secretary to the Government :

Before we proceed with the Motions on the Order Paper I wonder if the Council would wish that one or two of the Motions which I do not think call for a debate might be disposed of before the remainder. I shall first, of course, move the Motion which stands in my name first on the Order Paper, but there are four Motions, the first two in the name of the Honourable the Member for the Colony and the second two in the name of the Honourable the Fourth Member for the Eastern Provinces, which perhaps you, Sir, and the Council would wish that we should take before the others.

His Excellency the Officer Administering the Government :

If that is the wish of the Council the Order of the Day can be varied accordingly.

The Order of the Day will be varied accordingly.

The Hon. the Chief Secretary to the Government :

Then, Sir, I rise to move the Motion which stands in my name which reads as follows :—

“ Be it resolved :

“ That application should be made on behalf of the Legislative Council of Nigeria to form an affiliated branch of the Empire Parliamentary Association in this Legislature and that, if this application is accepted, a subscription not exceeding £200 a year should be paid to the Association.”

I have, Sir, taken the opportunity of discussing this proposal with all Unofficial Members of this Council. I was thus able to explain some of the advantages of forming an affiliated branch of the Association in this Legislature. One or two points were raised in discussion but I think it was the general opinion of Unofficial Members that there would be advantage in taking this step, and as full discussion has already taken place I merely move the Motion in my name and confidently recommend it to the Council.

The Hon. the Attorney-General :

Sir, I beg to second.

Motion adopted

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

Your Excellency, I rise to move the Motion standing in my name which reads as follows :—

“ That the thanks of this Council to the Government be placed on record for allowing representatives of the Press to travel to this session on the special train arranged for Official and Unofficial Members. It is hoped that the concession will continue to be made for them.”

Sir, when I boarded the train on the 28th of last month at Ikeja, when I saw representatives of the Press came down—I was the only one entraining from that station, I was very glad to see them. Out of curiosity, I saw one or two

came into my coach, and then I asked how they came to travel by the special train and they told me that it was through the good offices of the Public Relations Officer. I believe they explained to me too that they made representations to him and Government kindly allowed them to travel by that train. Indeed, this is the first time that we are moving from Lagos to a place like Kaduna here and we shall be travelling now and again to different places. I understand next year it will be Ibadan, which is shorter to Lagos than here. It is very kind and good of Government to allow the representatives of the Press to travel free of charge with us on that special train. I believe one of them told me that it was not likely that they would be granted this concession again, and that is why I put the other part of my Motion that the Government should kindly continue to extend that favour to them. Since we have been here we have seen already the good work they have been doing. Our people are kept informed and I have received letters of congratulations from people in Lagos who have read so soon after the work we are doing here. I think they have done very good work, Sir, and it is a great help indeed, both to the Government and to all the Unofficial Members. Sir, I present the Motion for your consideration.

The Second Nominated Member (The Hon. P. J. Rogers) :

Sir, I beg to second.

Motion adopted

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

Your Excellency, I rise to move the following Motion :—

“ Be it resolved :

“ That this Legislative Council of Nigeria in session at Kaduna sends its loyal greetings to Their Majesties the King and Queen on the occasion of their forthcoming Silver Wedding. On behalf of the people of Nigeria the Council wishes to express its sincere good wishes to their Majesties together with the hope that Their Majesties will long live to enjoy happiness and prosperity in the affectionate loyalty of their peoples in all parts of the world.”

I claim, Sir, for this Motion, the Motion of all Motions before this Council during this session and I do not know when next such a Motion is coming before us, and I am very proud indeed to be the mover of the Motion. As far back, Sir, as the days of Queen Victoria we have been taught and we have learned what loyalty to the throne of England is both in Yoruba, my language, and in English, to sing the national anthem. Well, Sir, this Motion stresses in two places loyalty. Not many of us have seen His Majesty or Her Majesty the Queen in person but we are very thankful that his photograph is always before us—there is one behind your throne—and it is always reminding us that our loyalty to the throne of His Majesty is very essential. There is no doubt that His Majesty as well as Her Majesty have had a chequered career in life, both before and since they were married, particularly during the last war our anxiety was very great for both of them and we remember that it was during that time that they lost their very

affectionate brother. When we remember that during the war His Majesty had to fly to and fro to different places, even to North Africa, and for him to be spared to see these days and to decide that he was going to celebrate his Silver Wedding, their Silver Wedding. I think we should all join in congratulating them and in whatever way we can show our loyalty to them it behoves us, the Unofficial Members and the Official Members and even as a country, the whole of Nigeria, to do something to make them feel that what we have got down here are not only words but that there is action behind them. Personally, Sir, I feel that the secret of the happiness that the King and Queen enjoy and all occupants of that throne since the days of Queen Victoria that I can remember was really due to that national anthem of yours. I believe that it is the only and the best national anthem in the world, full of prayer, and each time I am present at any festive board or whenever there is any social function and the national anthem is sung, it is always a surprise to me to see the attention and reverence of you British people in honouring it. It was a great surprise to me and I remember the other day at the "At Home" when Your Excellency was coming in and as soon as they heard the national anthem all stood to attention and we honoured it. Well, it is done in action as well as in spirit. We are thankful for it indeed and I believe it is the prayer you offer in that National Anthem that is saving the throne of England, and long may that throne live. When we think of different kingdoms that have fallen and you still have a monarch on the throne, well we are thankful, and we are sure that the prayer being offered by your National Anthem is being answered by God himself for them. It is a great surprise to me, Sir, that even up here where we thought that people in the North may not realise what loyalty to the throne of England is—the Emirs and their people are exemplary in showing their respect to that throne—it impressed me very much indeed when I went to Zaria the other day, Sir, I was surprised that in the reception room of the Emir of Zaria the only photograph I saw there was that of the King. I was wondering as I looked round everywhere—that there were no other photographs. I asked him "What about your own photograph?" "Oh!" he said "I have one" and he presented me with one (it is in my room now). It is a coloured one. "You have this, why don't you put it up with that of the King?" "I don't want my photograph near so great a man". He has other photographs in other parts of his house, but I could see, that it was loyalty to the throne of England that impelled him to exhibit on his walls that of the King by itself. Then again, on the other hand, when Your Excellency as you arrived in this hall, you were announced and we all rose. Well, what is that. It is not on account of you in person, it is loyalty to the throne of England you represent to us here, we portrayed and we are very glad indeed to do so. Then, similarly, any of the officers in their capacities, they represent either the Governor, or, through the Governor, the King of England. We show loyalty to them, and that is why I was so glad that when I came here I saw these Emirs, that is the Emirs and those intelligent members behind them, when a representative of the Governor or the King of England entered, they all arose to receive him. Very good gesture indeed, and I remember when I went to Ilorin I paid a surprise visit there. I asked the Emir of Ilorin "Where is the representative of Legislative Council?" He sent for him. When he came, and he had gone

to England and returned, after saluting the Emir he squatted on the floor. I was surprised and said "Here is a chair". He said "No, we don't do that here—this is my place". It impressed me very much indeed; similarly each time I rise, either for my Commissioner here or for anybody who is an official I am doing it as a token of loyalty to the throne of England, and not to his person. That is my belief, and hence I had to tell a divisional officer at one time, I think my daughter was about seven years older than he, that "I always say 'Sir' to you, you know the reason why, it is because of the post you occupy as representative of the Governor, and through the Governor of the King of England." I said "That is why I say 'Sir' to you, but when you get off that post, well I will say 'Good morning Mr so and so that is all, and we salute each other as friends. There is a judge, an African judge on the bench in Lagos. When I had to appear before him, I said "Your Honour" and he is only a few months older than my daughter, so he could have been my son. But I have to say to him "Your Honour" or "Your Worship"; if he is a magistrate. That is just it. So that every day and each time that we show our respect to the representatives of the throne of England, we have shown our loyalty to His Majesty the King, and I defy anybody here to say it is not so, and that is why I have great pleasure in recommending this motion to this House. If I have known that the motion was going to be taken today, I was going to ask Your Excellency to let this motion be received here with musical honours to his Majesty the King, and if I succeed in passing it through this House I suggest that we should all receive it standing. Your Excellency, I have great pleasure in commending this motion to the House.

The Oba of Benin (The Hon. Akenzua II, C.M.G.) :

Your Excellency, I beg to second.

Motion adopted.

The First Member for the Eastern Provinces (Dr. the Hon. F. A. Ibiām) :

Your Excellency, I rise to move the following motion, which stands in my name :

"Be it resolved :

"That it is fitting we should take this unique occasion of the present session of the Legislative Council in Kaduna to put on record on behalf of ourselves and the entire peoples of Nigeria and the British Cameroons, our deep regret for the death of our two former Governors and Commanders-in-Chief in the distinguished persons of Sir Donald Cameron and Sir Bernard Bourdillon; and to express and offer our heartfelt sympathy to both Lady Cameron and Lady Bourdillon."

Sir, the peoples of Nigeria and the Cameroons heard with much regret the sad news of the death of Sir Donald Cameron, G.C.M.G., K.B.E. in London on Thursday the 22nd January, 1948, Governor and Commander-in-Chief of Nigeria from the years 1931 to 1935, and also that of Sir Bernard

Bourdillon, G.C.M.G., K.B.E. at Jersey in the Channel Isles on the 6th of February, 1948. He succeeded Sir Donald Cameron as Governor and Commander-in-Chief of Nigeria from 1935 to 1943. It is not necessary for me, Sir, to enumerate here the many services rendered to Nigeria and the British Cameroons by these august persons. They did in their day and generation serve our interests to their best capacity and capabilities, and added no mean contribution towards the advancement and well being of the peoples of this country. When they retired from office we had hoped that they would long live to enjoy the fruits of their faithful service. We deeply mourn their early deaths. This Council and the peoples of Nigeria and the Cameroons extend their heartfelt sympathy to the bereaved families and a special condolence to Lady Cameron and Lady Bourdillon.

Sir, I beg to move.

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

Your Excellency, I rise with personal feelings to second this motion because both Governors were well known to me, and particularly Governor Bourdillon was a good friend of mine. I was very much touched when I heard of his death, and—well to spare myself feelings—I will only say now “I second this motion”.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

Your Excellency, it may be a bit irregular to say something now, but I feel I should say a few words myself, if you don't mind. Sir Donald Cameron came from British Guiana, and may be said to have built up the Nigerian Secretariat to the standard it has attained today. As a young man I didn't know much of him until I entered public life, but from his book on Tanganyika I was able to appreciate greatness in him. In my contacts with him in the United Kingdom and exchange of views I was able to appreciate him also as a great administrator. It was his tact in 1933 or thereabouts which prevented the political situation in Lagos from becoming more aggravated in the Eleko controversy.

In connection with the late Sir Bernard Bourdillon, I have high opinion of him as a very tactful administrator and statesman. A lot of misunderstanding was cleared due to his approachability and urbanity. When it was my privilege to visit England in 1943, I found him very friendly, although we might have disagreed politically. It is therefore with pleasure that I stand and support this motion.

Motion adopted.

The First Member for the Eastern Provinces (Dr. the Hon. F. A. Ibiyam) :

Your Excellency, I rise to move the motion which stands in my name :

“Be it resolved :

“That the peoples of Nigeria and the British Cameroons very much regret the terrible and shocking incident which led to the assassination and death of Mohandas Karamchand Gandhi and that we, in company

with the whole world, do mourn the passing away of this great man of India, and we hereby offer out heartfelt sympathy to India and her peoples, and especially to his bereaved family."

Your Excellency, you will have noticed that I have omitted the words "and Mrs Gandhi." This is so, Sir, because unfortunately she had long preceded Mr Gandhi, and so, with your permission, Sir, I wish to remove these three words. Your Excellency, on Saturday the 31st of January, 1948, all the world heard the startling news of the death of Mohandas Karamchand Gandhi, who died by the foul hand of an assassin at New Delhi, India on the evening of Friday January 30th, 1948. It would be out of place altogether here, and I am not the right person, nor am I competent, Your Excellency, to pay tribute to or eulogise on the life of one of the most distinguished figures mankind has ever known, but in concert with the rest of the world, the peoples of Nigeria and the Cameroons would like to place on record our deep sorrow at the passing of this great man of India, and we hereby offer our condolences to India and her peoples generally, and more particularly to his bereaved family. Sir, I beg to move.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, I rise to second the motion. As is well known, Sir, Mohandas Karamchand Gandhi was a mystic, philosopher, saint and statesman. His love for humanity was actuated by his awareness of the spiritual world, and his service to India by his love for humanity in general. The golden pages of history are written with the biographies of men and women who are too great to belong to one time or one place, and such a man was Mohandas Karamchand Gandhi. Like our own Dr Aggrey he loved humanity because in it was projected his spiritual awareness, and again, like our Dr Aggrey, he served his own people because it was part of the general service to mankind. Mohandas Karamchand Gandhi's life, Your Excellency, is a message to us at this time, a young people sincerely endeavouring to serve our own generation and time. His life warns us to be alive to the fact that everyone of us is, if I might use the figure, the centre of a series of concentric circles, and as true it is that we have duties to perform to our narrow family circles, so also is it true that this circle widens and keeps ever widening from family to village, from willage to town, from town to country, from country to the commonwealth, and from the commonwealth to the world, and the circle keeps ever widening until it embraces all humanity and transcends time and place. Your Excellency, I beg to second.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, with your permission I wish to say a few words in this connection. The life of Gandhi is an example of the irony of fate. Here was a young man who went to England to study in order to earn a living. He moved with the British people, learned their ways of life, appreciated their culture, but he was made to feel that in spite of all the ideals professed that there was something wrong, and that he did not belong. I think such a realistic approach to the life of Gandhi is very essential to a proper and scientific understanding of what he lived and died for. He left Britain rebellious, not because he hated the British, but because he hated the system

which thrived in the world and which made people who looked like him feel that they didn't belong. He went to South Africa and played his part there during the Boer War, which made it necessary for him to call upon his own people to assist in order to save South Africa and the Empire.

Unappreciated, he left South Africa and returned to India dissatisfied. He left a lucrative practice as a lawyer. On arrival in India he did not practise any doctrine of hatred. Due to false propaganda he was misunderstood, and in spite of his honest effort to teach his people and those who ruled over them to appreciate that they had a common destiny, the world was deceived to regard Gandhi as an irresponsible agitator who tried to create trouble in India. But to men like C. F. Andrews and other fair-minded Britishers who went to India and tried to understand him, they were able to write biographies and present Gandhi's life to us objectively. I therefore feel that in doing his memory honour we are doing the right thing. There can be no doubt that many people misunderstood Gandhi. Those who oppressed him, and punished him, those who sent him to gaol, misunderstood him. Gandhi never hated any human being. Gandhi never wanted to drive out anybody from his country until he was forced by circumstances to yield to the demands of the younger generation of India, and what India is today is due largely to the ideas and sacrifices of Gandhi. It is true that telegrams of condolence were sent to his family when he was assassinated, nevertheless it should be realised that within five years ago, Gandhi's name was odious in influential circles in Whitehall and he was not regarded as an individual whose views commanded respect. He was even called a semi-naked *fakir*. I say that his life is an irony: today we build only to destroy tomorrow, today we desecrate only to immortalize tomorrow. I do hope that the life of Gandhi will be a lamp to guide the feet of those who govern and those who are governed in order to make this empire worthy of the heritage for which millions of young people of all creeds and races and colour had died.

Motion adopted as amended.

The Second Lagos Member (Dr the Hon. N. Azikiwe)

Your Excellency, I rise to move the motion standing in my name.

“Be it resolved:

“That this Honourable Assembly grants leave to the Honourable Second Lagos Member to introduce a Bill other than a Government Bill, entitled ‘An Ordinance further to amend the Native Authority Ordinance, 1943’.”

With your permission, Sir, the word “further” should be added so as to read, “An Ordinance further to amend.....”. I understand that at this stage application for leave is a formality, although according to the Standing Orders one should give this House an idea of the nature of the Bill to be introduced. It is quite clear, Sir, that in this country there is resentment against the use of the word “native”, and I have heard it said in official circles that no suitable word can be found. I think it is quite obvious that since we have been able to prove empirically that its official

use under this Ordinance implies local Government and administration, one of the reasons for this amendment is to have this word changed, so that instead of saying "Native Authority" and "Native Administration" we should say "Local Authority" and "Local Administration." This would be consistent with both the spirit and letter of the principles of indirect rule. There are other sections of this Ordinance which need amendment, but I need not discuss these in detail until I have consulted the Honourable the Attorney-General. I beg to move, sir.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Sir, I rise to second.

Motion adopted as amended.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Sir, I rise to move the motion standing in my name.

"Be it resolved :

"That this Honourable Assembly grants leave to the Honourable Second Lagos Member to introduce a Bill other than a Government Bill, entitled 'An Ordinance further to amend the Wireless Telegraphy Ordinance, 1935'."

In this connection, Sir, I wish to say that the United Nations will soon present to the world a Bill of Human Rights—and that same will be based on a draft submitted by the Government of the United Kingdom. In this Bill of Rights one fundamental basic human right is the right to information.

The Wireless Telegraphy Ordinance as it exists at present leaves much to be desired, because official permission to receive and publish wireless messages for newspaper purposes, is not mandatory but discretionary. This matter was discussed with the Colonial Office officials last year, during my visit to London, and I was informed that it is the usual practice for governments of various countries to make such laws ; but the point Sir, is that when the issue was raised, the Secretary of State replied in this wise : "The powers of the Governor to the granting of licences are those common to all Governments. It is, in particular, necessary for the Governor to retain the power of granting or withholding licences to receive or transmit radio messages in order to ensure compliance with international radio communication regulations."

I agree with the above views, Sir, but the object of this amendment is to ensure that the granting of such licences shall not be withheld unduly or unreasonably. Where the law is violated there is no reason why such licence should not be withheld, but where the law had not been violated, the granting of licences of this nature should not be unreasonably withheld, otherwise it would be inconsistent with the right to information which as I have shown is a basic human right. Sir, I beg to move.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Sir, I beg to second.

Motion adopted.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Sir, I beg to move the motion standing in my name.

“ Be it resolved :

“ That this Honourable Assembly grants leave to the Honourable Second Lagos Member to introduce a Bill other than a Government Bill, entitled ‘ An Ordinance further to amend the Interpretation Ordinance, 1939’.”

This is a minor amendment, Sir, and it is in relation to the word “ Crown ” which the Honourable the Attorney-General is aware of, because in fairness to him, during the debate on the Minerals Bill, in 1945, the learned Attorney-General was prepared to make a change, but some of the Unofficial Members did not quite appreciate his point then, and so that fine opportunity was missed. During the discussion which we had with the Secretary of State for the Colonies, last year, he pointed out that, in reality there is no difference between “ Crown ” and “ Government of Nigeria ”. As a matter of fact, the *Interpreter's Handbook* appears to be the only official publication in this country where the word “ crown ” is defined as “ King or the Government.” The object of this amendment is to interpret the word “ Crown ” to mean “ Government of Nigeria ” in the light of local usage. With your permission, I beg to read the answer given to my Question No. 180, by the Honourable the Chief Secretary to the Government : “The definition may vary according to the context in which the word “ Crown ” is used but generally speaking it is synonymous with “ Government of Nigeria ”. If one looked through the Interpretation Ordinance there is no definition of the word “ Crown ” although I am informed that it is defined in the Interpretation Act. In order to avoid any misconception in the future, I am suggesting an amendment in the light of the opinion of the Honourable the Attorney-General, in 1945, and I hope that he still holds to that opinion. This means, in effect that the Interpretation Ordinance would define “ Crown ” to mean the “ Government of Nigeria ” so far as it relates to the Protectorate ; of course, it is not intended to disturb its use so far as it relates to the Colony. Sir, I beg to move.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Sir, I beg to second.

Motion adopted.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, I rise to move the Motion standing in my name :

“ Be it resolved :

“ That this Honourable Assembly grants leave to the Honourable Second Lagos Member to introduce a Bill other than a Government Bill, entitled ‘ An Ordinance further to amend the Criminal Code’.”

I am a bit diffident in asking this House to grant me leave, not because I am not very sure of the grounds on which I stand but because the philosophy which animates the view which I wish to put to this House has not received universal acceptance although it has received support in the English-speaking countries, particularly in the United Kingdom, so far as reforms in criminology and penology are concerned. It is this, Sir. I notice that our laws

mix up both misdemeanours and felonies so that in our Criminal Code whenever one commits an offence and he is found guilty, he is usually liable to fine or imprisonment or to both. Well, Sir, I realize that forty or fifty years ago, in England, the aim of the law was to *punish* not necessarily to *correct* a criminal. With the advance of knowledge in the aspect of sociology, it is now realized that when one commits a felonious crime, extreme punishment may be justifiable, but when it is a misdemeanour this is hardly humanitarian. In Britain today, and I am open to correction, the provision for punishment in case of misdemeanours is fine or imprisonment; but in felony it is fine or imprisonment or both. I notice that in this country the provision is for fine or imprisonment or both, in the case of misdemeanours or felonies or even statutory offences. I humbly submit with deference that it is time we introduced certain amendments to the Criminal Code so that where the offence is not necessarily a felony but is either a misdemeanour or purely statutory, then punishment should be limited to fine or imprisonment; and where it is a felony it should be fine or imprisonment or both. Sir, I beg to move.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Sir, I beg to second.

Motion adopted.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, I rise to move the Motion standing in my name which reads as follows :—

“ Be it resolved :

“ That this Honourable Assembly is entitled to know all the facts relating to the deputation of the National Council of Nigeria and the Cameroons to the Colonial Office and calls for all papers thereto relating.”

Sir, two reasons made me suggest this Motion. In the first place, I discovered to my disappointment that very few people in responsible quarters, had realized the nature of this organization, its deputation to the Colonial Office and its aims and objects. My second reason is that due to this misunderstanding there have been misrepresentation and distortion of views so that the real aims and objects of the National Council of Nigeria and the Cameroons have been perverted, and it has been very difficult to create understanding between those who are hostile towards it and those who are trying to make people understand its mission.

The National Council of Nigeria and the Cameroons was formed in 1944 and is a federation of over 180 groups. It was founded as a medium to make possible contacts between the Government and the people of this country. We realized that, although public opinion is a phenomenon yet it can be gauged; that being the case, we can have an idea of what is the cross-section of public opinion at any given time. This organization, consistent with the idea of active democracy, had sought to secure the co-operation and to enlist the sympathy of various organizations, not necessarily individuals, in this

country so as to form them into a permanent organization that whenever a problem arises, within a few days the Government or others who are interested in the political progress of this country would have an idea of what is public opinion on a given subject, thereby preventing needless recriminations and possible misunderstandings.

The result was that the National Council of Nigeria and the Cameroons rejected the admission of individuals as members and limited its membership to political parties, trades unions, professional and business associations, farmers and peasant associations, and tribal unions. Knowing that Nigeria and the Cameroons are made up of different nationalities, it is difficult to know what these peoples are thinking except through their representatives, and we feel that these tribal unions are very useful. May I refer this House to a statement made in the House of Commons, in 1943, during the debate on the Colonial Supply Bill by the former Secretary of State, Colonel Oliver Stanley, when he gave credit to the various tribal unions for helping to crystallize the idea of indirect rule, and making local government and administration workable, because by the younger elements working with their fathers the task of governing was made easier. By organizing all these various groups we have been able to feel the pulse of a cross section of our people and under wise and responsible leadership we can express different views, crystallize them and give them expression in positive form thus enabling Government to know what the country, at least a cross-section of public opinion, thinks. This was the aim of the organization originally and in this connection let me say that our objectives are political freedom—that is, to achieve self-government within the British Commonwealth, economic security, social equality, and religious freedom.

When, in 1945, the New Constitution was introduced, efforts were not made to contact the people of this country so as to know their views. Although we were annoyed, yet we were politically mature to appreciate that it was a capital blunder—a psychological mistake. Frankly, at the initial stages of the National Council of Nigeria and the Cameroons, it was not intended either to embarrass the Government or to make it difficult for the administration. Rather, it was aimed at ascertaining the views of certain responsible associations, like Trades Union Congress of Nigeria, the Nigeria Youth Movement, the Calabar Progressive Union, the West African Students Union and others, and to mould public opinion according to the consensus of various expressions of views on the new constitution. In this light we prepared a memorandum early in 1945 and I reiterate this statement, because there were certain people who felt that the National Council of Nigeria and the Cameroons criticized the new constitution without making any constructive suggestions as a substitute. I submit that as far back as March, 1945, the views of various organizations in this country were made in the form of a memorandum on the new constitution and submitted to the Secretary of State for the Colonies through this Government. Unfortunately, we were ignored.

Then came the enactment of many laws particularly those connected with Land, Minerals and Chiefs. We got various organizations together, ascertained their views and presented them to the Government. Again,

those views were ignored. Naturally, we felt frustrated at the deliberate intention to misunderstand the National Council of Nigeria and the Cameroons and to pervert its mission. But it is clear today that our aims are the same as the aims of the Government, namely, to enhance the progress of this country through constitutional means. As an earnest of our sincere intentions, we decided to send a deputation to the United Kingdom and present our objections to the New Constitution and to the new laws which had been enacted. By so doing we sought to bring it home to the local government and the Colonial Office that no subversive activities were being encouraged. But before proceeding abroad, it was decided that the various elements of this country should be contacted so that whenever the delegates arrived in the United Kingdom they would speak with authority. To demonstrate willingness to co-operate, we contacted the Government and asked for their good offices, which were not denied us, and we did not have any difficulty so far as motor transport was concerned although the use of Government rest houses was denied a deputation of five National Council of Nigeria and the Cameroons missionaries who travelled all over the country. In fact, every Province in Nigeria, Northern, Eastern and Western, and the Cameroons was visited, and wherever we went we simply pointed out our objections to the New Constitution and the new laws, and offered for public appraisal the substitutions we submitted to the Government. Then we asked the public to decide whether what we had done was unconstitutional or whether we had been subversive? If they agreed with us, we demanded them to give us a mandate and to support us financially to enable us to undertake this great adventure. As is known, it was quite a successful nation-wide tour but unfortunately the intentions of this organization and that mission were subjected to tendentious propaganda in official quarters; the result was that certain high officials made statements which aggravated the position and might have intensified bitterness of a serious nature. We ignored all provocations since our goal was to go over to Britain and submit our objections to the British Government, and possibly obtain redress. I need not go into details, Sir, because almost every Honourable Member of this House appreciates them.

Last year, we visited the United Kingdom and presented a memorandum to the Colonial Office, and in this memorandum we outlined again our objections to these constitutional and legislative measures and in addition submitted a Federal Constitution for the country, which we felt would be acceptable at least to the majority of our people—people who could organize themselves so that one could have an idea of what is public opinion on this score. The Colonial Office appeared kindly disposed and the Secretary of State received us, socially and then officially. Views were exchanged. The minutes of same were taken and circularized; our memorandum was left with the Colonial Office which promised to reply at a later date. This came about a month or two ago. In it the Secretary of State with the co-operation of this Government gave a detailed reply to some of the points raised by us.

For the above reasons I am convinced that I should introduce this motion, and within these few minutes explain what had actually happened in addition to clarifying our aims and objects, leaving the honourable members

to decide whether what had been said or written about the National Council of Nigeria and the Cameroons was justified? We feel, Sir, that the answer to the question asked by my Honourable Friend the Member for the Colony in respect of the attitude of Government towards this organization deserves commendation. It might pressage a change of attitude—possibly policy. I am very grateful, Sir, for the opportunity to stand in this House and explain the mission of the National Council of Nigeria and the Cameroons. I have documentary evidence to prove my assertions and most of these are in the hands of the Government. Sir, I beg to move.

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

Sir, I beg to second.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa) :

Your Excellency, if I oppose this motion I think it wont look very strange. I do not think it is right that this motion should be introduced into this Council because in answer to a question asked by the Honourable the Member for the Colony the Honourable the Chief Secretary to the Government pointed out that the attitude of this Government towards any organization was the same—that is there is no difference in the Government attitude whether it is the National Council of Nigeria and the Cameroons or whether it is Youth Movement or any other kind of organization. Now speaking of the National Council of Nigeria and the Cameroons delegation to England, Sir, last year I spoke in Council and I said that, the National Council of Nigeria and the Cameroons leaders who toured parts of Nigeria could only be called "self styled representatives", and I am right in saying so. Now I am going to confine myself mainly to the Northern Provinces, though the people came on their tour when I was away yet I got information about their tour when I was far away from Nigeria; and when I came back home I also got first hand information of all their action when they were in the Northern Provinces. Now they knew very well that the North has not the opportunities of telling the world, the outside world, of all matters like this and so the National Council of Nigeria and the Cameroons people took the opportunity to tell the world that they came round the Northern Provinces and they got a mandate from the people. Now, it was said that the Northern Provinces contributed money towards the finances of the National Council of Nigeria and the Cameroons delegation to England. Now this is wrong because when they came round to the Northern Provinces, the people who contributed to the National Council of Nigeria and the Cameroons funds, were mainly Government officials from the South, and some Southern exiles in the North. The Northern people did not contribute towards these funds. Well, I am sorry to be a bit personal on my side, Sir. I got an invitation to join the National Council of Nigeria and the Cameroons delegation. The first time I saw that invitation to join the delegation it made me think because here is an organization of which I know nothing which is now asking me to join it and go to England to present the case of Nigeria. Well, somehow they managed to get some people to join them and go to England. The Honourable Friend who moved this motion, Sir, mentioned that they gave the Secretary of

State a draft of a new constitution. With whom did they discuss that constitution before they went over to England. So in the same way the Richards' constitution was forced upon the people of Nigeria the National Council of Nigeria and the Cameroons was trying to do a similar thing in forcing their constitution upon the people of Nigeria. And so, Your Excellency, I want to oppose the introduction of this motion. Now, if we agree with this motion in this Council it means probably next time we may see it in the Press because the National Council of Nigeria and the Cameroons have got access to many papers in the country. They will write in the papers that the National Council of Nigeria and the Cameroons organization has been discussed in the Nigerian Legislative Council sitting in Kaduna. People in America will read the papers, people in other parts of the world will also read the papers. The way that Government treats other organizations in the country should be the same that the National Council of Nigeria and the Cameroons organization is to be treated. And so, Your Excellency, I oppose this motion.

The Oni of Ife (The Hon. Aderemi I, C.M.G.) :

Your Excellency, I rise to oppose this motion. I do not wish to go into the merits or demerits of the mission of the National Council of Nigeria and the Cameroons. I do not wish to say anything about its failure or success but I oppose the motion as a matter of principle because this house did not send a deputation to England. Why should this house now agree to hear the facts of what they did in England. It would appear as if this house was privy to the sending of the deputation to England. I oppose it and I think that those who want to hear the facts and the results of the deputation to England can well read it in the papers as the newspapers are there to publish any facts that the National Council of Nigeria and the Cameroons wish to publish.

Your Excellency, I oppose it.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I rise really on a point of constitutional law. The National Council of Nigeria and the Cameroons is a private political party. It has a constitutional right to be established in so far as its aims and objects are not incompatible with any of the laws of this country. That being the case, Sir, I think that were this motion to succeed it would lay a very dangerous precedent. It would, I think, lay a precedent for an unconstitutional and intolerable interference by Government in the affairs of a private political party. If the Labour Party in England sent representatives to, should I say Moscow, to attend a conference at the invitation of the Communist Party, I do not think, Sir, that the House of Commons would be justified in calling upon the Labour Party to lay on the table of the House the papers relating to the affairs of that party unless, of course, there was any evidence to show that while that party had been holding its conference in Moscow it had been guilty of treasonable acts. Then, of course, it would become the duty of the Government to apprise itself officially of the facts of such treason. In this case Sir, there is no suggestion by any Honourable

Member that the National Council of Nigeria and the Cameroons had been guilty of any criminal acts while it was in England and I think, Sir, as a matter of right, they are entitled to have their documents secret. This house is not entitled to call for these documents. This house has no right "to call" in the terms of the motion; we are not entitled to know the facts and we have no right to call for the papers. The Honourable Member who is making the motion is proceeding on the assumption that we have a right to know or a right to call for the papers. There is no such right. This Government has no such right and this house has no such right. If, Your Excellency, the Honourable the Mover of this motion draws my attention to any law of this country or of England which entitles the Government to call for the papers or to know the facts about private political delegations, I am quite prepared to support the motion. In the absence, Sir, of such evidence, I oppose this motion.

The Hon. the Chief Secretary to the Government :

Your Excellency, I rise to make clear the position of Government in this matter. I feel that some misunderstanding has arisen for which I think the Honourable the Mover of the motion is himself responsible. The last speaker seemed to understand from the motion that the aim was to extract certain papers from the National Council of Nigeria and the Cameroons. I was under the impression that this is not the purpose and, as I say, I think that the Honourable the Mover of the motion is responsible for the misunderstanding. I waited as I listened to him for any indication of what exactly he did want but he did not enlighten us. It is certainly not my intention to be led into a discussion of the history and functions of the National Council of Nigeria and the Cameroons. This is not the place for such a discussion nor would it be suitable on this motion. If it is the intention of the Honourable Member that Government papers, other than those which have already been made public, should be published, then on behalf of Government I oppose the motion. I suggest, Sir, that there is no more right for a political party to ask for confidential Government papers, to have confidential official correspondence published, than there is a right of Government to require a political party to publish its own confidential papers. Every resident of this territory, and of every colonial territory, has the right to petition the Governor and, indeed, the Secretary of State. When he does so he obtains a reply. In this case the petition was made to the Secretary of State, it was discussed with the Secretary of State and with Colonial Office officials and a full reply was made, a full and detailed reply. That reply has been published in full and as far as Government is concerned, Sir, we would not be prepared to publish more than has already been made available by publication in the Press.

His Excellency the Officer Administering the Government :

If no other Honourable Member wishes to speak, I will call upon the mover of the motion to reply.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Thank you, Sir, I wish to avail myself of the opportunity. The Honourable the First Member for the East felt that this house is not entitled to know the facts because it would be an intolerable interference in the

private affairs of a political party. I would have agreed with my friend but I wish to say that in the last two years, off and on, the activities of the National Council of Nigeria and the Cameroons have been discussed not only in the Houses of Assembly but in the Legislative Council, with the result that there had been complete misinformation and misunderstanding as to what this organization is and what are its aims. Permit me, Sir, to refer to a paper laid on the table of this Honourable House by the Honourable the Chief Secretary, Sessional Paper No. 28 of 1947, Reports of the Northern, Western and Eastern Provinces and the Colony.

At page 3 of the Report made by His Honour the Chief Commissioner, Northern Provinces, these were the statements made—I would not go the length of saying that the statements refer to the National Council of Nigeria and the Cameroons, but I should leave it to the judgment of Honourable Members whether such a statement refers to the National Council of Nigeria and the Cameroons or not, and whether in the light of what has been previously said, the remarks made by His Honour were justified. His Honour said: "Already much had been done by a self-styled 'national' body by a tour in the Northern Provinces to awaken in the people of that region a patriotism and political consciousness of which previously there had been few if any signs. Whatever claims the tourists may make, they did at least do quickly what Administrative Officers have had to be content to do by small degrees, namely, rouse the northerner to a realization of his importance in Nigerian politics and cause him to subject to informed criticism the public's unbalanced newspaper fare". Those were the statements made, Sir, and placed on the table of this House, by a very responsible and high official. I will not make any further comments.

In the report of His Honour the Chief Commissioner, Western Provinces, remarks were also made which I feel are pertinent, although I leave it, again, to this House to decide whether such remarks refer to the National Council of Nigeria and the Cameroons or not, to justify my statement that you are entitled to know the facts. His Honour said: "It is a tribute to the good sense of the masses that the disruptive influences which have been at work have met with little real success and that confidence in Government is not seriously shaken. There is, however, a feeling, particularly among the Yorubas who pride themselves on their sagacity and good sense, that they are not always sufficiently in the confidence of the Government, that they are not consulted on problems to the solutions of which they can offer a valuable contribution. Whether there are reasonable grounds for this complaint is debatable but it does indicate a growing and healthy interest which is in itself of considerable significance".

The same remarks were made by the Chief Commissioner, Eastern Provinces, in this respect. Said His Honour: "Agitators find fruitful ground for their utterances among the volatile and vocal inhabitants of the Eastern Provinces and such disturbing influences have had their effect during the year." (That is 1946, the very year the National Council of Nigeria and the Cameroons delegation toured the Eastern Provinces.) "It is considered, however, that the effect is generally shortlived and that the fundamental commonsense of the majority soon restores the balance."

Of course, the Commissioner of the Colony also made remarks which were provocative: "The masses do not desire any change in their way of life and the progressive measures of Government are usually regarded with suspicion and resentment. Unfortunately, this attitude is usually supported and encouraged by the political leaders of the town who are apt to pay more attention to oratorical variations on such well-worn themes as "imperialism", "exploitation" and "racial prejudice" than to the plight of the people who look to them for guidance".

I submit, Sir, that these statements are quite clear and they do give an impression that certain people who had been touring, were "self-styled leaders"—I am grateful to Honourable Balewa, my friend from the North, who repeated almost *verbatim* what His Honour the Chief Commissioner, Northern Provinces, mentioned in his report. It is quite obvious that the members of this Honourable Assembly, leaders of their various communities, are entitled to know the facts. They are presumed to have read these reports, and to have made up their minds. So, I feel that they are entitled to know the real facts. I do not say that they should agree with the facts, as presented by me, but my point, Sir, is that having had the official version, as laid on the table of this Honourable House, not to mention statements made by high officials who are in this House now, including the widely publicised official speech of Lord Milverton attacking the National Council of Nigeria and the Cameroons in 1946, not to mention this former Governor's peregrinations at different places where he made speeches against this body, and tried to give an interpretation of the aims and objects of that body in his own way, this House is fully entitled to know the facts, to be fair to all parties concerned. I think that it was at the time of Lord Milverton's tour that the expressions "self-styled" and "self-appointed" were used in connection with the National Council of Nigeria and the Cameroons. This is not really pertinent, but permit me to say, Sir, that when the terms "self-styled" and "self-appointed" were so used against the National Council of Nigeria and the Cameroons, we decided that we should enter the arena of practical politics and participate in politics actively. That may be said to be responsible for the three Members from Lagos being in this Council today. We found that we were being represented to the outside world as representing nobody but ourselves, so we decided to put the issue to the test and ascertain whether the people were at the back of us or not. The result was that we took part and won all the seats at the last elections.

Therefore, I feel that I have not been ill-advised or far fetched in saying that this House is entitled to know the facts, because the real facts have not been given to the Members of this House. What they got were distorted in a way calculated to give a totally wrong impression of what the National Council of Nigeria and the Cameroons is and what its deputation sought.

My friend, the Honourable the Second Member for the North, argued that Northerners did not contribute anything to the coffers of the National Council of Nigeria and the Cameroons. I beg to differ from him and to refer him to contributions in the press by certain Northerners in this connection. I will mention names in order to be sure that I am not misleading the House. Mallam Bukar Dipcharima, of Maiduguri, wrote a couple of articles in the press and pointed out that he and other Northerners were

members of a responsible committee which raised £120 from Northerners and Southerners of Bornu Province in 1946 and this amount was given to the deputation of the National Council of Nigeria and the Cameroons. If my friend says that he is not aware of this information, I would appreciate his view, but for him to make a categorical statement that no Northerner supported the National Council of Nigeria and the Cameroons financially is untrue. After the death of the first President of the National Council of Nigeria and the Cameroons, many Northerners took us into their confidence. Some gave us funds openly and some did it *sub rosa*; some very responsible Northerners also gave us moral and financial support.

My friend the Honourable the Second Member for the Northern Provinces also mentioned that whereas we criticised the new constitution as having been imposed, we did not discuss ours with anybody. I beg to differ from him. After all, the National Council of Nigeria and the Cameroons is a federation of over 180 member unions, and these have their representatives. These representatives naturally play the part representatives are expected to play in any representative democracy. It is not intended if the New Constitution is accepted that it should not be presented to the whole country, but certainly not to every individual member of the twenty-five million people of Nigeria. It will be presented firstly to the members of the National Council of Nigeria and the Cameroons and they, in turn, would meet the various communities; that was what was done, and so to say that our Constitution was just handed down from above like the laws of Moses on Mount Sinai, I would say is an unfair statement, Sir. Naturally, in view of what I have said, I do not agree with His Highness who said that this House has not sent a deputation to England and so we are not entitled to discuss National Council of Nigeria and the Cameroons affairs. But we have discussed the National Council of Nigeria and the Cameroons in the House, and unfortunately it is only one side of the story that we have heard; therefore, as I said before, I appreciate the privilege to stand and express what actually happened, leaving the rest to the Government.

I will now turn to the statement of the Honourable the Chief Secretary. Of course, I appreciate his views but the only thing I think is that the Government through their spokesmen have made definite statements about the National Council of Nigeria and the Cameroons—not confidential statements but open statements—not only in this Legislative Council but in the Houses of Assembly and in the Provincial Councils and during the tours of certain Administrative Officers. Some of these statements were right but in our opinion most of them were incorrect, and I feel justified, therefore, in having asked permission to make this motion, although I will say that, so far as calling for papers is concerned, if it is deemed wrong, I am prepared to admit that. Some of these statements which set out the aims of the National Council of Nigeria and the Cameroons are in documentary form and have been circularised by the Nigerian Secretariat, so that if that part of the motion is unacceptable, I am prepared to yield this point, but I feel, Sir, that in stating that this Council is entitled to know the facts, I have acted aright, because it is quite clear that in the past, Members of this Council did not know the facts and they were not given the correct facts, which I have tried to present in the limited time at my disposal. This

organisation is not as black as it is painted and I merely wanted to make the position clear, which I have done, in spite of handicaps.

His Excellency the Officer Administering the Government:

The question is in the terms of the motion. Will those in favour say "Aye", those against "No."

I think the "Noes" have it.

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

Your Excellency, I am pressing for a division, Sir.

Council in Division.

<i>For</i>	<i>Against</i>
4	38
The Honourable the Third Lagos Member.	The Honourable the Temporary Nominated Member.
The Honourable the Fifth Member for the Eastern Provinces.	The Honourable the Member for Calabar.
The Honourable the Second Lagos Member.	The Honourable the Fourth Member for the Western Provinces.
The Honourable the First Lagos Member.	The Honourable the Fifth Member for the Northern Provinces.
	The Honourable the Second Nominated Member.
	The Honourable the Fourth Member for the Eastern Provinces.
	The Honourable the Fourth Member for the Northern Provinces.
	The Honourable the Third Member for the Eastern Provinces.
	The Honourable the Third Member for the Northern Provinces.
	The Honourable the Second Member for the Eastern Provinces.
	The Honourable the Second Member for the Northern Provinces.
	The Honourable the First Member for the Eastern Provinces.
	The Honourable the First Member for the Northern Provinces.
	The Honourable the Emir of Abuja.
	The Honourable the Atta of Igbirra.
	The Honourable the Oba of Benin.
	The Honourable the Oni of Ife.
	The Honourable the Emir of Katsina.
	The Honourable the Emir of Gwandu.
	The Honourable the Third Member for the Western Provinces.
	The Honourable the Second Member for the Western Provinces.
	The Honourable the First Member for the Western Provinces.
	The Honourable the Member for the Colony.
	The Honourable the Secretary, Eastern Provinces.
	The Honourable the Senior Resident, Oyo Province.

*For**Against*

The Honourable the Senior Resident, Adamawa Province.
 The Honourable the Commissioner of the Colony.
 The Honourable the Commissioner of Labour.
 The Honourable the Director of Public Works.
 The Honourable the Director of Education.
 The Honourable the Acting Development Secretary.
 The Honourable the Director of Medical Services.
 The Honourable the Financial Secretary.
 The Honourable the Attorney-General.
 His Honour the Chief Commissioner, Northern Provinces.
 His Honour the Chief Commissioner, Western Provinces.
 His Honour the Chief Commissioner, Eastern Provinces.
 The Honourable the Chief Secretary to the Government.

His Excellency the Officer Administering the Government :

The voting is "Ayes" 4, "Noes" 38. The "Noes" have it.

The Honourable the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, I rise to move the motion standing in my name :

"Be it resolved :

"That this Honourable Assembly grants leave to the Honourable Second Lagos Member to introduce a Bill other than a Government Bill, entitled 'An Ordinance further to amend the Public Lands Acquisition Ordinance, 1917'."

This is a minor amendment, Sir, in connection with Section 2 (g) of the amending Ordinance which was enacted on 19th April, 1945, which reads :

"2 (g) for obtaining control over land required for or in connexion with planned rural development or settlement."

The word "settlement" is where the amendment is suggested, Sir. When this Ordinance was made part of the Bill, the suggestion that the word "settlement" be amended so as relieve it of any legal ambiguity was made, but unfortunately as I pointed out a few minutes ago, I do not know whether it is due to prejudice or not, the Administration was distrustful and it was not possible to appreciate why such a suggestion was made until last year, when the necessity for this amendment was explained to the Secretary of State. This is the view of the Secretary of State, Sir, in his Memorandum which the Honourable the Chief Secretary to the Government has also publicised. It says: "The proposal to insert under Section 2 (g) the words 'settlement of people of African descent' implies that such an amendment is necessary. The delegation is well aware that it has never been the policy of His Majesty's Government to encourage European settlement

in Nigeria. Any suggestion that the policy of His Majesty's Government in this respect is now to be revised is plainly without foundation. In other words, it has never been intended, nor will be intended, to settle people of European descent in Nigeria." We agree with the view of the Secretary of State, and I think he agrees with us; thus it can be seen that the law as it now stands is without any qualification and is, therefore, ambiguous. If the words "settlement of people of African descent" are inserted, it will remove any ambiguity; it is to remove such ambiguity that I ask leave to introduce this amending Bill.

I beg to move, Sir.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Sir, I beg to second.

The First Member for the Western Provinces (The Hon. A. Obisesan):

Your Excellency, I rise to oppose. I know much about this motion, Your Excellency, and I will try to say something about it this afternoon before this honourable house. The history of it is known to me like A, B, C, for the simple reason, Your Excellency, that I was a member of the old House in 1945, which was responsible for the enactment of the law relating to the land in Nigeria. At that time, Your Excellency, there was a lot of outcry and outbursts of indignation by certain sections of the people, especially the organisation controlled by the mover of this motion. Sir, I had the opportunity of discussing this question with many people in the country at the time when the agitation was going on. Everybody with whom I discussed it was assured that no one need have any fear at all, because not ten years, not even five years ago when the British Government settled in Nigeria they were told that if we want Englishmen to come to this country to assist us to develop our country it is of necessity that we must give them land to settle upon, but not to settle down as if they were the owners of it, but simply to educate us to become like them and then go back to their country. Now, Sir, for anybody to suggest that the Government contemplates bringing European people to this country to come and settle down, is simply a fallacy. The reason is not far to seek, Your Excellency, it is now over sixty years since the British Government has taken over the administration of our country. Sir, it was in the time of Her Majesty Queen Victoria, to whose memory the Honourable Member for the Colony has just paid tribute. It is out of reason for anybody in this country to suggest now that the aim of Government now is to dispossess us of our land. Your Excellency, I oppose this motion.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, very respectfully, Sir, I have to say that in my humble opinion the Honourable Member who has just spoken does not appear to me to understand quite fully the motion. The motion is to remove any ambiguity there could possibly be in the construction of the wording of the amendment as it now stands. The amendment, I think, seeks to add a second paragraph with regard to the definition of "obtaining control over land required for or in connection with planned rural development or settlement". Well, Sir, the words "or settlement" appear to me to be the only

proper interpretation sufficiently elastic to embrace the settlement of anybody. That being the case, Sir, I think the amendment seeks to put it beyond doubt that the settlement which is understood in this section of the law is settlement of persons of African descent. I think, Sir, we have had one example already of distinction between judicial interpretation and the opinion of this House. In the Minerals' Ordinance, Your Excellency will remember that there was some difficulty about the word "prior". Now according to the law as interpreted by the Courts anybody who was going to do some mining would require to get the consent of the person who owned the land—consent may be obtained at any time. Then, Sir, we have to come to this House to amend the law to mean prior consent. That surely, Sir, should show the Honourable Member that the fair-minded protestations of Government were one thing, and the law as understood by the Courts—who in the last analysis have to apply the law—was something quite different. I think, Sir, that the law as it stands, in my humble opinion embraces settlement of all persons, of anybody who has any right to be in this country, and I think, Sir, the amendment sought is a proper one. I support the motion.

His Excellency the Officer Administering the Government :

If no other Honourable Member wishes to speak I will call upon the Mover to reply.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

Your Excellency, frankly I don't really appreciate the procedure when we come before this Honourable Assembly to ask leave to introduce a Bill—whether the merits or demerits of the Bill are to be gone into? Anyway, Sir, I must make it clear to the Honourable Members the nature of the Bill to be introduced, otherwise I feel that all we have to do is to come here, just give the aims and reasons of the Bill and leave it to the House to use its discretion. However, I am grateful to my Friend, the Honourable the First Member for the East, for explaining to my Friend from the West that we have not reached the stage yet of entering into the merits or demerits of the Bill, but the intention of the motion is to ask leave to introduce a Bill, to amend what appears to be ambiguity which should be removed. The ambiguity is admitted and as far as I can see there is no official objection because it is not the policy of His Majesty's Government to settle people of non-African descent. Therefore, I feel there is no need for me to discuss any further the point raised by my Honourable Friend from the West.

Motion adopted.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

Your Excellency, I rise, Sir, to move the motion standing in my name.

"Be it resolved :

"That this Honourable Assembly grants leave to the Second Lagos Member to introduce a Bill other than a Government Bill, entitled 'An Ordinance further to amend the Crown Lands Ordinance, 1918'."

The reason why I seek leave of this Honourable House, Sir, is the same as that advanced in connection with the Interpretation Ordinance, and I think that it is quite obvious. In consultation with the Honourable the Attorney-General I will be able to find out what can be done to avoid duplication. I beg to move, Sir.

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

I beg to second.

Motion adopted.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

Your Excellency, I beg to move the motion standing in my name, which reads :

“ Be it resolved :

“ That this Honourable Assembly grants leave to the Honourable the Second Lagos Member to introduce a Bill other than a Government Bill, entitled ‘ An Ordinance further to amend the Minerals Ordinance, 1945 ’.”

Sir, section 3 of the Minerals Ordinance vests mineral rights in the Crown, and it was in connection with that Ordinance that the Honourable the Attorney-General explained to Honourable Members that the word “ Crown ” there implied the Government of Nigeria. The amendment sought in the Interpretation Ordinance would naturally affect this Minerals Ordinance.

There are other points, Sir, which arise, and I feel I might as well discuss one or two of them, so as not to mislead Honourable Members. One of these is that in certain sections (I have them all marked), which I will show to the Honourable the Attorney-General later, it is provided that the Governor may, “ in his absolute discretion,” grant, vary, cancel, renew, prospecting licences, mining rights and leases. Our point is that there is complaint that injustice might be done unwittingly. The official answer is to the effect that the discretion of His Excellency the Governor would be exercised on an equitable basis. When we raised this issue with the Secretary of State, he pointed out that there was no specific evidence of abuse of discretionary power and asked what substitutions we had in mind ? We suggested that rather than making the Governor’s discretion *absolute*, it should be left with the judiciary to determine, and if the Chief Inspector of Mines feels that, for one reason or another, an applicant is not suitable to have a prospecting licence or mining right, he should state a case for the person concerned to answer, and the courts should be in position to decide whether the refusal was right or wrong. The reply from the Colonial Office was that, so far as this Government is concerned, those engaged in the mining industry had not raised any objection to this fact, and that when they did so the Government would give it due consideration. Well, Sir, an African organisation of miners raised this objection originally in 1945. Since the reply of the Secretary of State came only a month or two ago, we felt we should suggest to this Government the amendment envisaged. I will not say now, Sir, all that will be included in the amending Bill, but whatever will be done will be subject to consultation with the Attorney-General. There are two reasons for this amendment : the definition of the word “ Crown ” to mean Government of Nigeria, and the exercise of the discretionary power of the Governor subject to judicial interpretation. I beg to move Sir

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

I beg to second.

Motion adopted.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

Sir, in view of certain complications which had arisen in this Council, and also the introduction of the motion affecting the appointment and deposition of Chiefs, which had been argued in this House, I am not quite competent to discuss this motion at present Sir, so I am begging leave of this Council to have the following motion deferred until another time.

“ Be it resolved :

“ That this Honourable Assembly grants leave to the
“ Honourable Second Lagos Member to introduce
“ a Bill other than a Government Bill, entitled ‘ An
“ Ordinance to amend the Appointment and Deposition
“ of Chiefs (Amendment) Ordinance, 1945 ’ . ”

His Excellency the Officer Administering the Government :

Perhaps the best thing would be if the Honourable Member would withdraw the motion. Then it would be open to him to put it forward again.

The Second Lagos Member (Dr. the Hon. N. Azikiwe) :

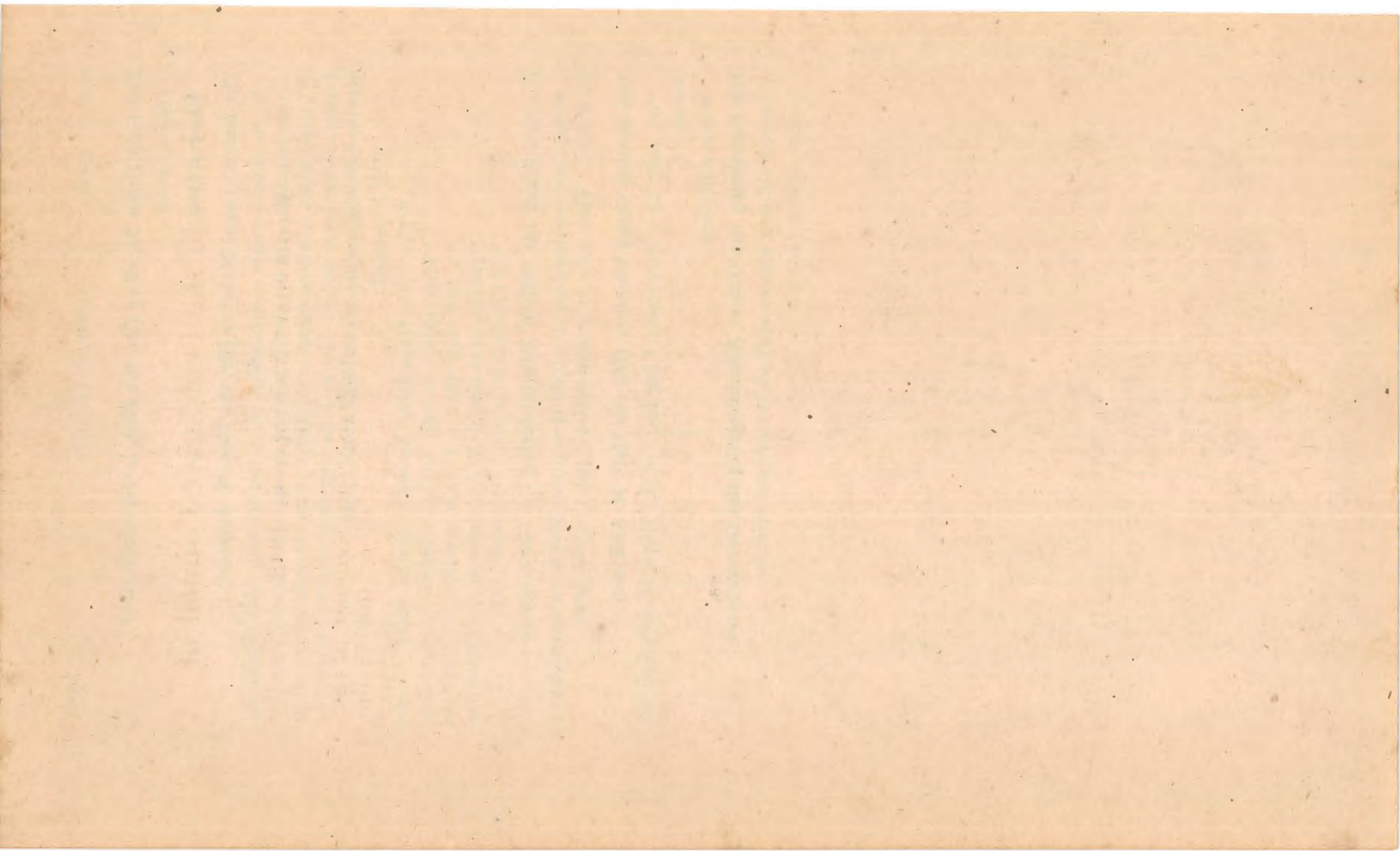
Very well, Your Excellency, I beg leave of the House to withdraw this motion.

Motion withdrawn.

His Excellency the Officer Administering the Government :

Council will now adjourn until 10.30 tomorrow morning.

Council adjourned at 6 p.m.



Debates in the Legislative Council of Nigeria

Wednesday, 24th March, 1948

Pursuant to notice the Honourable the Members of the Legislative Council met in the Hall of the Trade Centre, Kaduna, at 11 a.m. on Wednesday, the 24th of March, 1948.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain E. W. Thompstone, C.M.G., M.C.
- The Attorney-General,
The Honourable G. L. Howe, K.C.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable C. J. Pleass.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Commissioner of the Colony,
The Honourable E. A. Carr.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.

- The Senior Resident, Oyo Province,
Commander the Honourable J. G. Pyke-Nott, R.N.
- The Secretary, Eastern Provinces,
The Honourable E. J. Gibbons, C.B.E.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable Akinpelu Obisesan.
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Aderemi I, C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahima.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Bowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The Second Nominated Member,
The Honourable P. J. Rogers.

- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- Temporary Nominated Member,
The Honourable N. B. Edwards.

ABSENT

UNOFFICIAL MEMBERS

- The Second Member for the Western Provinces,
The Rev. and Honourable Canon S. A. Delumo.
- The Third Nominated Member,
Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 23rd of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Financial Secretary:

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

Report of the Select Committee of the Legislative Council appointed to consider the Bill entitled "An Ordinance to appropriate the sum of twenty-nine million, five hundred and thirty-one thousand, five hundred and twenty pounds to the service of the year ending on the thirty-first day of March, one thousand nine hundred and forty-nine."

Report of the Select Committee of the Legislative Council appointed to consider the schedule of amendments of Duties and Exemptions under the Customs Ordinance, 1942, set out in the Customs (Duties and Exemptions) Order-in-Council, 1948.

QUESTIONS

NOTE.—Replies to Questions No. 2 by the Honourable the Member for the Colony; Nos. 4, 8 and 9 by the Honourable the Fourth Member for the Eastern Provinces; No. 53 by the Honourable the Member for the Colony; No. 65 by the Honourable the Atta of Igbirra; Nos. 89, 93, 94, 117, 130, 146-148, 185, 186, 192, 211, 221 and 222 by the Honourable the Second Lagos Member;

Nos. 239-242 by the Honourable the Third Member for the Western Provinces; Nos. 248 and 258 by the Honourable the Fourth Member for the Western Provinces; Nos. 264, 269, 271, 274, 275, 282-294, 296-299, 301, 303, 305-308, 313 and 314 by the Honourable the Second Lagos Member and No. 317 by the Honourable the Third Member for the Eastern Provinces are not yet ready.

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

35. To ask the Honourable the Commissioner of Labour:—

Assuming that the occupation of motor driver comes within the provisions of the Labour Code

(a) What steps have been taken to regulate the wages and hours of work of motor drivers?

(b) Whether Government will arrange public lectures on driving at different centres in Nigeria?

(c) Whether Government will tighten up driving tests for lorry and bus drivers by requiring them to drive for a distance of about sixty miles before the grant of a driving licence?

Answer—

The Hon. the Commissioner of Labour:

(a) The Labour Advisory Board for Lagos and the Colony was directed to enquire into the rates of wages and conditions of employment of drivers of commercial vehicles in August, 1946. (Government Notice No. 1063 in *Gazette* No. 47 of the 29th of August, 1946). The Board has submitted a report which is now under consideration by Government.

(b) Yes, Sir.

(c) The implementation of the Honourable Member's suggestion would be impracticable as such a test would take at least three hours to conduct and not more than two such tests could be carried out in any one day by a Licensing Authority (usually a Superior Police Officer) whose normal duties would have to be neglected. With a view to standardising the driving tests carried out by Licensing Authorities throughout the country, and in order to ensure that applicants for driving licences are competent and have a sound knowledge of the provisions of the Motor Traffic Ordinance and Regulations, a directive setting out the manner in which these tests are to be conducted has been sent to all Licensing Authorities. It is hoped that by the rigid enforcement of these instructions the standard of driving generally will improve.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Will Government give information in relation to (a) the Lagos Ikoyi Club and (b) European Clubs throughout Nigeria and the Cameroons, under the following categories:

- (i) Proprietors.
- (ii) Membership requirements.
- (iii) Grants from the public revenue
- (iv) Loans from the public revenue.

Answer—

The Hon. the Chief Secretary to the Government:

(a) (i) The Ikoyi Club is vested in the Registered Trustees of the Club.

(ii) Any person proposed by one and seconded by another ordinary member may be put up for election and elected, unless two adverse votes are cast against him in the ballot.

(iii) A grant of £5,280 from public revenue was made to the Ikoyi Club in 1938. The grant was made on condition that the club should undertake the obligation of providing restaurant facilities, which Government would otherwise have had to provide, for officials staying in Lagos on their way to and from leave. After providing these facilities for nine years the club asked to be released of the remainder of its obligation and was permitted to do so on repayment of £2,500.

(iv) A loan of £4,000 has been made to the Ikoyi Club at an interest rate of five per cent *per annum*.

(b) No club, the membership of which is now confined by its rules to Europeans, has, as far as can be traced from public records, received a loan or a grant from public revenue.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

116. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) Is the Gaskiya Corporation a limited liability company or a State concern?

(b) If the former, who are the shareholders?

(c) If the latter, will relevant papers be laid on the table of this Honourable House for general information?

(d) What is the circulation of *Gaskiya Ta Fi Kwabo* annually, since its inception?

(e) Will statement of account of the corporation since its inception be published for general information?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Neither, Sir. It is a corporation established under the Gaskiya Corporation Ordinance, 1945.

(b) Does not arise.

(c) Does not arise.

(d) The Corporation has supplied the following figures of circulation and has stated that it has no objection to their being made public:—

First issue, January, 1939; 5,000.

Twelfth issue, December, 1939; 14,700.

December, 1944 (No. 126); 19,800.

Audited net sale of one issue in May, 1947, as certified by Messrs Cassleton Elliott; 21,329.

Average sale per issue at February, 1948; 25,010. It is understood that arrangements have been made for a further audited net sale certified to be obtained shortly.

(e) The Honourable Member's suggestion will be taken up with the Board of Control of the Corporation.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) How many lorries and kit cars were imported into the country from 1940-1947 inclusive, year by year?

(b) How many were of American manufacture?

(c) How many were of British manufacture?

(d) Of the lorries and kit cars mentioned in (b) above, how were they allocated to the (1) Northern Provinces, (2) Eastern Provinces, (3) Western Provinces, (4) Cameroons, and (5) the Colony, year by year?

(e) What are the criteria for allocation of lorries and kit cars, zonally?

(f) How many Africans and non-Africans were allocated lorries and kit cars in accordance with Question (d) above, annually?

Answer—

The Hon. the Chief Secretary to the Government :

(a) (b) and (c) No distinction is made between lorries (including chassis), buses and kitcars in the records of the Customs Department. The numbers of all types of commercial vehicle imported were as follows:—

	TOTAL	From North America	From the United Kingdom
1940	376	360	16
1941	443	441	2
1942	575	571	4
1943	7	1	6
1944	1,611	1,573	38
1945	65	54	11
1946	1,204	328	884
1947	1,680	1,254	426

(d) No records of zonal distribution are available prior to 1946. In 1946 and 1947 commercial vehicles of American manufacture subject to allocation were distributed as follows:—

	1946		1947	
	Lorries	Kitcars, utilities and light vans	Lorries	Kitcar, utilities and light vans
Northern Provinces	63	46	264	200
Eastern Provinces	71	10	79	48
Western Provinces	142	40	160	74
Cameroons ...	1	1	22	11
Colony	60	33	94	23
	337	130	619	356

(e) The allocation of vehicles between zones is based on the relative urgency of requirements and the length of the waiting list in each area.

(f) It is regretted that the information is not immediately available but the records for 1946 and 1947 are being searched and the information when obtained will be supplied to Honourable Members.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Is it a fact that the people of Nguru paid £1,000 to the Government after the Women's Riot?

(b) If so, was such amount an indemnity or fine?

(c) If it was an indemnity, who was indemnified?

(d) If it was a fine, what court conducted the trial?

(e) Was it a properly constituted court?

(f) Who were the judges of that court?

(g) Were the people concerned allowed to make a defence, and were they allowed opportunity for legal defence?

(h) Is Government disposed to refund the amount paid by the Nguru people?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) and (b) In 1930 a fine of £3,873 4s 9d was imposed by the Governor on the people of thirty-one villages in the Nguru area in accordance with the powers conferred upon His Excellency by the Collective Punishments Ordinance, Chapter 80.

(c) Does not therefore arise.

(d) The fine was imposed on the recommendation of a Court of Inquiry duly appointed under the Collective Punishments Ordinance.

(e) Yes, Sir.

(f) Mr H. Norman Cleverley, District Officer.

(g) Statements were taken during the enquiry from representatives of those who had taken part in the riot. Section 6 of the Collective Punishments Ordinance requires proceedings under the Ordinance to be conducted in accordance with the provisions of section 43 of the Criminal Procedure Ordinance (now repealed).

(h) No, Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) Will Government explain the allegations in the Press of high-handedness by a British Administrative Officer at Kumba against certain chiefs and people there?

(b) Will assurance be given that where mistakes had unavoidably been made, same would be rectified to avoid recurrence?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) An official statement regarding the allegations to which it is presumed that the Honourable Member refers was issued by the Government and published in the press in November last.

(b) There is nothing at present to add to that statement but some of the allegations made against the District Officer, Kumba, are still being investigated.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What was the total amount paid out to the Railway employees in the Mechanical Department to cover loss in "Saturday pay" for the period 1931-41?

(b) What were the reasons for the payment of this money?

Answer—

The Hon. the Chief Secretary to the Government:

(a) £27,544.

(b) Loss on conversion from daily to hourly rates of pay.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many towns are provided with telephone service in Nigeria and the Cameroons?

(b) What is their regional distribution, town by town?

(c) What is the number of telephone subscribers in Nigeria for 1940-47, year by year?

(d) What is the revenue yielded by our telephone service for 1940-47, year by year?

(e) What is the amount expended to maintain this service for 1940-47, year by year?

Answer—

The Hon. the Chief Secretary to the Government:

(a) and (b) There are at present sixty-two Telephone Exchanges and two Call Offices, located at the following places:—

Abeokuta Province.

Abeokuta
Agbado (Call Office)
Ilaro
Otta

Adamawa Province.

Yola

Bauchi Province.

Bauchi

Benin Province.

Agbor
Asaba
Benin

Benue Province.

Makurdi

Bornu Province.

Maiduguri

Calabar Province.

Calabar

Eket

Ikot Ekpene

Itu

Nwaniba

Opobo

Oron

Uyo

<i>Cameroons.</i>	Onitsha
Buea	Udi
Tiko	
Victoria	<i>Owerri Province.</i>
<i>Colony.</i>	Aba
Agege	Umuahia
Ejinrin	Uzuakoli (Call Office)
Epe	<i>Oyo Province.</i>
Ebute Metta	Ede
Lagos	Ibadan
<i>Ijebu-Ode Province.</i>	Ife
Ijebu-Ode	Ilesha
<i>Ilorin Province.</i>	Oshogbo
Ilorin	Oyo
Jebba	<i>Plateau Province.</i>
Offa	Barakin Ladi
<i>Kano Province</i>	Bukuru
Kano	Jos
<i>Niger Province.</i>	Kafanchan
Baro	<i>Rivers Province.</i>
Bida	Degema
Minna	Port Harcourt
Zungeru	<i>Warri Province.</i>
<i>Ondo Province.</i>	Burutu
Akure	Forcados
Owo	Sapele
<i>Onitsha Province.</i>	Warri
Agbani	<i>Zaria Province.</i>
Awka	Kaduna
Enugu	Zaria

(c) The total number of telephones connected at the end of each year was:—

1940	...	...	...	...	...	3,911
1941	...	...	...	...	...	4,097
1942	...	...	...	...	...	4,435
1943	...	...	...	...	...	4,819
1944	...	...	...	...	...	5,174
1945	...	...	...	...	...	5,314
1946	...	...	...	...	...	5,800
1947	...	...	...	...	...	6,498

(d) The gross revenue derived from these telephones was:—

1940-41	£41,792	(including	£12,864	Trunk Fees)
1941-42	£46,762	(including	£14,504	Trunk Fees)
1942-43	£57,043	(including	£21,979	Trunk Fees)
1943-44	£41,681	(including	£19,403	Trunk Fees)
1944-45	£52,526	(including	£26,089	Trunk Fees)
1945-46	£47,160	(including	£21,973	Trunk Fees)
1946-47	£47,362	(including	£22,202	Trunk Fees)
1947-48	£48,500	(including	£20,140	Trunk Fees)

Supplementary Question to No. 276 (e).

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Sir, will the answer to Question 276 (e) be forthcoming at a later date?

Answer—

The Hon. the Chief Secretary to the Government :

I apologise to Council that that particular question should have been overlooked, and I will see that an answer is circulated at the first opportunity.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Thank you.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) How many towns are provided with Radio Distribution Service in Nigeria and the Cameroons?

(b) What is the regional distribution, town by town?

(c) What is the number of subscribers to this service, for 1940-47, year by year?

(d) What is the revenue yielded by such service, for 1940-47, year by year?

(e) What is the amount expended to maintain this service for 1940-47, year by year?

Answer—

The Hon. the Chief Secretary to the Government :

(a) There are at present seven Radio Distribution Service areas, located at the following places :—

(b) Abeokuta	Lagos
Calabar	Port Harcourt
Ibadan	Zaria.
Kano	

(c) The total number of loudspeakers connected at the end of each year was

1940	...	...	...	...	...	1,120
1941	...	...	...	...	...	1,218
1942	...	...	...	...	...	1,647
1943	...	...	...	...	...	2,126
1944	...	...	...	...	...	3,341
1945	...	...	...	...	...	4,234
1946	...	...	...	...	...	5,063
1947	...	...	...	...	...	6,230

(d) and (e) The revenue and maintenance expenditure for each year is shown in the following table :—

	Revenue.		Maintenance Expenditure.	
	£		£	
1940-41	...	2,626	...	2,450
1941-42	...	2,898	...	2,700
1942-43	...	3,643	...	3,400
1943-44	...	5,040	...	4,700
1944-45	...	7,593	...	7,070
1945-46	...	11,311	...	10,520
1946-47	...	13,303	...	12,400
1947-48	...	16,310	...	15,200

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many Europeans entered this country in 1940, 1941, 1942, 1943, 1944, 1945, 1946 and 1947?

(b) How many of these were civil servants, employees of firms, private persons?

(c) How many of these were women (married and unmarried) and children?

(d) What is the distribution of Europeans in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

Answer—

The Hon. the Chief Secretary to the Government:

	(a) 1940	1941	1942	1943	1944	1945	1946	1947
Entered ...	3,098	1,944	2,163	2,507	2,397	2,738	4,138	4,822
Left ...	3,040	2,446	1,914	1,952	2,533	2,908	3,152	3,499

(b) The question cannot be answered in full as records available only contain this information in connection with persons who arrived since the 1st of January, 1947. The figures for 1947 are:— Civil Servants 1,247; Private persons 2,205; Firms 1,370.

	(c) 1940	1941	1942	1943	1944	1945	1946	1947
Entered ...	660	367	455	559	634	815	1,429	1,565
Left ...	770	559	437	412	642	768	935	1,046

(d) No records are kept of the residences or movements within Nigeria of British subjects or British protected persons. These figures are not therefore available.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many Syrians and Lebanese entered this country in 1940, 1941, 1942, 1943, 1944, 1945, 1946 and 1947?

(b) How many of these were employed persons or private persons?

(c) How many of these were women (married and unmarried) and children?

(d) What is the distribution of Syrians and Lebanese in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

Answer—

The Hon. the Chief Secretary to the Government:

	(a) 1940	1941	1942	1943	1944	1945	1946	1947
Entered ...	71	29	57	131	176	205	212	275
Left ...	103	39	31	65	137	204	246	257

(b) The question cannot be answered in full as records available only contain this information in connection with persons who arrived since the 1st of January, 1947. The figures for 1947 are: Employed persons 176; private persons 99 including women and children.

	(c) 1940	1941	1942	1943	1944	1945	1946	1947
Entered ...	19	4	15	36	42	39	55	88
Left ...	15	20	8	8	25	44	55	29
(d) (i) Northern Provinces				...	...	...	...	358
(ii) Eastern Provinces				...	...	...	...	104
(iii) Western Provinces				...	...	...	...	198
(iv) Cameroons				...	...	...	...	2
(v) Colony				...	...	...	...	264

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What are the potential resources of the coal and lignite deposits of Nigeria and the Cameroons?

(b) What will be the approximate cost of maintaining a plant for the local manufacture of coal tar?

(c) What will be the approximate production of such plant annually?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the reply to Question No. 120.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many asylums for mental cases are in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

(b) Is Government satisfied that these are adequate to serve the needs of the country?

Answer—

The Hon. the Director of Medical Services:

(a) (i) *Northern Provinces.*—The larger Native Administrations have asylums and there is one Government asylum at Lokoja Prison.

(ii) and (iv) *Eastern Provinces and Cameroons.*—Asylum at Calabar and accommodation at Port Harcourt Prison.

(iii) *Western Provinces.*—At Abeokuta.

(v) *Colony.*—At Yaba.

(b) Government is not satisfied that these are adequate for the needs of the country; a large Central Mental Hospital is included in the Development Programme to be sited at Abeokuta. An Alienist and a Head Mental Nurse have been appointed and one Medical Officer is in the United Kingdom on a scholarship to obtain his diploma in Psychological Medicine.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the annual number of deaths from all causes and corresponding death rate per 1,000 population in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, (e) the Colony, and (f) the country, for 1928-47, year by year?

Answer—

The Hon. the Director of Medical Services:

It is regretted that vital statistics are not available for the areas of Nigeria mentioned or for the country as a whole.

Supplementary Question to No. 310.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Sir, may I know why this important aspect of our public health administration is apparently neglected?

Answer—

The Hon. the Director of Medical Services:

Sir, the answer is that it is because the Department of Statistics has not yet been in a position to collect the information.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What diseases caused high morbidity in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, (e) the Colony, and (f) the country, for 1928-47, year by year?

Answer—

The Hon. the Director of Medical Services:

The diseases which caused high morbidity were:—

(a) *In the Northern Provinces.*—Malaria, Helminthic Diseases, Intestinal Infections, Pneumonia and Bronchitis, Small Pox, Cerebro Spinal Meningitis, Trypanosomiasis, Ulcers, Venereal Diseases and Tuberculosis.

(b) *In the Eastern Provinces.*—Malaria, Intestinal Infections, Helminthic Diseases, Yaws, Leprosy, Pneumonia and Bronchitis, Venereal Diseases and Tuberculosis.

(c) *In the Western Provinces.*—Malaria, Intestinal Infections, Yellow Fever, Pneumonia and Bronchitis, Venereal Diseases and Tuberculosis.

(d) *In the Cameroons.*—Same as in the Eastern Provinces with the addition of Trypanosomiasis, Ulcers and Rheumatism.

(e) *In the Colony.*—As in the Western Provinces.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What diseases caused high mortality in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, (e) the Colony, and (f) the country, for 1928-47, year by year?

Answer—

The Hon. the Director of Medical Services:

Diseases which caused high mortality in 1928-47:—

(a) In the Northern Provinces were malaria, smallpox, cerebro spinal meningitis, trypanosomiasis, intestinal infections, pneumonia.

(b) In the Eastern Provinces were malaria, intestinal infections, pneumonia, smallpox, tuberculosis.

(c) In the Cameroons were the same as in the Eastern Provinces.

(d) In the Western Provinces were malaria, intestinal infections, pneumonia, smallpox, tuberculosis.

(e) In the Colony were the same as in the Western Provinces.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the annual number of births and birth rate per 1,000 population in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, (e) the Colony, and (f) the country, for 1928-47, year by year?

Answer—

The Hon. the Director of Medical Services:

The Honourable Member is referred to the answer to Question 310. It is regretted that, for the reason given in that answer, it is not possible to give the figures requested.

Supplementary Question to No. 315.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Sir, is there any part of the country where the figures required are available for any given year?

Answer—

The Hon. the Director of Medical Services:

Sir, the figures are available for many years past for Lagos Township and can be provided at a later date.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Sir, does my Honourable Friend realise the urgent need of such information, in view of possible enquiries from sources interested in research into public health in Nigeria?

Answer—

The Hon. the Director of Medical Services:

Yes, Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the annual number of deaths under one year of age and infant mortality rate per 1,000 live births in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, (e) the Colony, and (f) the country, for 1928-47, year by year?

Answer—

The Hon. the Director of Medical Services :

It is regretted that the information is not available for the areas mentioned or for the country as a whole.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.)

320. To ask the Honourable the Director of Public Works:—

(a) In regard to the great need of the people to have bridges constructed at Kasanu and Jega in Sokoto Province, why is it that the construction has not been started?

(b) When is it expected that construction will start?

(c) What preliminary preparations have been made?

(d) If none, for what reason?

Answer—

The Hon. the Director of Public Works:

(a) The construction of the bridges at Kasanu and Jega is a regional responsibility and has not been begun because available staff and materials have been allocated to other works which are considered more important.

(b) It is regretted that it is not yet possible to say when work can begin. About £3,000 has been spent on the improvement of the Yelwa-Jega Road and £4,300 is provided under Public Works Extraordinary, for continuation in 1948-49.

(c) and (d) Some investigations have been carried out at Kasanu, but designs have not yet been prepared.

BILLS

(Committee Stage and Third Reading)

THE APPROPRIATION ORDINANCE, 1948-49.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill for the 1948-49 Appropriation Ordinance from Select Committee as amended in the Report of the Select Committee tabled today.

His Excellency the Officer Administering the Government :

Council will resolve itself into a committee of the whole Council, to consider the Bill Clause by Clause.

Council in Committee.

Enactments.

Clause 1.

Clause 2.

The Hon. the Financial Secretary :

Sir, I beg to move that the words in the fifth line, "two million, four hundred and eighty-two thousand, two hundred and fifty pounds" should be deleted and substituted by the words "three million, one hundred and twelve thousand, four hundred and sixty pounds," with a consequential amendment in the marginal note of £23,112,460.

Clause 2 as amended.

Clause 3.

The Hon. the Financial Secretary :

I beg to move that in the sixth line of Clause 3 the words " forty-nine thousand, two hundred and seventy pounds," should be deleted, and the words " ninety-five thousand, nine hundred and eighty " be substituted, with a consequential amendment in the marginal note of £7,095,980.

Clause 3 as amended.

Clause 4.

The Hon. the Financial Secretary :

Your Excellency, I beg to move that in the second and third lines of Clause 4 the words " twenty-nine million, five hundred and thirty-one thousand, five hundred and twenty pounds " be deleted and substituted by the words " thirty million, two hundred and eight thousand, four hundred and forty pounds," and in the marginal note a consequential amendment, the deletion of the figures therein and the substitution of " £30,208,440."

Clause 4 as amended.

Clause 5.

First Schedule.

The Hon. the Financial Secretary :

Your Excellency, I have rather a long series of amendments and with your permission I will read them out. Sir, I beg to move that in Item 3, Administrator-General, the figures " 9,240 " be deleted and " 9,610 " be substituted.

Item 5, Aviation. Deletion of the figures " 205,390 " and substitution of " 175,080 ".

Item 6, Chemistry. Deletion of figures " 9,590 " and substitution of " 9,930."

Item 7, Colliery. Deletion of the figures " 24,150 " and substitution of " 60,950."

Item 8, Commerce and Industries. Deletion of the figures " 42,890 " and substitution of " 44,040."

Item 9, Customs and Excise. Deletion of the figures " 227,380 " and substitution of " 230,690 ".

Item 10, Electricity. Deletion of the figures " 434,300 " and substitution of " 435,050 ".

Item 11, Geological Survey. Deletion of the figures " 27,260 " and substitution of " 24,560 ".

Item 12, Inland Revenue. Deletion of the figures " 51,190 " and substitution of " 51,260 ".

Item 13, Judicial. Deletion of the figures " 130,970 " and substitution of " 135,830 ".

Item 14, Labour. Deletion of the figures " 82,050 " and substitution of " 85,140 ".

Item 16, Legislature. Deletion of the figures " 4,900 " and substitution of " 4,970 ".

Item 17, Marine. Deletion of the figures " 1,112,070 " and substitution of " 1,132,630 ".

Item 21, Posts and Telegraphs. Deletion of the figures "862,090" and substitution of "865,380".

Item 22, Printing and Stationery. Deletion of the figures "177,700" and substitution of "183,430".

Item 23, Prisons. Deletion of the figures "285,160" and substitution of "284,270".

Item 25, Secretariat, Nigerian. Deletion of the figures "111,410" and substitution of "120,030".

Item 26, Statistics. Deletion of the figures "52,700" and substitution of "53,300".

Item 27, Survey. Deletion of the figures "117,810" and substitution of "132,480".

Item 28, Transport and Oil Control. Deletion of the figures "22,450" and substitution of "23,250".

Item 30, Agriculture. Deletion of the figures "125,400" and substitution of "130,870".

Item 31, Co-operative Societies. Deletion of the figures "21,480" and substitution of "21,380".

Item 32, Education. Deletion of the figures "1,618,320" and substitution of "1,586,490".

Item 33, Forestry. Deletion of the figures "44,320" and substitution of "44,750".

Item 34, Land. Deletion of the figures "75,870" and substitution of "84,980".

Item 35, Medical. Deletion of the figures "704,680" and substitution of "705,680".

Item 37, Miscellaneous. Deletion of the figures "1,508,060" and substitution of "1,518,540".

Item 38, Police. Deletion of the figures "303,970" and substitution of "307,620".

Item 40, Public Relations. Deletion of the figures "67,860" and substitution of "70,930".

Item 44, Public Works Extraordinary. Deletion of the figures "411,580" and substitution of "443,580".

Item 45, Subventions. Deletion of the figures "125,030" and substitution of "226,030".

Item 46, Veterinary. Deletion of the figures "59,030" and substitution of "59,410".

Item 47, Northern Region. Deletion of the figures "2,962,820" and substitution of "2,967,320".

Item 48, Western Region. Deletion of the figures "1,793,630" and substitution of the figures "1,796,630".

Item 49, Eastern Region. Deletion of the figures "2,354,120" and substitution of "2,365,810".

Item 50, Development and Welfare. Deletion of the figures "160,510" and substitution of "215,760".

Item 51, Colonial Development and Welfare Schemes. Deletion of "1,053,780" and substitution of "1,269,430".

TOTAL. Deletion of the figures "21,876,630" and substitution of "22,372,560".

First Schedule as amended.

Second Schedule.

The Hon. the Financial Secretary :

Sir, I move that the figures in Item 1 should be substituted by the figures "653,400" instead of "519,120".

Second Schedule as amended.

Third Schedule.

Sir, I beg to move that in Item 1 the figures "5,513,890" be substituted for the figures "5,473,180" and that in Item 2 the figures "1,582,090" should be substituted for the figures "1,576,090", and that in the total "7,095,980" should be substituted for the figures "7,049,270".

Third Schedule as amended.

Title.

The Hon. the Financial Secretary :

Sir, I beg to move that the words in the first, second and third lines "twenty-nine million, five hundred and thirty-one thousand, five hundred and twenty pounds" should be deleted and substituted by the words "thirty million, two hundred and eighty thousand, four hundred and forty pounds."

Title as amended.

Council resumed.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill from Committee with various amendments. Sir, I beg to move that the Bill as amended be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I beg to report from Select Committee the schedules of amendments of Duties and Exemptions under the Customs Ordinance, 1942, set out in the Customs (Duties and Exemptions) Order-in-Council, 1948, and to move the adoption of the Customs (Duties and Exemptions) Resolutions, 1948.

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I rise to move the motion standing in my name which reads as follows :—

“ Whereas it is provided that the projects described in the schedule to the Development Loan Ordinance, 1945 (Ordinance No. 3 of 1946) should be financed from the loans authorized by that Ordinance and by the Nigeria (Ten-Year Plan) Local Loan Ordinance, 1946 (Ordinance No. 10 of 1946) ; and whereas a loan of £30,000 has been raised under the Ordinance last mentioned but it is not intended that the balance of those loans should be immediately raised ; and whereas it will be necessary to incur expenditure on the aforesaid projects in anticipation of the raising of the balance of those loans :

Be it resolved :

That this Council signifies its approval of a further expenditure of £2,244,820 from surplus balances standing to the credit of this Government for the following purposes :—

A. Urban Water Supplies.. .. .	£	236,600
B. Building Programme for Development		305,590
C. Electricity Development		153,600
D. Development of General Education		440,000
E. Marine Development		849,680
F. Nigeria Local Development Board		250,000
G. Road Development		9,350
		<hr/>
		£2,244,820

This expenditure, Sir, is reflected in the Development Plan Expenditure which the Select Committee on the Estimates dealt with yesterday. It is that part of the Plan which is to be met in due course from loan funds. Pending the raising of a loan we propose to provide the money from surplus balances as heretofore. Sir, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Motion adopted.

His Excellency the Officer Administering the Government :

The debate will be resumed on the following motion of the Honourable the Financial Secretary :—

“ Be it resolved :

“ That this Council approves of the award of an *ex-gratia* increase of “ ten *per centum* in Nigeria’s share of the pensions and of the gratuities “ severally payable to :—

“ Mr A. H. Entsuah, formerly Second Division Clerk,

“ Mr S. G. Mensah, formerly Second Division Clerk, and

“ Mr A. K. Addico, formerly Second Division Clerk,

“ who, having been appointed to the service of the Government in
 “ Northern Nigeria prior to 1915, enjoyed the privilege of free quarters
 “ but who, having been transferred to the service of the Gold Coast
 “ Government and having retired from that service were severally
 “ awarded retirement benefits calculated on their respective final
 “ salaries and containing no such addition in respect of the value of
 “ free quarters as each would have been entitled to had he retired
 “ from the service of the Nigerian Government.”

The Hon. the Financial Secretary :

Honourable Members will recall, Sir, that this resolution was brought before the House some days ago before we went into Select Committee. I gave Honourable Members all the information that they had sought and I propose now merely to formally move the resolution.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, I wonder if I may speak. I did ask to know, Sir, if these gentlemen transferred to the Government of the Gold Coast at their request.

The Hon. the Financial Secretary :

If I may reply to that. I informed the Honourable Member in Council before we went into Select Committee that there was no compulsion on an officer being transferred to another service.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

My recollection is that one of them, the third gentleman on the list, was in fact transferred at his own request, but that was not explicitly stated in the case of the other two.

The Hon. the Financial Secretary :

I am afraid, Sir, I have no further information on that point.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

In that event, Sir, I think it is safe to assume that these gentlemen, the other two, certainly not the third, were not compelled to change over to the service of the Government of the Gold Coast, and they must have gone over there with their eyes wide open and when they were in this country they did in fact enjoy free quarters or some allowance in lieu thereof. I beg to oppose the motion.

His Excellency the Officer Administering the Government :

If no other Honourable Member wishes to speak I will call upon the Financial Secretary to reply.

The Hon. the Financial Secretary :

A point, Sir, which I brought up this morning outside this Council in discussion in Select Committee was that in fact there had been a number of similar cases in previous years where this concession had been approved

by the Legislative Council. I do not claim, Sir, that because a thing has been done once and there is a precedent that we should necessarily follow it but I do claim that there is justification for that precedent.

Motion adopted.

The Hon. the Chief Secretary to the Government :

Your Excellency, before we proceed to consider motions put forward by Honourable Unofficial Members, I beg leave to move the suspension of Standing Orders in order to make a report from Select Committee and to move a motion arising therefrom.

His Excellency the Officer Administering the Government :

The question is that Standing Orders be suspended for the purpose mentioned by the Honourable the Chief Secretary to the Government. Will those in favour say "Aye" and those to the contrary "No".

Standing Orders are suspended to the extent necessary to allow the Honourable the Chief Secretary to make a report of the proceeding of the Select Committee on the London delegation, and to move the motion arising therefrom.

The Hon. the Chief Secretary to the Government :

I regret that a written report was not presented to Council, before we met this morning, from the Select Committee on the delegation to visit London later this year. We did not conclude our proceedings until this morning and I therefore have to make a verbal report to Council on those proceedings.

We have held three meetings, Sir. At the first meeting I made a suggestion to the Select Committee as to the method of selection which might be adopted. The Select Committee, which, as you will remember, Sir, is composed of myself as Chairman and all Unofficial Members of this Council, did not accept that proposal but approved another scheme whereby it could be possible to proceed at this meeting of the Council to select the delegation. At a second meeting proposals were put forward—three proposals were put forward—as to the method of selection of the delegation. One of those suggestions received the overwhelming support of the Select Committee and it was accordingly proposed that the delegation should be composed as follows :—

- Five Members from the Northern Provinces.
- Three Members from the Western Provinces.
- Three Members from the Eastern Provinces.
- One Elected Member.
- The Member for the Colony.
- One Official Member.

It was also decided by the Select Committee, again by an overwhelming majority, that all members of the Select Committee should vote to decide which members should make up the delegation, within the totals stated. We consequently met this morning to vote in accordance with the scheme.

approved by the Select Committee so that recommendations could be made to this Council before the meeting concludes. I now have to report, Sir, the recommendations which have been made as a result of that vote. We recommend to this Council that the delegation to visit London should be composed as follows :—

The Emir of Katsina.
 The Emir of Abuja.
 The Second Member for the Northern Provinces.
 The Fourth Member for the Northern Provinces.
 The Fifth Member for the Northern Provinces.
 The Oni of Ife.
 The First Member for the Western Provinces.
 The Third Member for the Western Provinces.
 The First Member for the Eastern Provinces.
 The Third Member for the Eastern Provinces.
 The Fourth Member for the Eastern Provinces.
 The Member for Calabar.
 The Member for the Colony.
 One Official Member.

I consequently move that the recommendations of the Select Committee should be accepted by this Council.

The Honourable the Attorney-General :

Your Excellency, I rise to second.

Motion adopted.

The Oba of Benin (The Hon. Akenzua II, C.M.G.) :

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

“Whereas this Honourable House views with great concern the alarmingly increased motor accidents and deaths, occurring in this country, especially since last year.

And whereas it has become imperatively necessary to take drastic steps, by executive actions or legislation, in order to put stop to these motor accidents as far as it is possible.

Now therefore, be it resolved :

That special constables be appointed whose duties shall be to board motor vehicles other than private cars moving from one station to another in order to regulate the speed and loading of such vehicles while on the highways.”

Your Excellency, owing to the alarming increase in motor accidents and deaths in this country, it is necessary to take drastic measures to control traffic on the highways. These accidents generally take place on the highways because the Police cannot deal efficiently with reckless drivers when they leave the Police Posts or Stations. The Police may succeed in preventing overloading before lorries leave motor parks or stations but what about other passengers and loads awaiting the drivers on the roads several miles away from the motor parks or Police stations. The Police cannot prevent these

from going into the lorries and the drivers or the motor transport owners' agents do not mind about what may happen as long as they have collected their fares. This state of affairs cannot be allowed to continue. I would suggest that a special Policeman must always accompany each motor vehicle other than private motor cars carrying loads and passengers from one station to another. In order to do this effectively a sufficient number of such special traffic policemen may be appointed and motor transport owners may be asked to bear the cost of maintenance of this special traffic police force by paying extra fees in addition to motor vehicle licence fees. Another means of controlling traffic on the highways, I would have suggested, is to provide all lorries with some mechanical device to prevent them from moving faster than they must but I am not sure whether drivers will not interfere with these devices on the roads. From their own point of view, motor transport owners may not like this kind of control or regulation of traffic but if they think deeply I believe they will realize that it is also in their own interests. After all, it does not pay the transport owner if his car or lorry overturns completely damaged and he or she is faced with a heavier amount of expenditure for repairs than what has been received by way of fares and rates. After all, motor transport owners are dying from these motor accidents. I happened to help to extricate some wounded and dead from an overturned lorry the other day on my way from the last budget session of this house.

Your Excellency, I beg to move.

The Oni of Ife (The Hon. Aderemi I, C.M.G.) :

Your Excellency, I beg to second.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, with due deference to the mover of this motion, I wonder whether the owners of lorries are prepared to pay in the terms that have been put forward by the mover of this motion, and I do not know and I am not sure whether they will agree to the terms. In the first place, I would draw the attention of the house to His Excellency's address at page 81 where in giving a report concerning the Police Department he stated : " During 1948 it is hoped to replace existing traffic control posts by mobile motor traffic units supervised by superior Police Officers. These units will operate on the highways throughout the country ; they will exercise greater and more effective control of traffic and will be instrumental in curbing the prevalence of motor traffic and reducing the high incidence of accidents." If this is the scheme that the Government has in hand, I doubt very much if it will not be giving the Police too much power of getting into any lorry at any time on the road. I remember some years ago we had some traffic policemen that used to go on motor cycles to overtake lorries in motion. It was found that it was not a good proposition, so many of these Policemen were killed, and I would say that it would appear as if we are just heading for what we are trying to avoid and with this Government scheme in view I should think that this motion is not necessary, and I oppose it.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, I rise to support the motion on the table of the house and if the Honourable the mover agrees, with Your Excellency's permission, I

rest of it, also primary schools for children ; but this mass education is something that requires greater efforts on the part of the public as well as the Government. It requires co-operation between the Government and the people and the only person who could mobilize all these forces together is the Director of Education, and that is why it has been directed to him to formulate the whole project of mass education so that in about fifteen years time we will be able to say we have gone a long way in the direction of eradicating illiteracy in Nigeria. As regards the Fifteen Year Plan I will say that it has been practised successfully in other parts of the world and I see no reason why we cannot do the same thing in Nigeria and I would say, Sir, from the onset that it does not necessarily mean that it has to be compulsory education or state education. It would be based on sociology. What I mean is that it could be done in a way that instead of compelling people to do this or that, groups of people could be formed here and there with one or two voluntary teachers. Clerks in the Native Administration service, or in the Government Service, or in the mercantile establishment, or even students from schools and colleges could spend some time teaching a group of people in their respective areas in these subjects of reading, writing and arithmetic, and if we could tackle this problem in that way, it won't be very much expensive and as such I commend this proposal to the house so that a mandate will be given to the Director of Education, who I am sure, is willing to undertake the task of finding the ways and means immediately he is ordered so to do by this house. I beg to move, Your Excellency.

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

Your Excellency, I beg to second.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, I rise to support this motion and with Your Excellency's permission, Sir, in view of the fact that the leopard menace in my own area was due and caused by field-marshal illiteracy, I humbly beg to volunteer as a soldier on the battlefield of this motion against that field-marshal illiteracy. Sir, I beg to support the motion.

The Hon. the Director of Education :

Sir, I had not intended to intervene in the debate and I only do so now primarily to remind Honourable Members that I explained in some detail some days ago the policy of Government in regard to the matter now under discussion. May I make very briefly three points. First of all the state paper which induced the Honourable Member to move the motion now before the house made it perfectly plain that if the experience of other countries is pertinent, Nigeria will require a strong and sustained wave of enthusiasm on the part of the literate elements of the country and a capacity on their part for much voluntary and unpaid service. In short, vicarious education on a large scale. Secondly, the widespread efforts of amateurs, to be fully effective, must be directed by a group of experts. The latter group need not be large, but experts they will have to be. Thirdly, a campaign for mass literacy as conducted in other countries in recent years, has as its short range objective the making literate of the maximum number of people

within the minimum amount of time so that they may be responsive to the various agencies for better living. In other words, what is called fundamental education must precede what is called social education. That being so it is important to concentrate on the adolescents and adults rather than on the school children. The ordinary schools on an expanding scale should cope with the children and eventually, as elsewhere, should become solely responsible for literacy. In short, the mass literacy campaign is supplementary to the schools and is no substitute for what we generally understand as primary education. I have said enough, Sir, I hope, to convince the house that the pace of a mass literacy campaign must inevitably be determined by the emotional response of the people of this country, but the terms of the motion suggest that the people's emotions can be planned in such a way that a definite result can be achieved within a set period. I suggest to the house, Sir, that in Nigeria the methods which would be needed to achieve that need, would involve compulsion on a scale which would be unacceptable to the majority of its citizens and might indeed be repugnant to the British and African ways of life. I suggest that by expediting the policy already prescribed by Government we could go a very long way in the direction indicated by the Honourable the Mover, and it may be, Sir, that he would be prepared to withdraw his motion in view of my explanation.

The Fifth Member for the Northern Provinces (The Hon. Mallam Yahaya Ilorin):

Your Excellency, while it is my earnest desire to see that mass illiteracy is wiped out of this country within the shortest possible time, I do not think that it would be quite easy to make such a programme as moved by my Honourable Friend. After all, the people who are being assisted to become literate are not under our control. We cannot make a plan and then force these people to follow it. It is different with school children. They are entirely under control but adults are not. The demand must come from the people themselves. We are the people who have to accelerate the advancement of mass literacy. I understand in India when a man can read and write, he tries to pass his knowledge on to his friend or his people—he will take two or three men and teach them—but they are not forced to come into a classroom as are school children. I think much has been done so far in literacy campaign by Mass Education Officers, and we have people who have volunteered to help the illiterate masses. At this elementary stage of the development of literacy campaign, I would suggest that we should see how it goes for, say, five years, if there is a growing desire for mass education then we shall be able to form a programme. At present however, I don't see how we can possibly draw up a programme to combat mass illiteracy. So I oppose the motion as made by the Mover.

The Hon. the Chief Secretary to the Government:

On a point of explanation before we go further. Might I ask the Honourable Mover of the motion whether he has in mind only adult education or whether he is concerned with all forms of education?

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Adult education, Sir. All forms of adult education.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, I hardly think that there is one of us who is not in sympathy with the Honourable Mover's desire to make everyone in the country literate, if we had a magic wand for so doing, but there are conditions which we must bear in mind, Sir. First of all, I think my friend the mover is confused a bit between mass literacy and mass education. In the field of mass education the Honourable the Director of Education has hinted there is scope for doing more, but there is plenty already being done, and it is a field of combined effort, Sir. For instance the Agricultural Department, Public Relations, Medical and other departments, firms and radio diffusion, all combine to put across mass education no matter in what language. That is already being done and it is not a field entirely left to the Director of Education. But if my Honourable Friend talks about mass literacy, which I presume is his main point, then we have to distinguish very clearly between mass literacy in the various vernaculars and mass literacy in English. My Friend the Mover, from his explanation, if not from the face of the motion, was inclined to place a good deal of emphasis on mass literacy in English. I respectfully submit, Sir, that it is a waste of public funds to try to teach an old lady of forty or fifty, or an old gentleman of that age, English. Now when it comes to the various vernaculars that is another matter and I am a good deal more in sympathy, but even there much will depend upon local demand as has already been pointed out and there I should suggest regional effort. In the Calabar Province at the beginning of the Development Plan when it was in the discussion stage, we did go very far towards rousing ourselves to get everybody to read and write in the two vernaculars of the Province, Efik and Ibo, but as the Honourable the Director of Education pointed out enthusiasm filtered away. There was enthusiasm but it was not sustained and so the question of literacy in the vernacular will depend on the exact proportion of sustained enthusiasm among the people themselves and it calls for voluntary effort, and I should suggest that that is a matter best left to individual regions. By this I mean, if the regions can rouse themselves to their need and can get voluntary effort directed by mass education officers who are already included in our votes, then the ball will have started rolling and I suppose when one region gets going then ordinary emulation will set the fire going in other regions. Now there is just a fear. We have been complaining of very small school population and the Development Plan and the Ten-Year Plan, which indeed came into the field before the Development Plan, are calculated to throw all our resources into the education of the child and the adolescent, and although the motion does not go far enough to suggest that when the report it calls for is tabled, we spend or do not spend money, it is easy to assume that it will call upon us to spend money if we adopt the report, and there we will be faced with a dissipation of effort. I think all our financial resources available at the moment, and they are very meagre from the demands we are making on the Financial Secretary, should be devoted to the expansion of primary education of children of school age and secondary education for the adolescent. Indeed it has already been pointed out that secondary education is the section of education which will take the strain of all our development upwards and downwards and any big expenditure of money on any system of literacy campaign would I

fear detract from other fields of education. I do not want to end up by saying "I oppose the motion", certainly I cannot, but I would very sincerely ask the Honourable the Mover to help us out by withdrawing it. I do not support the motion, neither do I oppose it.

The Fourth Member for the Eastern Provinces (Dr. the Hon. F. A. Ibiam) :

Sir, in speaking to this motion, I would like to state that I am one of those who are very anxious to see that everybody in this country should be able to read and write but, Sir, I am fed up with people talking about trying to make adults read and write. If a trader, who is very anxious to be able to read and write in the interests of his trade, I think that that trader would go out of his way to find someone to teach him and similarly the farmer who wants to improve on his status. In the second place, Sir, the African has not risen to the point of giving for nothing, what is called voluntary service. I am sorry to say so, Sir, but it is a fact. We are always anxious to receive and never anxious to give something to someone else. In many places this type of education has been tried out. In Nigeria teachers have gone out of their way to try and get the people to come together and be taught to be able to read and write. Certainly you may have enthusiasm for a day or two but the following week the teacher may often hear himself speak to empty benches. People have not time to go and sit down and learn A.B.C. when they have passed the age of keen enthusiasm for acquiring knowledge, and so I think the best thing the African can do at present is to use our influence to urge our elderly people to see the need for encouraging young children to go to school. Take Ogoja Province for instance. I am sorry to wash my dirty linen in public but that is a Province where you cannot even get a child to go to school, much less an elderly man—he would say "You talk through your hat". The teacher wastes his time, the money is expended and no profits arise. I am even against the monies voted for mass literacy to be had in the vernacular or in English. I am all for arrangements which would make it possible now for every boy and every girl in this country to have a school career. I know that if we wait till that time we may still be illiterate for many, many years. But, Sir, it is a question of finance, and it is up to us in this Council to find a way so that we can vote money and plan it so that this idea becomes possible. Sir, I oppose the motion.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, on reading this motion, Sir, there are two possible interpretations which can be placed upon it. The first is that the Honourable the Director of Education should be put to the task of submitting a plan to this house which this house would consider and quietly tuck away in the appropriate archives. On the other hand it might mean that the Honourable the Director of Education should submit a plan, an active plan, which would be put into operation by the Government. I have heard my Honourable Friend the Third Lagos Member state in great detail the degree of education which he thinks would be adequate for his purpose. He has gone to the extent of drawing a very rosy picture of a farmer who comes home from a hard day's work, sits down in an easy chair, and very possibly crosses his legs,

and reads a newspaper. Well, Sir, I very humbly suggest that it will take this country fifty years to come to that stage when every farmer and every labourer could afford an easy chair to sit upon to start with. Now, Sir, my friend might think of amending his motion to read fifty years instead of fifteen years, then I might be able to consider whether I agree with him or not. At present, Sir, I disagree with him entirely.

The Hon. the Chief Secretary to the Government :

I think that the feelings of Government were very well expressed by the Honourable the Third Member for the East. Government is anxious to proceed with the work which has already been started in adult education. It is perfectly possible that great strides can be made in adult education in coming years. Opposition to a motion of this kind might be interpreted that Government was against any advance in that direction and that would not be true. On the other hand, we do strongly agree with the views expressed by other members that the financial resources which we can make available for education at the moment are as fairly distributed as possible between primary, secondary, university and adult education. Members of the Government, therefore, will not oppose this motion, but will not support it.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown) :

Your Excellency, the Honourable the Chief Secretary has just expressed what I feared very much, that is, misinterpretation at the outset. It may be taken for granted that any opposition to this motion will tend to defer indefinitely the Government's efforts to disseminate education in the country. I would not like any misunderstanding to be carried outside this House that there is opposition. I think all those who have spoken in opposition do not really mean that they would not like to see the people of Nigeria literate, but that the motion as put before this House seems rather impracticable at the present moment, and on that point, Your Excellency, I think it should be stated clearly that we are not opposed to the motion merely for the sake of opposition, but because we consider its adoption an impossibility just now.

His Excellency the Officer Administering the Government :

If no other member wishes to speak I will call upon the mover of the motion to reply.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, it appears to me that the House is neither for nor against the motion. It appears the motion is accepted in principle but not in substance, and so I am just wondering whether it would not be wise to put this to the vote and know where we stand. The Honourable Director of Education has stated clearly that there should be enthusiasm on the part of the literate elements which would foster this kind of action that is proposed in the motion. How are we going to judge that enthusiasm? Are we going to say now that the people of Nigeria do not want education generally?

It is the opinion expressed in this House—and I believe this House is representative of the people—that we want mass education. Well, if we don't want mass education—let us vote against this motion. On the other hand, if we say, well, we have a programme on hand—then what kind of programme is it? We want a programme by which we can gauge at a certain time whether it is working well or not. We have the Development Scheme, we give some years for it, we don't say "Let it carry on indefinitely". In some years time we will be able to say whether it is going on all right or not. It is a Ten-Year Plan. If what is meant by this motion is not clear to this House, I must explain it. The Honourable Director of Education said that experts would be needed to guide the other voluntary workers who might be marshalled into this field. Very well, I think we have so many experts nowadays, let them come to our rescue. We should have, the Director of Education said, fundamental education first, and that is that the children should be taught first. Well, we teach the children quite all right, at any rate that is my impression. In the Northern Provinces, I may be wrong, I think there are insufficient schools for children. I don't think that is the fault of the Education Department though, but all the same if the adults want education, let us try to find ways and means of giving it to them. Some people in some Provinces it has been said would not like to have it, and they would not take it for a gift, that is an ill luck for those particular Provinces, and I would offer them my condolences. But I say that I was personally impressed in the Eastern Provinces, at Abak and Eket, where we see elderly people going to school in the evening, and there we could see the enthusiasm quite all right. I do say that I was very much impressed and I was happy about such a thing; if the people know that they have opportunities, that they can go to certain places to receive education, I am sure they will go there, but now, I mean, they are kept in the dark. They don't know anything about it. I will just say in this House, therefore, the Director of Education, principals of schools and everyone say, "Well, this is the curriculum for this year, next year and all the rest of it. What does that mean to the ordinary working farmer in the bush? They are the people who really matter a great deal. I am not saying that children should not be educated, definitely they should, *pari passu* with adults. A member of the house said that he would like to know whether I was catering for mass literacy in English. To be able to read and write English is literacy in itself, but to be able to read and write Yoruba, Hausa and Ibo is also literacy, and I went so far as to say that I considered that the Gaskiya Ta Fi Kwabo was doing very good work in the North, and something like that must be sponsored by the Government in the Yoruba language for the West and in Ibo for the East. I think that clears the wrong impression in the minds of my Honourable Friends. And children of school age, are being taught now in accordance with the Memorandum and other prospectuses that we have debated, and that the same applies to adolescents, I mean the pupils in the secondary schools. It will be really very interesting to know the percentage of these pupils to the whole mass of the population of Nigeria, and then we shall know what a lot has been done on this particular line in years past. We shall find that what we have already got is good but is not good enough. We want something more. My Honourable

48 states. They are autonomous in themselves, and I don't think there is any other form of Government that we can find in the modern world that is better than that of the United States of America. Switzerland is another country which has been developed under a federal system of Government, and although it is a small country you find that the German elements, the French and the Italian elements, are living together in peace and in harmony with autonomy within themselves, and they have bound themselves together to become one Federal Government of Switzerland, and if nothing has come out of that, I would say that Switzerland has been able to stand clear of the ravages of war, from the 1914-18 war and from this last war. And even further still, I will go to the Colonies under the British Government. Malaya is being constituted to form federal government. Even before this time you have Federated Malay States, the States are all autonomous in themselves, and they come together to form a sort of United government. And in the circumstances I feel that this kind of government will do us a lot of good. Each region would be able in due course to deal with matters affecting that region alone, and when any matter arises concerning the whole of Nigeria the Regions can come together and decide together. Anyone looking forward to the time when we will be able to get a united Nigeria on a fusional basis will have to wait till the time when we shall get a new William the Conqueror to come and conquer and unify the whole of Nigeria! The only thing we get now—I feel that the only way we can develop ourselves towards self-government is by federation of the various regions, which should become autonomous within the framework of the British Commonwealth of Nations under the British flag, and with these few words I would have liked to resume my seat, but I feel that this matter is of such importance that even the Houses of Assembly might like to consider it, because it affects them quite directly. Probably other members of the public of Nigeria might like to offer criticisms. I have gone all this length of enunciating the motives that made me bring this motion, so that in case this matter were to be deliberated upon anywhere, those who are to deliberate upon it would be able to know the reasons why it has been brought up. I say again that the importance of this motion is such that it might be given time for consideration by the other houses that form integral parts of this Constitution. I shall not in the least think that such suggestion is out of place in the circumstances. I rise to move.

The Hon. the Chief Secretary to the Government :

I should like to intervene, if I may, before the motion is seconded. We had from the Honourable Member who moved this motion another most important proposal which was put to this Council two weeks ago, affecting the future constitutional development of Nigeria. On that occasion I suggested to the Mover of the motion that a matter of that consequence and importance should not be debated almost without notice by this Council. I suggested that time should be given for each member of the Council to consider it, so that when the debate takes place it can be a debate worthy of the subject. I think the same should apply with equal force to the important motion which the Honourable Member has now brought before us, and I suggest to him that much the wisest course would be to adopt the

same action with regard to this motion as we did with regard to the other, which I believe was to withdraw it in order to allow the Mover to make a fuller explanation when the debate takes place at a subsequent meeting of this Council. I wish, therefore, to suggest to him, that the same course be followed.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

In view of what the Honourable the Chief Secretary to the Government has said on this motion, I am in entire agreement with him, but instead of asking that the motion be withdrawn I would like it to suffer the same fate as the previous one has suffered, and that is that it be deferred until the time that the other one comes up for consideration.

The Hon. the Chief Secretary to the Government :

My recollection may have been wrong, but I was anxious not to prevent the Honourable Member from speaking again on a subsequent occasion. I am not quite sure whether deferment or withdrawal was the action taken. If I may put it another way, may I suggest that we take the same action on this motion as we took on the other ?

His Excellency the Officer Administering the Government :

The situation is that the motion is not seconded and will come up again at the next meeting of the Council.

The Hon. the Director of Education :

Your Excellency, I ask permission to be allowed to introduce a motion without notice, arising out of the motion on mass literacy moved by the Third Lagos Member.

The Hon. the Attorney-General :

I second it, Sir ; it may be done under Standing Rule and Order 14 paragraph 10, as a motion arising out of business already transacted by this House, and if this House so agrees permission may be granted.

The Hon. the Director of Education :

Sir, I beg to move the following :

“ Be it resolved that this Honourable Council appoints a Select Committee of two members from each Region and one from the Colony to discuss with the Board of Education the problem of mass literacy, and what steps may reasonably be taken to combat it.”

The Hon. the Attorney-General :

Sir, I rise to second.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Sir, I rise to support the motion.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

I support it. (Laughter).

Motion adopted.

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

Your Excellency, I believe we have now come to the end of our business, and I think it is the end of the Budget Session, and also, Sir, I take it that with the end of the session we will be saying goodbye to you from Nigeria, and you are really going to your new appointment. Your Excellency, I recollect where the two of us first met when you arrived in Nigeria. It was at Government House. You were sitting side by side with Sir Gerald Whiteley, I think Your Excellency will recollect, and there you were introduced to me as the new Chief Secretary. I was pleased to meet you and I was looking forward to your first business in Legislative Council, whether you would come up to the standard of your predecessor, and when that took place, well I was very well impressed indeed, that we had got the right man in the right place, and you have not disappointed us since. Then you have become an appointed Governor. We were wishing that you would be the Governor of Lagos, other people said so, beg your pardon the Governor—of Nigeria. But you are going to be the Governor of our sister Colony—Sierra Leone. Well it is quite fair. At the same time we were very pleased indeed that you have started your actual work here. I remarked that during your absence, when you were indisposed, I was very glad that I was able to address you without any correction—"Your Excellency"—because you were always correcting me that you were not yet "Your Excellency", but you have become "Your Excellency" and therefore I was very, very pleased, Your Excellency, began here and there is no more correction for me. I believe I am voicing the sentiments of all the Unofficial Members of this House, that we wish you well, and your consort, and hope that you have a very good and successful time in Sierra Leone. We thank you very much for the services you have rendered to us all in Nigeria, and pray for long life and prosperity for you.

The Hon. the Chief Secretary to the Government :

I rise on behalf of the Official Members of this Council, and, indeed, the Government Service of Nigeria, to add a few words to what has been said. I myself have very special reason to be grateful to you, Sir, and to Mrs Stooke, for the very great personal kindness which you have shown me since my arrival in Nigeria. In the education and training, and occasionally the restraining, of a new and ignorant Chief Secretary, you have shown, Sir, the qualities which we have come to expect from you in all your activities. You have shown the qualities of patience and sympathy and kindly wisdom. I shall long remember with sincere gratitude the help which you have given to me. In the comparatively short time that you have been in this territory, you have visited nearly every province in the country, and in that time you have seen many changes. You have seen many changes for the betterment of the Service, and I believe that all ranks of the Service well know to what an extent you, Sir, have been responsible for the advances that have been made. We all join in wishing you well, and we hope that, with the closer association of the British territories of West Africa, we shall see you often in the future. We thank you, Sir, for the sympathy which you have shown

towards the peoples of Nigeria and the efforts which you have made in their interests and the example which you have set to those who follow you. We all wish you every good fortune in Sierra Leone.

His Excellency the Officer Administering the Government :

I thank you very much indeed for what has just been said, and I must say that I am much moved by the warmth of the sentiments expressed. I have been, as you know, in Nigeria for rather less than three years, and three years is a very short time indeed in the history of a country like Nigeria, but these three years, seeing, as they have, the end of a war and the beginning of the post war period, have been unusually interesting, and it has been a period in which one has seen great strides forward in different spheres, politically, economically and otherwise. I have therefore had the pleasure of serving in this country at an unusually interesting time. I should also like to say that in ordinary life, and particularly in personal relationships here, both my wife and I have been extremely happy, and it is therefore with real regret and real sorrow that we leave this very pleasant country and its very pleasant people. We shall take away with us the most warm memories of a great country, and of peoples for whom I have a great admiration and affection. May I say finally that I sincerely hope that, should any member of this Honourable Council have occasion to visit, or even pass through Sierra Leone in the future, that he will do me the kindness of letting me know in advance, so that we may meet again and renew the friendship begun here so happily. I thank you, gentlemen.

Council will adjourn *sine die*.

Council adjourned sine die at 1.5 p.m.





NIGERIA

Legislative Council
Debates

SECOND SESSION

17th, 18th, 19th, 21st, 23rd and 24th August, 1948

Debates in the Legislature Nigeria

Tuesday, 17th August

Pursuant to notice the Honourable the
Legislative Council met in the Council
at 10 a.m. on Tuesday, the 17th of August

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

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

- The First Member for the Western Provinces,
 The Honourable A. Obisesan, O.B.E.
 The Third Member for the Western Provinces,
 The Honourable T. A. Odutola, O.B.E.
 The First Lagos Member,
 Dr the Honourable I. Olorun-Nimbe.
 The Emir of Gwandu,
 The Honourable Yahaya, C.B.E.
 The Emir of Katsina,
 Alhaji the Honourable Usuman Nagogo, C.B.E.
 The Atta of Igbirra,
 Alhaji the Honourable Ibrahimia.
 The Emir of Abuja,
 The Honourable Sulemanu.
 The First Member for the Northern Provinces,
 The Honourable Bello Kano.
 The First Member for the Eastern Provinces,
 The Honourable C. D. Onyeama.
 The Second Member for the Northern Provinces,
 The Honourable Abubakar Tafawa Balewa.
 The Third Member for the Northern Provinces,
 The Honourable Iro Katsina.
 The Third Member for the Eastern Provinces,
 The Honourable A. Ikoku.
 The Fourth Member for the Northern Provinces,
 The Honourable Aliyu, Makaman Bida.
 The Fourth Member for the Eastern Provinces,
 Dr the Honourable F. A. Ibiam.
 The Second Lagos Member,
 Dr the Honourable N. Azikiwe.
 The First Nominated Member,
 The Honourable P. J. Rogers.
 The Fifth Member for the Northern Provinces,
 The Honourable Yahaya Ilorin.
 The Fourth Member for the Western Provinces,
 The Honourable G. I. Obaseki.
 The Fifth Member for the Eastern Provinces,
 The Honourable N. Essien.
 The Third Lagos Member,
 The Honourable Adeleke Adedoyin.
 The Member for Calabar,
 The Honourable E. E. E. Anwan.
 The Third Nominated Member,
 The Honourable N. B. Edwards.
 Temporary Nominated Member,
 Major the Honourable H. E. Wilson, E.D.

ABSENT

UNOFFICIAL MEMBERS

- The Second Member for the Western Provinces,
 The Oni of Ife,
 The Honourable Aderemi I, C.M.G.

The Oba of Benin,
 The Honourable Akenzua II, C.M.G.
 The Second Member for the Eastern Provinces,
 The Honourable H. Buowari Brown.
 The Second Nominated Member,
 Major the Honourable J. West, M.C.

PRAYERS

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

OATHS

His Honour E. K. Featherstone, C.M.G., Acting Chief Commissioner, Northern Provinces; the Honourable A. Ridehalgh, Acting Attorney-General; the Honourable S. Macdonald Smith, Acting Development Secretary; the Honourable J. D. Brown, Acting Director of Agriculture; the Honourable A. Macdonald, Acting Director of Public Works; Major the Honourable J. G. C. Allen, Acting Commissioner of the Colony; the Honourable B. E. Sharwood-Smith, E.D., Senior Resident, Sokoto Province; Commander the Honourable S. E. Johnson, R.N., Secretary, Eastern Provinces; the Honourable P. V. Main, Secretary, Western Provinces; the Honourable N. B. Edwards, Third Nominated Member; Major the Honourable H. E. Wilson, E.D., Temporary Nominated Member, took the Oath as Members of the Council.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 24th day of March, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Chief Secretary to the Government:

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

Sessional Paper No. 7 of 1948—Report of the Nigerian Post Office Savings Bank for the year ended 31st March, 1947.

Sessional Paper No. 8 of 1948—Annual Report on the progress of Co-operation in Nigeria, 1946-47.

Sessional Paper No. 9 of 1948—Annual Report of the Veterinary Department for the year 1946.

Sessional Paper No. 10 of 1948—Annual Report of the Geological Survey Department for the year 1947.

Sessional Paper No. 11 of 1948—Annual Report of the Public Works Department for the financial year 1946-47.

Sessional Paper No. 12 of 1948—Annual Report of the Forest Administration of Nigeria for the year 1946-47.

Sessional Paper No. 13 of 1948—Forest Administration Plan Nigeria 1946-55 under a ten-year plan of development for Nigeria 1946.

Sessional Paper No. 14 of 1948—Annual Report on the Department of Chemistry for the year 1947.

Sessional Paper No. 15 of 1948—Trade Report for 1947.

- Sessional Paper No. 16 of 1948—Report on the West African Airways Corporation for the period ending 31st March, 1947.
- Sessional Paper No. 17 of 1948—Annual Report on the Public Relations Department for the year 1947.
- Sessional Paper No. 18 of 1948—Statement of the Policy proposed for the future marketing of Nigerian Oils, Oil Seeds and Cotton.
- Sessional Paper No. 19 of 1948—Financial Devolution.
- Sessional Paper No. 20 of 1948—Statement of the Policy proposed for the decentralization of the Nigeria Local Development Board.
- Draft Agreement between the Nigerian Government and the Government of French Equatorial Africa regarding the recruitment in Nigeria of Nigerian adult workers for employment in the Gabon.
- Information in respect of Nigeria for the year 1945 transmitted by His Majesty's Government in the United Kingdom to the Secretary-General of the United Nations under Article 73 (e) of the Charter.
- Information in respect of Nigeria for the year 1946 transmitted by His Majesty's Government in the United Kingdom to the Secretary-General of the United Nations under Article 73 (e) of the Charter.
- Certificate of Urgency in respect of a Bill entitled "An Ordinance to amend the Revised Edition of the Laws Ordinance, 1947."
- Fifth Report of the Parliamentary Select Committee on Estimates, Session 1947-48, Colonial Development.
- Report of the Commission appointed by His Excellency the Governor to make recommendations about the recruitment and training of Nigerians for Senior Posts in the Government Service of Nigeria.
- Diplomatic Privileges (United Nations and International Court of Justice) Order in Council, 1948.
- Subsidiary Legislation made since the last meeting of the Council.
- Draft Standing Rules and Orders of the Legislative Council of Nigeria, 1946.
- Resolutions adopted by the House of Chiefs on Bills referred by the Governor to the House for advice under section 51 (c) of the Nigeria (Legislative Council) Order in Council, 1946.
- Resolutions adopted by the Northern House of Assembly on Bills referred by the Governor to the House for advice under section 51 (c) of the Nigeria (Legislative Council) Order in Council, 1946.
- Resolutions adopted by the Western House of Assembly on Bills referred by the Governor to the House for advice under section 51 (c) of the Nigeria (Legislative Council) Order in Council, 1946.

Resolutions adopted by the Eastern House of Assembly on Bills referred by the Governor to the House for advice under section 51 (c) of the Nigeria (Legislative Council) Order in Council, 1946.

Annual Report of the Cameroons Development Corporation for the year, 1947.

SPEECH BY HIS EXCELLENCY THE GOVERNOR

HONOURABLE MEMBERS OF COUNCIL,

It is the exception rather than the rule for the Governor as President to make an opening speech at a meeting other than the "Budget Session". It seemed to me, however, that it would be fitting, and that it would probably be the wish of Honourable Members, that I should on this occasion follow the exception and not the rule, as this is the first meeting of Council since my assumption of office four months ago.

My first duty is to report the resignation of two of our members—Mr Lucas the First Nominated Member, and Canon Delumo the Second Member for the Western Provinces. I am sure that I shall be expressing your wishes in thanking them for their past services on this Council. We welcome as a new Nominated Member Mr Edwards who is no stranger to the Council.

It is not my intention today to attempt any general survey of the country's position or of the whole field of Government activity. Rather, I shall confine myself mainly to making some general comments on the principal subjects to be considered at this meeting. This is no narrow restriction because we shall be directing our attention to questions of vital and far-reaching importance to the country. Economic matters predominate, and as I judge the temper of the country that is not out of keeping with the widespread realistic appreciation of the need to expand our economy and increase our national income, and so to improve the standard of living. But social services are not neglected—since we are to consider the very important Education Bill. And Local Government, about which I shall have something to say, is represented by the Port Harcourt Township Bill. Finally, I shall wish to refer to Constitutional evidence.

As I studied the programme of work for this meeting, it became very clear to me that through all the important subjects for discussion there runs—despite their variety—a pattern or a recurring motif, and that is the genuine and express desire of Government to bring the people of the country into closer association with Government policy and activities, and to secure their participation in the management of their own affairs; not merely by discussion in this and other Councils but also in the practical day by day work of carrying out particular policies. I shall point to the evidence of this trend in my remarks on each of the matters to which I make reference.

tions in the world prices of commodities. We mean to do all in our power to prevent a recurrence of such conditions. The proposals now before this Council aim at bringing under public direction the marketing of the major part of Nigeria's export produce—other than cocoa for which, of course, arrangements already exist. The broad objective is to use the margin between producers' prices, fixed in reasonable relation to local economic conditions, and the relatively high prices at present obtainable overseas to do two things: first, to protect the producer against the worst effects of future adverse conditions, and, second, to develop and improve the agricultural industries concerned and to benefit the areas of production.

The policy proposed in this matter, too, reflects the desire of Government that the people of the country should participate in the discussion and in the implementation of particular policies. It is proposed in the Sessional Paper that a considerable measure of autonomy should be conferred upon the industries concerned, but this autonomy is closely and rightly linked to the present constitutional order. Modern conditions require that special instruments should be created for special purposes and the Boards and related bodies suggested will be such instruments. The responsibilities of the Central Boards will be mainly marketing responsibilities but these Boards will, after making due provision for operating expenses, price stabilization and research, allocate to the proposed Regional Development Production Boards monies to be expended on measures to develop and improve the agricultural industries concerned, and on measures for the benefit of the producers and the producing areas. It is important, particularly where the actual expenditure of funds is at issue, that there should be no wide divorce between special instruments of policy of this nature and the duly established constitutional bodies and authorities. It is for this reason that the proposed Regional Production Development Boards will consist predominantly of members of the relative Regional Councils.

Let us be under no illusion regarding the magnitude of the task involved. I do not believe that any more important bold and far-reaching economic undertaking has ever been considered by a Colonial Legislature. I commend to the careful consideration of this Council the policy proposed in the Statement, knowing that it is conceived solely in the interests of the country in general and of the producers of these commodities in particular, and that if it is adopted and wisely applied it can dramatically change for the better our whole economic future.

Fortunately, we can take courage from our valuable experience in the marketing of cocoa, by which the trail has already been blazed. The cocoa marketing machinery is still in the early stages of its operation but we can say that it has been "run in". Without claiming for it perfection or finality I assert with confidence that the results have been eminently satisfactory. The cocoa industry of Nigeria is in an extremely strong position and, if we can deal

with swollen shoot, the future is bright; and this desirable state of affairs is the result of the marketing arrangements developed during the war by His Majesty's Government and ably conducted since June, 1947, by the Nigeria Board and its Advisory Committee. (Again the pattern to participation). The Board, to which I have recently appointed an additional Nigerian member to strengthen the representation of the farming interests, has been materially assisted in its responsible work by its Advisory Committee with which it has worked in fruitful harmony. Very soon after its formation it had the very responsible task of fixing the prices payable to the producer in the 1947-48 season. The Board decided to adopt initially a fairly cautious price policy. This, combined with the unexpectedly high prices obtained overseas during the past year, has resulted in a very large addition to the funds, already large, which the Board inherited from the West African Produce Board. It is estimated that by the end of the current season the funds standing to the Board's credit will be in the neighbourhood of £18,000,000. All who know the history of Nigerian cocoa prices realize that any fund established to maintain a reasonable level of prices to the producer must be very large. This has been achieved in a much shorter time than could have been anticipated and the Board is now in a position not only to set aside a reasonable fund for price stabilization but also to begin to finance schemes for the development of the industry and for the benefit and prosperity of the producers. I shall not delay to describe these schemes as I feel sure that it is the price policy for the forthcoming season that is of the most direct public interest. The Board came to its final decisions on this matter only yesterday, after giving the most careful consideration, in consultation with its Advisory Committee, to all the factors that have a bearing on the problem of cocoa prices. In view of the large funds already in hand, and the probability that the overseas demand at high prices will continue throughout the next season the Board has felt justified in adopting a much less conservative price policy than that which it adopted in different circumstances a year ago. On the other hand, it has had to take into account the fact that high prices will accentuate the existing inflationary tendency, and although it is hoped that this tendency will be countered to some extent by a better supply of consumer goods, the stubborn fact remains that in times of short supply increased prices by themselves do not bring corresponding benefits. The Board has also kept in mind the desirability of using its large resources in such a way as to give the cocoa farmer a sense of security over a period of years. Having regard to all these considerations the Board, in exercise of its powers under the Ordinance, has decided to pay a price of £120 a ton for Grade I main crop cocoa, naked ex-scale port of shipment, and to pay for Grades II, III and IV, main crop, prices of £115, £105 and £90 respectively. Honourable Members will wish to compare these prices with the corresponding prices for the current season, which are £62 10s 0d for Grade I cocoa (now to go up to £120), £60 for Grade II, £57

It is sometimes felt that there may be a difference of interest between local and central Governments. I am sure that the contrary should be the case. The stronger and more representative our local authorities are, the stronger and more effective will be the whole structure of government.

The same principle applies to the relations between the Regions and the central Government. I do not believe that any responsible leader in this country thinks that there need be any basic difference of interest between the Regions, and talk of divisions and separatism is dangerous and mischievous. I believe that the stronger the Regions are and the more effectively each Region conducts its own affairs in accordance with its own wishes and traditions the stronger Nigeria as a whole will be. It was with that in mind that I warmly welcomed the announcement made by the Chief Commissioner of the Western Provinces at the last meeting of the Western House of Assembly regarding committees of unofficial members to consult with Departmental officers and co-operate more closely with them in the execution of Departmental policy. I understand that similar committees are being established in the other Regions. It is by such practical co-operation not only in the sphere of legislation and finance but also in the sphere of policy and executive action that we hope to achieve rapid progress in all the Regions.

And now—the Constitution. Since my arrival in the country I have had time to see something of the constitutional system in practice, and, as I have said elsewhere, I have been greatly encouraged by the growing acceptance of the Constitution and by the growing appreciation of its true purpose. I should like to quote the following passages from speeches of Lord Milverton, the architect and designer of the Constitution. He said:—

“ The idea at the back of the new Constitution was that it should contain within its framework the means of understanding the will of the people so that it could be adjusted in the light of events in accordance with what the people really wanted ”.

And again:—

“ My idea of a good and suitable constitution is that it should be able to grow naturally as a living thing grows ”.

As Honourable Members are aware it was originally proposed that the new constitution should remain in force for nine years and should be reviewed at the end of that period, though limited changes might be made at the end of the third and sixth years. Nine years, as Lord Milverton, said, is not a long time in the history of a country, and we are now little more than half way through the first period of three years. The progress already made however, has been, in my considered view, so rapid and so sound that I suggest that we might be justified in reviewing our timetable, and

that we might consider together what changes should be made, and whether they should be made earlier than originally intended. I accordingly propose that if it is the wish of this Council and of the country that earlier changes should be made they should be introduced not at the end of nine years but in the second three-year period which will start at the beginning of 1950. Before any change is made it is of the utmost importance to allow adequate time for the expression of public opinion, and if the Council agrees I propose, after a period has been allowed for preliminary public discussion, to set up a Select Committee of this Council, following the Budget Session next year, to review the whole position and to make recommendations.

I do not believe that there are many people, whether within or outside this Council, who in their hearts still have doubts about the honest purpose of British Colonial policy.

If such there be, I trust that this proposal will prove to them that Government is anxious to encourage sound constitutional advance in the way the people wish. Many wise men have spoken or written about self-Government. I have long kept in my mind the words of a United States Secretary of State, Elihu Root, who said this, forty-one years ago:—

“ Self-control is the primary discipline on which self-government must depend. And that requires intelligence so that the true relation of things may be perceived, and also the moral qualities which make possible patience, kindly consideration for others and capacity for loyalty to certain ideals. Men must be willing to sacrifice something of their own individual interests for the larger interests of City, State, Country: and without that willingness popular Government is impossible ”.

In all sincerity and friendliness I suggest that this advice is particularly appropriate to Nigeria at this stage in its progress.

I have referred in general terms to a number of questions of vital consequence to the future of this country—questions of agricultural and educational progress, of development and marketing and production, of local Government and constitutional advance. I know that the Regional Houses are giving such questions their closest attention and I am confident that Honourable Members of this Council will consider the proposals before them with a full sense of the great responsibility which rests upon them.

Those of you who read the local newspapers will know that for many weeks past there has been a controversy on other and less important matters. I have already made my position in those matters perfectly plain and I have refused—and intend to continue to refuse—to be drawn into the barren field of factional bitterness. It is for us in this Council to devote our attention not to disputes of this kind but to constructive measures of supreme importance to the

Honourable the Fourth Member for the Western Provinces; Nos. 269, 275, 282-294, 306 and 308 by the Honourable the Second Lagos Member; No. 317 by the Honourable the Third Member for the Eastern Provinces; Nos. 321 and 322 by the Honourable the Second Lagos Member; Nos. 326, 328-330, 332 by the Honourable the Fourth Member for the Eastern Provinces; Nos. 333, 335 and 337 by the Honourable the Member for the Colony; Nos. 338, 340-343 and 346 by the Honourable the Second Member for the Eastern Provinces; No. 347 by the Honourable the First Member for the Western Provinces; Nos. 348, 349, 351-353 by the Honourable the Atta of Igbirra; Nos. 354-363 by the Honourable the First Member for the Eastern Provinces; Nos. 364 and 365 by the Honourable the Member for the Colony; Nos. 367 and 368 by the Honourable the Second Member for the Eastern Provinces; Nos. 369 and 370 by the Honourable the Emir of Abuja; No. 371 by the Honourable the Third Member for the Western Provinces; Nos. 372-376, 378-382 by the Honourable the First Lagos Member; Nos. 383-385 by the Honourable the Fourth Member for the Western Provinces; Nos. 386-389 by the Honourable the First Lagos Member are not yet ready.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

65. To ask His Honour the Chief Commissioner, Western Provinces:—

- (a) How many Crowned Chiefs were there in the whole of Yorubaland before the advent of Europeans?
- (b) How many of them are there at present?
- (c) Why have they increased?

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) Enquiries made in the early years of the present century did not succeed in establishing with certainty how many Yoruba Chiefs were entitled by custom to wear a beaded crown as part of their regalia, but the names of seventy-seven claimants were recorded.

(b) There are at present forty-one persons in the Western Provinces who wear beaded crowns.

(c) Does not arise.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

89. To ask the Honourable the Financial Secretary:—

(a) What is the total number of persons of African descent in the civil service of Nigeria in the years ended March, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947?

(b) What is their total personal emolument each year?

(c) What is their average personal emolument each year?

Answer—

The Hon. the Financial Secretary:

Enquiries have been made to ascertain whether the information sought could be provided but it is regretted that without an inordinate amount of research which would seriously interfere with departmental work it would be impossible to provide the figures requested,

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

93. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) Will Government explain the circumstances under which Mallam Abdurahaman Bida lost his job in the Kano Hospital?

(b) Is Government aware that there is widespread impression throughout the country that he was victimised on account of his political convictions and connections?

Answer—

His Honour the Acting Chief Commissioner, Northern Provinces :

(a) Mallam Abdurrahman Bida was dismissed by his employer, the Kano Native Authority, on January 24th, 1948, as a result of a highly unsatisfactory audit report on the efficiency of his store-keeping. This has already been explained in a press release issued by Government, which was published in the Nigerian press.

(b) No, Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

94. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) What is the Northern Elements Progressive Association?

(b) What are its aims and objects?

(c) What are the methods adopted by Northern Elements Progressive Association to realise its aspirations?

(d) Is the Northern Elements Progressive Association a subversive movement against the constituted authority?

Answer—

The Hon. the Chief Secretary to the Government :

(a) I understand it is a private society open for membership to all persons of Northern Provinces origin.

(b) The Government has no information regarding its aims and objects other than statement which have been published in the Press.

(c) Its main activities appear to be local meetings and lecture tours.

(d) Not so far as Government is aware.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

What is the average rent charged, if any, for each market stall in the years 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 at the following towns: Aba, Abakaliki, Afikpo, Awka, Calabar, Enugu, Ikot Ekpene, Okigwi, Onitsha, Orlu, Oron, Owerri, Port Harcourt, Umuahia?

Note.—Market stall fees were not levied at Bauchi, Gusau, Ilorin, Jebba, Katsina, Offa, Sokoto and Yola.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

185. To ask His Honour the Chief Commissioner, Western Provinces :—

(a) What are the principles regulating the sale of timber by native dealers in Abeokuta Province?

(b) Is Government satisfied that no hardship is experienced by the dealers in reference to price fixation and restriction of sales to certain official agencies?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) The sale of timber is governed by the Forestry Ordinance and by the following two orders made under section 126 (1) of the Defence Regulations :—

(i) The Timber (Restriction of Movement Abeokuta Province) Order, 1946, whereby no timber sawn from 1st Class trees may be exported from the Province without a permit; and

(ii) The Price Control (Pitsawn Timber—Abeokuta Province) (Amendment) Order, 1948.

In Egba Division applications for a permit to export timber in accordance with the Timber (Restriction of Movement Abeokuta Province) Order, 1946, may be refused on the grounds that a steady demand for timber exists in Abeokuta. In Ilaro Division permits to cut timber have been subject to a condition that 25 per cent of the timber must be at the disposal of the Provincial Forest Officer.

(b) No representations concerning the controlled price have been received from the dealers. The controlled prices were amended from the 1st of April, 1948 to allow for the increase in timber fees and royalties, and were increased by 6d per cubic foot. The price in Abeokuta town is now 5 shillings per cubic foot for hardwoods and four shillings for others; elsewhere in the Province they are four shillings and sixpence and three shillings and sixpence respectively. It is considered that these prices are reasonable.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) How many tons of palm products were exported from the Ibibio country in 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947?

(b) What prices were paid locally per tonnage?

(c) What prices were paid in the United Kingdom per tonnage?

(d) What accounts for the differential, if any?

Answer—

The Hon. the Chief Secretary to the Government :

(a) and (b) It is not possible from available records to state the tonnages of palm produce exported which are derived exclusively from the Ibibio country. The following figures are taken from the records of produce exported from Calabar and Opobo and include produce derived from other than Ibibio markets :—

[EXPORTS

Year	Palm Kernels	Average Price			Palm Oil	Average Price Grade I		
		£	s	d		£	s	d
1938	32,863*	5	15	0	18,757*	7	10	0
1939	51,557	5	10	0	42,269	8	5	0
1940	53,888	5	5	0	49,371	6	8	9
1941	52,490	5	0	0	56,485	7	5	0
1942	56,991	6	2	6	52,734	10	11	3
1943	56,702	6	2	6	56,925	10	11	3
1944	50,603	9	2	6	47,855	13	18	6
1945	43,471	9	2	6	37,873	13	18	6
1946	39,488	11	2	6	35,043	16	18	6
1947	43,919	16	15	0	38,315	25	8	6

* Excluding exports from Opobo for which figures are not available.

(c) The prices paid in the United Kingdom for palm products during the years before the introduction of controlled marketing schemes in 1939 are not available.

The approximate prices paid by the Ministry of Food, which became the sole purchaser in the United Kingdom in 1939, are as follows:—

Year	Palm Oil	Palm Kernels
	£	£
1939	22	15
1940	22	14
1941	21	14
1942	22	15
1943	22	17
1944	25	18
1945	25	18
1946	28	20
1947	45	35

(d) The following costs account for the difference between the prices paid locally and those paid in the United Kingdom:—

- (i) Expenses involved in transporting produce to port.
- (ii) Buying agents' allowance.
- (iii) Shipment costs, which include export duty, inspection fees, harbour dues and shipping charges.
- (iv) Ocean freight.

In 1947 the prices paid by the Ministry of Food exceeded the cost price. The margin of approximately £7 10s per ton for palm oil and £8 7s 6d per ton for palm kernels was set aside as part of a stabilisation fund for the products concerned.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Who are the "Sole Native Authorities" in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons and (e) the Colony?

(b) Is it not time that this system of government was changed so as to hasten the democratization of local government and administration?

(b) If in such cases the result of the Course at Trinidad is not a condition of appointment or promotion why cannot such a practice obtain here in Nigeria?

Supplementary Reply to Question No. 234 asked in the Legislative Council on 2nd March, 1948:—

The Hon. the Acting Director of Agriculture:

Enquiries have confirmed that the qualifications required in the Gold Coast for appointment to the Senior Service of the Agricultural Department as an Agricultural Officer are the same as in Nigeria, namely:—

“The possession of a University degree in Agriculture or Natural Science, or a Diploma of an Agricultural College of University status which involved at least a three-year course of study in agriculture or horticulture, or some similar distinction which the Secretary of State may be prepared to approve in a particular case, coupled with not less than two years' post-graduate training in agricultural sciences or two years' approved post-graduate experience.”

The post-graduate training is normally taken at the Imperial College of Tropical Agriculture, Trinidad, but post-graduate training at any Agricultural Training College of similar status is equally acceptable.

The Third Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.):

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

(a) Whether the present boundary line between Ijebu Province and the Colony at a point between Epe and Ijebu Ode is the same as the one mentioned in the Deed of cession dated 8th August, 1894?

(b) If not, when was the original boundary line changed and by what Treaty?

(c) Was the change made with the knowledge and expressed consent of both parties to the original Treaty?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The existing boundary is defined in the Colony of Nigeria Boundaries Order in Council, 1913. It is substantially the same as that described in the deed of cession dated 8th August, 1894, though it is more clearly defined.

(b) and (c) Do not arise.

The Third Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.):

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

(a) Whether the present line of the Ijebu Colony boundary at a point between Ejinrin and Ijebu Ode is the original one at the time of cession of Ijebu by the Awujale to the British Government?

(b) If not, when was the original boundary line changed and by what agreement?

(c) Was the change made with the knowledge and expressed consent of the Awujale and his people?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The existing boundary is defined in the Colony of Nigeria Boundaries Order in Council, 1913. It is substantially the same as that described in the deed of cession dated 8th August, 1894, though it is more clearly defined.

(b) and (c) Do not arise.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

242. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether he is aware of the present move by a certain Administrative Officer to erect a new boundary line between Ijebu and Ondo Provinces at a point inside the Ijebu Province, near Ilushin village?

(b) If so, what has given rise to such a move?

(c) Is His Honour satisfied that the action of the Administrative Officer had the prior sanction of the Native Authorities of both provinces?

(d) If the reply to (c) above is in the negative, what action has been taken or is proposed to take, to check what the Ijebu Authorities regard as a violation of their boundary and which may result to serious inter-tribal friction?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) An Administrative Officer has been ordered to enquire into the Ondo-Ijebu Provincial Boundary and to submit recommendations for its modification, where this is found desirable.

(b) The enquiry has been ordered as a result of the large number of disputes which have arisen along the boundary. The enquiry has been promised for some years.

(c) Yes, Sir.

(d) Does not arise.

The Second Lagos Member (Dr the Hon. Nnamdi Azikiwe):

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

(a) What duty post is the Central Motor Registry?

(b) When last was the post filled by an Assistant Superintendent of Police?

(c) What was the total number of vehicles on the road when the Assistant Superintendent of Police was in charge?

(d) What is it now?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Assistant Superintendent of Police.

(b) 13.12.46.

Owing to shortage of staff it has not been possible to post a Superior Police Officer for full time duty in this particular duty post. In consequence the Central Motor Registry has been and is at present being supervised and administered by the Assistant Staff Officer of Police Headquarters in addition to his other duties,

Niger Province ...	...	Bosso, Bida, Kontagora, Rijau, Lemu Agaie, Madallah.
Plateau Province ...	...	Riyom, Ganawuri.
Sokoto Province ...	...	Kassarawa, Kwarre, Mareri, Gusau, Chafe, Kaura Namoda.
Zaria Province ...	...	Samaru, Maigana, Shika, Zonkwa, Saminaka.
<i>Eastern Provinces.</i>		
Onitsha Province ...	...	Nkwelle, Nnewi, Agbani, Awka, Nsukka, Awgu, Udi, Ikem, Atani, Umuoji.
Owerri and River Provinces	...	Umudike, Owerri, Aba, Isoba, Okigwi, Ahiara, Uzuakoli, Ohafia.
Calabar Province ...	...	Calabar, Uyo, Ikot Ekpene, Itu, Opobo, Oron.
Ogoja Province ...	...	Abakaliki, Afikpo, Obubra, Obudu, Ugep.
<i>Western Provinces.</i>		
Oyo Province ...	...	Moor Plantation, Ibadan, Oyo.
Abeokuta Province ...	...	Abeokuta, Ilaro.
Ijebu-Ode Province ...	...	Ijebu Ode.
Ondo Province ...	...	Akure, Ado-Ekiti, Owo, Ondo, Okitipupa.
Benin-Warri Provinces ...	...	Benin, Warri, Ogwashi-Uku, Ubiaja, Auchi.
<i>Cameroons.</i>		Bambui, Esosong, Santa.
<i>Colony.</i>		Agege, Badagri, Epe.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

297. To ask the Honourable the Director of Agriculture:—

(a) Is there any system of agricultural credit in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons and (v) the Colony?

(b) If so, what is the nature of the organization: is it public or private or co-operative?

(c) What are the types of credit facilities?

Answer—

The Hon. the Acting Director of Agriculture:

(a) Yes, Sir, except in the Colony.

(b) Credit is given either by Native Administrations or by Co-operative Societies.

(c) (i) In the Northern Provinces short-term agricultural credit is given to mixed farmers by the Native Administrations for the purchase of cattle and implements.

(ii) In the Eastern Provinces there are 185 Co-operative Thrift and Credit Societies. The membership of these consists principally of small traders and artisans, but a proportion are farmers who take loans for farming, redemption of pledged land or palm groves, and other necessary purposes.

(iii) In the Western Provinces there are 230 Co-operative Produce Marketing Societies whose functions include short-term credit granted on the security of members' crops. In 1946-47, 1,770 loans, totalling £4,315 were made by Societies to members.

(iv) In the Cameroons there are thirty-three Co-operative Produce Marketing Societies similar to those in the Western Provinces. Their functions include short-term credit and in 1946-47, 111 loans, totalling £351, were made to members.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

298. To ask the Honourable the Director of Agriculture:—

(a) Is there any system of agricultural marketing in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

(b) If so, what is the nature of the organization?

(c) What are the types of marketing facilities?

Answer—

The Hon. the Acting Director of Agriculture:

(a) Yes, Sir.

(b) and (c) The Government maintains a produce inspection service for the purpose of maintaining and improving the quality of the more important export crops. The marketing for export of groundnuts, seedcotton, palm products and cocoa is also subject to schemes of control which ensure to the producers a price not lower than a minimum price fixed by law. Among other organizations instituted or assisted by Government to promote the orderly marketing of produce are Cocoa Co-operative Societies, the Nigeria Cocoa Marketing Board and the Cameroons Development Corporation.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

299. To ask the Honourable the Director of Agriculture:—

What concrete efforts have been made by the Department of Agriculture to popularize the use of agricultural machinery in farming in the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony?

Answer—

The Hon. the Acting Director of Agriculture:

The Department of Agriculture has demonstrated the use of palm presses and nut cracking equipment in the Western and Eastern Provinces and the Colony. It has also carried out demonstrations of sugar crushers and other agricultural machinery in the Northern Provinces, and has planned the extension of demonstrations with tractors and ancillary equipment in all regions as soon as the equipment can be obtained. Over 4,000 mixed farmers in the Northern Provinces have been supplied with and are now using imported ploughs.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

301. To ask the Honourable the Director of Agriculture:—

(a) Has the Department of Agriculture given the problem of collective farming serious study for application in this country?

(b) If so, will this Honourable Assembly be apprised of same?

Answer—

The Hon. the Acting Director of Agriculture :

(a) The Government has not yet considered any proposal for collective farming in Nigeria.

(b) Does not arise.

Supplementary Question to No. 301 (a) by the Second Lagos Member (Dr the Hon. N. Azikiwe).

Sir, in view of the extreme poverty of a great number of farmers in Nigeria and the Cameroons, what is responsible for this apparent lack of interest in collective farming in Nigeria?

Answer—

The Hon. the Acting Director of Agriculture :

Your Excellency, I think the questioner is probably confusing collective farming with co-operative farming. We have in mind many plans for co-operative farming but collective farming does not come within our scope. It is an administrative problem.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

I am afraid, Sir, I am not confusing collective with co-operative farming. My question was on collective farming. I want to know why this apparent lack of interest in collective farming.

His Excellency :

The answer is, I gather, that collective farming is an administrative responsibility.

The Hon. the Acting Director of Agriculture :

Yes.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

(a) What will it cost to have the (i) trunk, and (ii) feeder roads of Nigeria and the Cameroons surfaced with bitumen or tar products?

(b) What number of skilled and unskilled labour will be required?

(c) How many years will it take to complete the undertaking?

(d) Is it impossible to plan this undertaking on a ten year schedule?

Answer—

The Hon. the Chief Secretary to the Government :

(a) (i) There are in Nigeria and the Cameroons 7,349½ miles of trunk roads of which 693½ miles are surfaced with bitumen. The cost of similarly surfacing the remaining 6,655 miles would be in the neighbourhood of £7,000,000.

(ii) Many of the feeder roads are dry season tracks maintained by Native Administrations, and considerable major improvements would be necessary before they could be tarred. A detailed investigation would be necessary before an estimate of the cost could be prepared.

(b) The total estimated cost of this work is greater than that of the entire programme of road development under the Development Plan, and it would be necessary to prepare a detailed programme of work before the labour force required could be estimated.

(c) No estimate can be given in the absence of a detailed programme of work.

(d) Yes, Sir. The present Ten-Year Programme for the tarring of all roads on which the foreseeable traffic density warrants such treatment makes full use of the funds and staff available.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the *per capita* income figure for the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, (v) the Colony, and (vi) the whole country, during 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946 and 1947?

Answer—

The Hon. the Chief Secretary to the Government :

It is regretted that the figures sought by the Honourable Member are not available.

Supplementary Question to No. 305 by the Second Lagos Member (Dr the Hon. N. Azikiwe).

Sir, may I know the reason why the facts are not available?

Answer—

The Hon. the Chief Secretary to the Government :

I am afraid I am unable to answer that question without notice. I naturally took advice on this matter from the Departments concerned and I was assured that the figures could not be provided to answer the question, but I shall be glad to investigate the matter further if the Honourable Member wishes.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Will Government be disposed to make a statement with reference to distribution of income tax in the country for 1938-47, year by year?

Answer—

The Hon. the Chief Secretary to the Government :

The Honourable Member is referred to the answer given to Question No. 304.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) Has Government prepared any plans or initiated methods for handling the problem of nutrition in the country?

(b) If so, will same be clarified?

Answer—

The Hon. the Director of Medical Services :

(a) Yes, Sir.

(b) Provision is made in the Development Plan to secure the consolidation and continue the pursuance of nutritional studies which have been carried out by the Medical Department for many years past. It is intended that the next step should be the carrying out of a survey by an expert Nutrition Unit.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many labourers from Nigeria and the Cameroons are employed in the Spanish plantations on the island of Fernando Po?

(b) What is their average earning annually?

(c) What are the geographical origins of such workers?

(d) Is Government satisfied that they are well cared for and adequately protected?

(e) Will arrangement be made so that interested Members of this Honourable Assembly may visit Fernando Po so as to observe the conditions under which our migratory labourers work, thrive and live?

(f) If so, in what way?

Answer—

The Hon. the Chief Secretary to the Government:

(a) According to our latest figures 17,536 Nigerian labourers are employed in the plantations on the Island of Fernando Po. In addition, 1,723 Nigerian labourers are employed on plantations on the mainland of Spanish Guinea.

(b) In accordance with the terms of the Treaty between the Nigerian Government and the Government of Spanish Guinea these labourers are given free rations and are supplied with free quarters. Prior to the 1st October, 1947, the average annual earning of an agricultural labourer was 420 pesetas or £8 8s per annum at the official exchange rate of fifty pesetas to the £, and that of silvicultural labourers was 600 pesetas or £12 per annum. Agricultural labourers engaged subsequent to the 1st October, 1947, now earn 600 pesetas or £12 per annum, and silvicultural 840 pesetas or £16 16s per annum.

(c) Detailed statistics of the place of origin of Nigerian labour employed in Spanish possessions in the Gulf of Guinea are not available but labourers engaged through the recruiting centre at Calabar come principally from the following places:—

Calabar

Abak

Eket

Itu

Opobo

Ikot Ekpene

Uyo in the Calabar Province

Owerri, Aba, Bende and Okigwi in the Owerri Province

Degema and Ahoada in the Rivers Province, and

Ogoja, Cameroons and Onitsha Provinces.

Answer—

His Honour the Acting Chief Commissioner, Northern Provinces :

Sir, I am not able to give the information requested without notice.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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(d) A British Vice-Consul and Labour Officer is permanently posted to Fernando Po and pays periodic visits of inspection to the various plantations to see that the labour conditions conform to the requirements of the Treaty. Complaints and criticisms are made from time to time (which are investigated in consultation with the Spanish Authorities) but Government is satisfied that the conditions laid down by the Treaty are satisfactory and provide adequate protection for the labour engaged under the Treaty.

(e) and (f) Government would raise no objection to any Honourable Member of this Council who wishes to do so paying a visit to Fernando Po. It would however be necessary to obtain the consent of the Spanish Authorities to such a visit and if any Honourable Member wishes to visit Fernando Po the matter will be taken up with the Spanish Authorities.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.) :

318. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) What steps have been taken to publish the conditions of service of Native Administration Staff in one book?

(b) If none, when is it proposed that steps shall be taken?

(c) If it is not intended to produce such a publication, on what grounds has a decision been made?

Answer—

His Honour the Acting Chief Commissioner, Northern Provinces :

(a) Consultation with Native Authorities of the Northern Provinces has taken place and a draft model set of Orders governing conditions of service of Native Authority Staff has been prepared for detailed consideration by the various Native Authorities concerned. The Honourable Member will appreciate that the adoption of the conditions laid down in such a model is in each case a matter for decision by the individual Native Authorities by whom the staff is employed.

(b) and (c) Do not arise.

The Emir of Gwandu (The Hon. Yahaya, C.B.E.) :

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

(a) It is understood that Government proposes to erect a new hospital at Birnin Kebbi. What preparations have been made with a view to commencing construction?

(b) When is the work likely to be started?

(c) What preparations have been made with regard to the staffing of the hospital?

Answer—

The Hon. the Director of Medical Services :

(a) Provision exists in the 1948-49 Development Estimates and a site has been selected by the Site Board.

(b) It is hoped that it will be possible to begin work at the beginning of the next dry season.

(c) A Medical Officer, Dispenser, four Nurses and five Nurses-in-training have already been posted to Birnin Kebbi and other staff now in training will be allocated to the area as occasion demands.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

I beg your pardon, Sir, 324 (a).

Answer—

His Honour the Acting Chief Commissioner, Northern Provinces:

Sir, my experience is that simple rates are termed "room rates".

His Excellency:

Is the term under discussion "plot owners" or "room rates"?

The Second Lagos Member (Dr the Hon. N. Azikiwe):

The answer to the question, Sir, is that the term "plot owners" is not correct and I asked a supplementary question "What then is the correct term?" Is it a question of plot-owners.

His Honour the Acting Chief Commissioner, Northern Provinces:

I should say "plot occupiers", Sir.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Plot occupiers.

Supplementary Question to No. 324 (b) by the Second Lagos Member (Dr the Hon. N. Azikiwe).

Sir, in view of this explanation will my honourable friend agree that the term "room rate" is misleading?

Answer—

His Honour the Acting Chief Commissioner, Northern Provinces:

Yes, I do, Sir. I had not heard the term before I saw the question.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) Why are Africans, some of them at least, awarded the honorary titles of K.B.E., C.M.G., C.B.E., O.B.E., and M.B.E.?

(b) When did this policy begin?

(c) How does it arise?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Any person who has rendered important or distinguished services of exceptional merit is eligible for Honours which are awarded by His Majesty in accordance with the Statutes of the Orders of Chivalry. Honours awarded by His Majesty the King to persons other than British subjects are styled "Honorary". Except in the Colony the majority of Nigerians are not British subjects and it is for this reason that Honours awarded to them are styled "Honorary".

(b) and (c) The award of such Honours has existed since the various Orders were instituted.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) How many Africans have applied to the post of Administrative Officers in the following years:—

1946, 1947, 1948 to date?

(b) Have there been any appointments made?

(c) If not, what are the reasons?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Appointments to the unified Colonial Administrative Service are made by the Secretary of State for the Colonies and no information is available in Nigeria as to the number of Africans who have applied to the Secretary of State for such appointments.

(b) In 1946, the Secretary of State appointed one Nigerian to the unified Colonial Administrative Service. In 1947, he selected three Nigerians who are now taking the Administrative Cadets Course with a view to appointment on successful completion of the course in January, 1949. In addition in 1947, four Nigerians and in 1948, up to date, one Nigerian have been promoted locally to be Administrative Officers.

(c) Does not arise.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam) :

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

What is the difference between Midwives who obtain their qualifications in the United Kingdom and Midwives Grade I trained in Nigeria?

Answer—

The Hon. the Director of Medical Services :

Grade I Midwives trained in Nigeria follow the same syllabus as Midwives trained in the United Kingdom. The minimum educational qualification for entry to the Aba or Calabar Midwifery schools is Middle IV. Both Midwives trained in the United Kingdom and those trained in this country enter the Government Medical Service as 3rd Class Midwives.

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

334. To ask the Honourable the Commissioner of the Colony:—

If he does not think that the time has come for the improvement of Lagos markets, particularly the one at Alakoro, so as to come into line with other sister Colonies, by rebuilding the sheds, and allocating stalls in a similar manner as in the new layout near Idumagbo?

Answer—

The Hon. the Chief Secretary to the Government :

The gradual improvement of all Lagos markets is part of the decided policy of the Lagos Town Council and, in accordance with it, the expenditure of £11,000 has been approved for the improvement of Oyingbo market. An investigation of the needs of the market at Alakoro is now being made as a preliminary to the preparation and estimate of costs of a planning and reconstruction scheme.

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

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

Whether in his opinion the time has not come that Government should be advised to raise the status of Lagos, the capital of Nigeria, to the level of a municipality with a Mayor at its head as in the case of Freetown in the sister Colony of Sierra Leone?

— If not, why not?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the public statement of the Commissioner of the Colony in the General Meeting of the Lagos Town Council held on 4th May, 1948, which read as follows:—

“ Before we conclude our business to-day I wish to make an important statement on the direction of His Excellency the Governor.

As you know, the term of the present Town Council expires in 1950 and His Excellency has accepted my recommendation that the time has now come to review the Law under which this Council is constituted and to work out a basis for revised legislation to be introduced well before that date.

I am directed to say that His Excellency wishes that the fullest opportunity should be given for public discussion and His Excellency does not wish that proposals should be finally formulated or legislation drafted until adequate time has been allowed for the expression of public opinion.

His Excellency considers, however, that the new legislation should provide not only for increased powers for the Town Council but also for a wider franchise and for a majority of elected members on the Council.

His Excellency directs me to request the members of the Town Council most carefully to examine this question and to put forward our suggestions when we have been able to complete our consideration of this vitally important matter. His Excellency also wishes us to make it known to all responsible and representative citizens of Lagos that their views on the matter, which should be communicated to me in the first instance, will be warmly welcomed by the Government.”

The Government does not consider that further statement of Government policy should be made until the views of the existing Town Council and of the public have been received and considered.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown):

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

Whether it is possible now to say how soon the two vessels for Port Harcourt-Degema-Brass Passengers Service as well as the four new touring launches for Rivers Province will be available?

Answer—

The Hon. the Chief Secretary to the Government :

The engines for the two vessels for the Port Harcourt-Degema-Brass passenger service have not yet arrived, but it is hoped that it will be possible to place the first of these vessels in service in November next. The four new touring launches for the Rivers Provinces were ordered in March 1948 and as delivery in the United Kingdom is promised fifteen months from the date of placing the order they are likely to be available for service in Nigeria by September, 1949.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown) :

344. To ask the Honourable the Development Secretary:—

How far has work been carried on in connection with the fisheries development scheme in the Eastern Provinces and the Riverine Areas of the Rivers Province particularly?

Answer—

The Hon. the Development Secretary :

From October, 1947 to May, 1948, a Master-fisherman was stationed at Port Harcourt to investigate the possibility of developing trawling by small powered craft, such as could be afforded by African capital. Trawling is the most important fishing method, which canoes cannot use. It was found that the fish in the Bonny, New Calabar and Opobo Rivers were not plentiful enough to cover costs, and that the use of trawls would undoubtedly affect the livelihood of the present fishermen.

Pending the arrival of a fishing-craft to investigate the sea fisheries, attention is being paid to the use of improved sea canoes along the seaboard of the Eastern Provinces. A team of Gold Coast fishermen under a Fisheries assistant (a native of Buguma) will start a tour in September, 1948, from Forcados to Victoria, to ascertain in co-operation with local fishermen how far the highly-developed Gold Coast type of gear and sea canoe can be used and what the stock of fish are. If results are promising, encouragement will be given to interested fishing communities in the East to buy the gear and learn the methods, which are modifications of those already used.

Attention is being given to the preparation and collection of swim-bladders of fish for the manufacture of isinglass, and two Port Harcourt traders have already taken up the collection of these valuable by-products, which are at present wasted.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown) :

345. To ask the Honourable the Development Secretary:—

What Social Welfare works have been undertaken in the Rivers Province during this Financial year and where?

Answer—

The Hon. the Development Secretary :

No Social Welfare work has yet been undertaken by Government in the Rivers Province. At present Government Social Welfare work is limited to the Colony and to the Calabar Province but the question whether it can be extended to other areas is under consideration.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

Why is it that some lorries of the same capacities are given different Stage Carriage Licences?

Answer—

The Hon. the Chief Secretary to the Government:

It is assumed that the Honourable Member is enquiring why vehicles of the same registered carrying capacity receive stage carriage licences for differing numbers of passengers. The size of the bodies of vehicles vary, and as the law requires a minimum seating space for each passenger the number of passengers allowed to be carried varies in consequence.

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

366. To ask the Honourable the Commissioner of the Colony:—

If he would advise the Government to allow Lagos municipality to introduce mechanical sweeping of Lagos Streets instead of manual labour done by a few labourers in some parts of the City?

Answer—

The Hon. the Acting Commissioner of the Colony:

Street-cleansing within the Township of Lagos is the responsibility of the Lagos Town Council, which now employs some three hundred men on this work and any suggestions for improved administration should be addressed to the Town Council.

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

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

(a) Whether it is a fact that the Honourable the Commissioner of Labour and his Deputy are due to retire?

(b) What efforts are being made by Government to see that new recruits to these posts would be eminently "qualified" men?

Answer—

The Hon. the Chief Secretary to the Government:

(a) It is anticipated that the present Commissioner of Labour will proceed on leave prior to retirement during 1948. The Deputy Commissioner, Captain D. H. Holley, will retire in the near future at the expiration of his current leave.

(b) Steps have been taken to ensure that the candidate selected to fill the post of Commissioner of Labour should have had wide practical experience of labour matters. The appointment of Mr P. H. Cook as a successor to Captain Holley has been announced in *Gazette* No. 33 of the 10th June.

BILLS**(Second Readings)****THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT)**

ORDINANCE, 1948

The Hon. the Director of Medical Services:

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

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

I do not think that there is any necessity for me to add to the Objects and Reasons which are fully explanatory.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Medical Services :

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

THE PRISONS (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

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

“ An Ordinance further to amend the Prisons Ordinance ”.

The main purpose of this Bill is to make Members of the Executive and Legislative Councils *ex-officio* prison visitors, but it was thought advisable to repeal the appropriate section in order to reproduce it with up-to-date titles in the case of certain officials whose titles have been changed since that section was enacted in 1916.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE BILLS OF SALE (AMENDMENT) ORDINANCE, 1948

The Hon. the Financial Secretary :

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

“ An Ordinance to amend the Bills of Sale Ordinance ”.

Sir, the present position whereby His Honour the Chief Justice is the rule making authority under the Bills of Sale Ordinance may be said to have been related to the time when the Chief Registrar of the Supreme Court was the Registrar under the Bills of Sale Ordinance. In recent years the Administrator-General has undertaken those responsibilities. In other Ordinances which affected the Administrator-General's Department, it is the practice for the authority to make rules to be vested in the Governor in Council and the object of the Bill now before this Council is to bring the Bills of Sale Ordinance into line with those other Ordinances. This Bill, Sir, has been examined in the House of Chiefs and by the three Houses of Assembly and all have found it acceptable.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Financial Secretary :

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

THE UNIVERSITY COLLEGE, IBADAN (PROVISIONAL COUNCIL)

ORDINANCE, 1948

The Hon. the Director of Education :

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

“ An Ordinance to provide for the establishment for a Provisional Council to be known as the Provisional Council of the University College, Ibadan, and for matters ancillary thereto ”.

Honourable Members were informed at the last meeting of this Council that this Bill would take the necessary legal steps to confer autonomy on the University College, Ibadan. All will agree that the College should be autonomous in the sense in which the Universities of Great Britain are autonomous. This does not mean that it should have full freedom to manage its own affairs though placed under an obligation to present an account of its stewardship. Only if autonomy so understood is allowed, can that degree of freedom of teaching and research be secured which is fundamental to a university; only in these conditions can the highly expert task of maintaining proper academic standards be carried out.

British Universities, Sir, have constitutions which, while varying in details, follow the same general plan. In this scheme we find two chief offices, those of Chancellor and Vice-Chancellor, and two chief organs of government; the names given to these organs vary, but there is always a supreme organ of government normally called the Council and a body of purely academic composition normally called the Senate.

This scheme of government is also applicable to university colleges though these do not have Chancellors. The officer corresponding to the Vice-Chancellor is the Principal, and the body corresponding to the Senate is usually known as the Academic Board.

In order to secure the required degree of autonomy it is not enough to have these officers and these organs of government. Two further conditions are indispensable and this Bill provides for these conditions. The Senate or Academic Board must possess full authority in purely academic matters; otherwise, however independent the university may be, academic issues, which should be the sole responsibility of the academic staff, will be subject to determination by the Council, a body in which the representatives of the academic staff will be in the minority. In other words, a proper measure of autonomy for the academic staff within the university is necessary. It is of equal importance that the members

of the Council nominated or elected by any one outside organisation or institution shall not be in a majority; otherwise the university may become a mere creature of that organisation. The composition of the Council should, therefore, be well balanced; moreover, the method whereby outside organisations appoint members to the Council should be such as to secure as far as possible that these members are not so much representatives of outside interests as persons well qualified for the task of forwarding the true aims of a university.

That, Sir, briefly is the constitutional background to the Bill. With regard to finance, Honourable Members will recollect that at the last meeting two resolutions were moved by my Honourable friend the Financial Secretary, the first relating to an annual grant-in-aid of £100,000 for a five year period to assist in meeting the College's recurrent expenditure, and the second relating to the appropriation of £250,000 from the Territory's funds to establish an endowment fund for the College. Both these motions were adopted and I merely mention them now to remind Honourable Members that the Council of the College is the supreme governing body: it is the trustee of the property of the College and authorises all expenditure both from funds voted by this Council and from other sources.

One further point, Sir, I ought to mention that since the printed Bill was referred to the Houses of Assembly the Executive Committee of the Inter-University Council and the Special Committee of the Senate of the University of London have suggested a few textual alterations, none involving any change of principle. I propose, Sir, at the proper time to move amendments to give effect to these suggestions in the confident hope that they will be accepted by Honourable Members as a gracious gesture to the bodies with which the new College stands in a special relationship.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Education :

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

THE SURVEY (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the first reading of a Bill intituled :

“ An Ordinance to amend the Survey Ordinance ”.

Under section 4 of the Survey Ordinance one of the conditions precedent to examination for a licence to practice surveying is a period of three years service, either as a Government surveyor or

with a licensed surveyor, and the main purpose of this Bill is to enable the Board of Examiners to dispense with that requirement in the case of persons having other adequate qualifications of the character specified in clause 2 of the Bill. Another purpose, Sir, is to make provision in any case where a survey implements the decision of a court of law in a land case for the supply to the Director of Survey of a copy of the plan which is prepared, and also a certified copy of the decision of the court. The Director of Surveys will then be in a position to furnish such plans to Administrative Officers for purposes of record.

Sir, I beg to move.

The Hon. The Commissioner of Labour :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE NATIVE COURTS ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I rise to ask the leave of the Council that the first reading of the Bill intituled " An Ordinance to make further provision for the administration of justice in criminal matters by Native Courts " be postponed to a later date at this meeting. The position, Sir, is that I have had correspondence with the Legal Advisers at the Colonial Office about this Bill and I raised certain points not of real principle but matters which might affect my opening address. I received a telegram on Saturday from the Legal Adviser at the Colonial Office saying that a reply to my points had been despatched, but I have not yet had the Legal Adviser's reply and in these circumstances I would ask leave that the matter be deferred.

His Excellency :

Is it the wish of the Council that this matter be deferred to a later date. Will those in favour say " Aye " those to the contrary " No ". The " Ayes " have it.

Agreed.

THE NATIVE COURTS (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the first reading of a Bill intituled :—

" An Ordinance to amend the Native Courts Ordinance, 1933 ".

The objects of and reasons for the Bill I think are adequately stated in the statement of objects and reasons and I cannot add to it. At a later stage I shall seek to move a number of very minor amendments.

Sir, I beg to move.

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the first reading of a Bill intituled:—

“ An Ordinance to amend the Native Courts (Colony) Ordinance, 1937 ”.

The purpose of this Bill is to enable the Commissioner of the Colony to delegate his functions under the Native Courts Ordinance where he thinks it necessary to do so.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE MINERALS (AMENDMENT No. 2) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the first reading of a Bill intituled:—

“ An Ordinance to amend the Minerals Ordinance, 1945 ”.

The functions of the Chief Commissioners under the Minerals Ordinance and the Regulations made under that Ordinance are manifold, and it has been found that their discharge by him personally in every case occasions undue delay. The object of this Bill is to enable a Chief Commissioner to delegate such of those functions as he thinks fit, thereby ensuring greater convenience to the public.

His Honour the Chief Commissioner, Northern Provinces :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE LABOUR CODE (AMENDMENT No. 2) ORDINANCE, 1948

The Hon. The Commissioner of Labour :

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

“ An Ordinance further to amend the Labour Code Ordinance, 1945 ”.

Sir, the Bill contains twenty-two clauses but seventeen of these are taken up with the title and with minor clerical amendments. The remaining five clauses are very adequately covered by the Objects and Reasons and I do not think it is necessary for me to give any additional explanation. When this Bill is taken in Committee, Sir, I would like to give notice now that I propose to move an amendment to clause 5.

Sir, I beg to move the Bill be read a first time.

The Hon. the Secretary, Eastern Provinces :

Sir, I beg to second.

Bill read a first time.

The Hon. The Commissioner of Labour :

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

**THE CHIEFTAINCY DISPUTES (PRECLUSION OF COURTS)
ORDINANCE, 1948**

His Honour the Chief Commissioner, Western Provinces :

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

“ An Ordinance to preclude the hearing and determination of chieftaincy disputes from certain Courts both in original and appellate jurisdictions ”.

Your Excellency, although I have the honour and the pleasure of introducing this Bill into this House, I haste to make it clear that it is in fact not a Government Bill but a Bill which can in the most truthful way be said to be a people's Bill. There has been a feeling getting stronger and stronger in a large part of the Western Provinces that litigation is not a method by which chieftaincy disputes should be settled. It is because of that feeling amongst the people that this Bill appears now before the House. Until a short time ago there were few, very few, chieftaincy disputes in the Western Provinces and this disease, I can call it no less, has sprung up during the last few years and has become a definite menace to good government in certain parts of the Western Provinces. The new fashion is that the unsuccessful candidate for a chieftaincy rushes to litigation in the hopes that by the good services of his counsel he may succeed in getting a decision, which had been arrived at by traditional methods, reversed. There are, in fact, at the moment quite a large number of cases pending in the Courts. The matter was raised by certain of the Native Authority Councils themselves who pointed out that these disputes had a bad effect, not only on the actual candidates and competitors themselves, but on the people, on all the people affected in the area where the chieftaincy dispute arose. They felt, the Native Authority Councils felt, and felt strongly, as did the people whom they represented, that some-

thing should be done—and something should be done quickly. The result of this was a Motion in the Western House of Assembly, introduced by an Unofficial Member, that all matters dealing with appointments, selection and deposition of chiefs should be excluded from the Courts. That Motion was adopted unanimously by the Western House of Assembly. As a result of that, a Motion was introduced into this Honourable House that legislation should be introduced to give effect to the Motion. On a division, those in favour of the Motion were seventeen and those against were ten. The Official Members of this Council did not vote. The Motion was adopted. The result is the Bill which is now before this House. It has proved acceptable to the Western House of Assembly. It has, I understand, proved acceptable to the Northern House of Assembly and to the House of Chiefs and it has proved acceptable in principle to the Eastern House of Assembly, provided that certain amendments are made to it. I may say that the certain amendment which the Eastern House would like to make to it is that under no circumstances whatever will it be applicable to the Eastern Provinces. I would like to say, with all seriousness, here, that we in the Western Provinces do owe the Eastern House a great debt of gratitude in the attitude which they have adopted towards this Bill. It would have been so easy for the Eastern House to say—"We have nobody here whom we wish this Bill to be applied to—we do not like it and we throw it out". —I do think that it was a very fine indication of the co-operation to which Your Excellency made reference earlier on this morning, that the Eastern House did not choose that course. They accepted the Motion, they accepted the Bill in principle, but did not wish it to apply to the Eastern Provinces because the Eastern Provinces is not a suitable place for its application. In other words, what they said was—"We agree that it is a suitable Bill for the Western Provinces, and, possibly, for the Northern Provinces, but it is not for us". I am most grateful to the Eastern House of Assembly for the attitude they adopted in this matter. That there is an urgent need for this Bill to become law, I do not think I need enlarge on. The matter was debated at some considerable length in this House only a few months ago, and it is open to all of us to refresh our memories by reading Hansard on the subject. But I do want to make an appeal to those who in that Council opposed the Motion. I am fully aware that the reason for their opposition was a perfectly honest and genuine one, but I do want them to realise that the need for legislation of this kind has been very strongly brought home to the people on the spot. The Honourable Members who voted against this Motion are actually nearly all of them persons who are lucky enough to have had no first hand contact with a chieftaincy dispute and all that is involved thereby. Where there is a chieftaincy dispute you get pockets emptied—I am not talking only, Sir, of the actual contestants, I am speaking of the people of the area. Pockets are emptied, tempers are lost and progress comes to a standstill. A virtual blight seems to settle over the area. Markets are emptied, buildings are left half completed.

It may be thought that that is an exaggerated way of speaking of the sort of thing that happens when you get these protracted chieftaincy disputes going on. I can assure Your Excellency it is no exaggeration whatever: the whole civic life of the people comes to a full-stop. It is not merely the question of two claimants. It is a question which involves the prosperity and happiness of hundreds and, perhaps, thousands or even hundreds of thousands of people.

Now it may well be asked "How can the exclusion of these cases from the Courts affect the issue? What are we going to substitute for the Courts? It would be premature to attempt to set up any sort of machinery to deal with these cases until this Bill has been passed by this Council. I can merely say now that machinery, to be effective, will have to be speedy and it will have to be above reproach. Those who say it is impossible to set up machinery of that kind, that there is no body of persons who can be found who will be impartial and right minded in dealing with a matter of this kind are, to my mind, making a suggestion which I consider to be intolerable. I am perfectly satisfied that machinery can be brought into being and can function perfectly well. Exactly what that machinery will consist of is a matter which will be given urgent and careful consideration by the members of the House of Assembly and the Native Authorities of the Western Provinces. I am extremely sorry that the Oni of Ife is not here today because this is a matter which was extremely near his heart, but in speaking of this question of machinery, what he did say was—"In my mind, what is needed and what I am thinking is the best solution of this problem is the appointment of a Regional or Provincial Committee to deal with every chieftaincy dispute as it comes up".—That is to say, of course, dealing with the chieftaincy dispute after the traditional methods have been tried. Whatever machinery is set up there are two absolute essentials. One is that finality shall be reached, and the other is that finality shall be reached quickly.

There are, as Your Excellency is aware, two different categories of chiefs. The first are members of Native Authorities or members of Native Authority Councils, and they are included under the Appointment and Deposition of Chiefs Ordinance. Under that Ordinance in its original form—The Appointment and Deposition of Chief Ordinance, 1930—Your Excellency, or Your Excellency's representatives, was the sole judge in the case of a dispute as to who should be chief. There was no possible intervention. By amendment of that Ordinance in 1945 the door was opened which had the result—indirectly—of bringing this Bill before us today. That amendment read as follows:—"In the case of any dispute the Governor, after due enquiry and consultation with the persons concerned in the selection, shall be the sole judge as to whether any appointment of a chief has been made in accordance with Native Law and Custom", the emphasis lying, of course, on "after due enquiry and consultation with the persons concerned in the selection". That, of course, enabled the unsuccessful candidate to go to the courts and state that due enquiry and consultation had

not been made. Although according to the Ordinance as it stands Your Excellency, or Your Excellency's delegate still remains the sole judge, there is an appeal to the Courts in regard to whether enquiry was made or not made; and so, one may ask oneself, who is the sole judge? Your Excellency, or Your Excellency's delegate, or the courts to which these cases go and the Courts of Appeal which follow? There is a further complication which may at times arise. A certain person has been selected as chief, and his appointment has been approved by the Native Authority and has received Your Excellency's blessing. Then, at a later date, the unsuccessful rival will go to the Courts and will say that due enquiry was not held. Well, "due enquiry" in itself is an extremely elastic expression and is capable of a good many differing forms of interpretation. But what happens, or what may happen, is that the Court may say that due enquiry had not been made and may possibly go further and say that had enquiry been made someone else would have been selected for this particular chieftaincy. Then back it goes—the Native Authority, having approved the appointment of the other claimant, is not prepared to change its mind and accept the rival claimant from the courts. The result is a complete deadlock. The chieftaincy remains unfilled and all the evils to which I have already made reference, are there and we know not whether it may be months or years or what will happen. Some of these disputes have gone on for years and some of them have never been satisfactorily settled. There is nothing, so far as I can see, to prevent an unsuccessful candidate from waiting for months or, perhaps, years before he brings his case before the Courts; memories are short and the question of whether due enquiry was held or not may be extremely difficult to prove one way or the other. In the majority of cases of this type the chief whose position is challenged is in a safe position because the case brought against him will not hold much water. But even so—even if he wins his case and gets considerable damages—in many cases his expenses—what it has cost him in one way or another—are considerably more than the damages which he is awarded. Also, he has to spend time on this particular case which would be better spent on the public affairs on which he should be engaged.

In the other group of chiefs the same complications do not arise. Your Excellency is not the sole judge, but even so, these disputes go on and on and on and they have the same blighting effect on the people and on the towns and on the villages as in the case of chiefs who are members of Native Authorities and Native Authority Councils.

The proof of the pudding is in the eating. I think it was the Honourable the Second Lagos Member who stated very correctly in regard to Yoruba customs, that it is king-makers, as representatives of the people generally, who decide who should be chief or king according to Native Law and Custom. So long as that cardinal rule was in force all was reasonably well. But, as the Honourable Member is aware, in recent years people, unsuccessful candidate, do

attempt by hook or by crook to drag these cases into the Courts in the hope that they will be able to get the decision—the traditional decision—altered. The result is, Your Excellency, that the chieftaincy dispute pudding at the moment is extremely unpalatable to the people of the Western Provinces.

I will now, with your permission, deal with the actual Bill itself. In Clause 2 reference is made to a chief—this includes a chief within the meaning of the Appointment and Deposition of Chiefs Ordinance, 1930, and also to a chief as defined by section 3 of the Interpretation Ordinance, 1939—“any native whose authority and control is recognised by the native community,” and it follows that Clause 3—Clause 3 below—applies to all chieftaincy disputes, and not only to those which carry with them right of membership of a Native Authority. Clause 3 (b)—a chieftaincy dispute sometimes manages to work its way into the Courts in the guise of a claim to chieftaincy properties and this sub-clause 3 (b) closes that loophole. Clause 4, which is a little difficult to understand to the layman, makes provision for describing ownership of property belonging to chieftaincies for the purposes of criminal proceedings. Considerable property, real and personal, is attached to chieftaincies, and is used by persons who are actually in occupancy of the chieftaincy. Although they do not belong to a chief in a way that his own personal private property belongs to him, he has, of course, considerable control over these properties. Provision is now made that the chief can be named as owner and that criminal proceedings involving such properties, can be made by reference to the title and not to the actual name of the man holding the title. When the chieftaincy is vacant the ownership can be described by reference to the title only, though there is no actual holder of the title. There is a vacancy at the time. Further, it amplifies sections 146, 147 and 154 of the Criminal Procedure Ordinance and gives legal recognition to the peculiar position of chieftaincy property in this country. All kinds of classes of criminal proceedings are affected, a thief who steals something from the Afir or an unsuccessful claimant who reaps crops from chieftaincy lands. That, I think, may be described as of general application rather than being intended to apply only to the Western Provinces only. It really is of general application, and I do not think it is at all a controversial matter. It merely happens that the Western Provinces is the venue for its introduction.

There are one or two other amendments which I shall introduce during the committee stage and I hope they will prove satisfactory to those who represent the interests of the Eastern House of Assembly. Just one final word if I may. This Bill is not introduced as an attempt by the people of the Western Provinces, an attempt by the Native Authorities of the Western Provinces or an attempt by the administration of the Western Provinces to deprive the Courts of what is theirs by right. The Bill is an indication of the determination of the people of the Western Provinces to put a stop to what is becoming really an intolerable

position in a large part of the Western Provinces, to crush a real menace which is threatening our Government in parts of the Western Provinces, and to end a dangerous game in which the people, their progress and their prosperity and their happiness at stake, find themselves to be but helpless pawns. Sir, I beg to move the first reading of the Bill.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, I beg to oppose the Motion. I opposed it before and I continue to oppose it.

The Hon. the Acting Attorney-General :

On a point of order, Sir, it is not the correct stage to oppose a Bill. The Bill is moved at this stage and when we come to the second reading it is debated.

His Excellency :

When we come to the second reading.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

As Your Excellency wishes.

Bill read a first time.

His Honour the Chief Commissioner, Western Provinces :

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

THE EDUCATION ORDINANCE, 1948

The Hon. the Director of Education :

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

“ An Ordinance to make better provisions in regard to Education in Nigeria ”.

It will probably be convenient, Sir, if I divide my exposition of the provisions of this Bill into two parts: I propose, therefore, first to discuss the Bill proper and thereafter to outline the salient features of Schedule A or the grant-in-aid Regulations.

As to the Bill proper, which deals with the framework—or perhaps I should say, the mechanics of educational administration Honourable Members will recollect that at the last meeting of this Council, an undertaking was given that a Bill would be drafted to give effect to their approval of the relevant sections of Sessional Paper No. 20 of 1947.

A primary object of the Bill is that it should replace the present obsolescent Ordinances which deal with the Colony and Southern Provinces and the Northern Provinces respectively. In recent years, indeed, experience has shown that educational problems in the various Regions, while differing in degree, have so much in common that it has become the practice to augment the Southern Board with Northern representatives and *vice versa*—to the advantage, I believe, of all concerned. I should perhaps add that

this practice was followed when the Bill originally took shape and though the process of gestation has been slower than could be desired, it can be claimed that its shaping has been in a very real sense a collaborative process. The Bill, in fact, is a unifying Ordinance; it is designed to consolidate past achievements, to ensure a common purpose and to point the way to future developments.

The major innovations contemplated are set out in clauses 4 to 17 and in clause 26 respectively.

Chapter 4 of Sessional Paper No. 20 of 1947 laid emphasis on the importance of an organised endeavour to achieve close contact between educational administrators and leading members of the community who are interested in education; and to that end it advocated the establishment of Central and Regional Boards. Clauses 4 to 17 show the constitution of the proposed Boards and, in view of their importance, perhaps I may say few words on the principles underlying their membership. The Regional Boards comprise a minority of official members and a majority of unofficial members, the latter group comprising, in general, members elected by the unofficial members of the Regional Houses, members appointed by the large groups of approved Voluntary Agencies—whose achievement in the field of voluntaryism is reflected in their responsibility for ninety per cent of educational endeavour in the Eastern and Western Regions and some two-thirds in the Northern Region—and, lastly, representatives of the teaching profession. In other words, a balance has been struck between expert knowledge of education and regional responsibility and, still more important, an attempt has been made to keep these bodies small enough to be effective. Similar principles underlie the composition of the Central Board.

It will be seen that the Central and Regional Boards possess both advisory and executive powers. Clauses 6, 10, 26 and 30 deal with the advisory powers, and I would ask Honourable Members to take particular note of the chain of communication—the Local Education Committee, then the Regional Board and then the Central Board. In other words, the pooling of experience from all parts of the Territory is assured, thus emphasising the unity of purpose which the Bill is designed to achieve.

The executive powers of the Boards are set out in clauses 22 to 25. Under clause 22 a Regional Board is empowered to judge appeals against refusals of a Regional Deputy Director of Education to permit the opening of schools. Under clause 24 it has the power to close schools and under clause 25 an aggrieved Proprietor has the right of appeal to the Central Board against a decision of a Regional Board. It is, I submit, right and proper that this power of opening and closing schools should rest with expert responsible bodies.

Clause 26 is one of the most important in the whole Bill. It enables each Region to establish Local Education Authorities and

Committees in accordance with its particular stage of development. It is true that the clause has its disappointing side. Much time and labour were expended by the Northern and Southern Boards and by various Regional Committees in an attempt to frame a constitution and rules for these bodies which would cover the whole territory. The labours of those who participated in this gallant attempt will, however, not be in vain. Their work is on record and should afford valuable guidance to those responsible for preparing schemes at the Regional level. In effect, they endeavoured to forge an instrument of local educational administration which would foster local initiative and ensure popular and efficient control.

The Western Provinces and the Colony, with their tradition of ordered progress, have, in fact, led the way. Their thirty-three Education Committees are, in general, live bodies reflecting the views of the Communities which they serve and a résumé of their activities has received wide publicity. I am sure that clause 26 will not pass unnoticed in the Western Region. In the Northern Region, too, there are some quite active Educational Committees of the Provincial Development and Welfare Boards, and I am confident that these will make every effort to ascertain popular opinion. In the Eastern Region—or rather in considerable parts of that Region—there is no reluctance to express opinions. On the contrary, the extreme individualism of that Region has tended to militate against that progress which has been achieved in the Western Region. I have no doubt, myself, Sir, that the East will soon develop a penchant—and probably a spirited one—for local government.

I do not think I need detain Honourable Members with a detailed exposition of the remaining clauses. The question of the opening of schools is dealt with in clauses 20 to 22. I would merely point out that the Nigerian public, acting through its agents, the Regional Deputy Directors of Education and the Regional Boards, has every right to a full knowledge of the circumstances behind the opening of a school. It is indeed difficult to see to whose interest it would be to withhold the information set out in clause 20. None of the conditions which a Proprietor is asked to fulfil is difficult of achievement.

I now turn to a most important part of the Bill, namely, clause 27 which empowers the Governor to make grants to Native Authorities, Local Authorities and Voluntary Agencies. For the Native Authorities especially, this clause should be not unwelcome since, hitherto, they have been struggling unaided to finance their schools and, with the general rise in salaries, the burden has become increasingly heavy.

Clause 27 (2) naturally brings me to Schedule A or the Grant-in-Aid Regulations. Honourable Members have received a copy of Mr Phillipson's Report on which these Regulations are based. They will, I am confident, share my admiration of the skill and clarity with which he has dealt with this complex and intractable problem

for which no completely ideal solution is discoverable. It is, I think, sufficient tribute to the Report, and the report has been subjected to careful scrutiny in many quarters, that no responsible person has ventured to suggest any practicable alternative. I should also like to take the opportunity, Sir, without sounding an overstrident blast of the departmental trumpet, to associate myself with the tribute paid by Mr Phillipson in his Report to the unremitting zeal of Mr Holt, Chief Inspector of Education, Eastern Provinces, who was associated with the investigation.

It is, of course, not possible within the limits of a short, or, for that matter, a long, speech to do more than touch on the main aspects of the problem and this I shall endeavour to do. Let me begin by mentioning some of the inherent difficulties. The first derives from the fact that Nigeria is a very poor country. The revenue, though it now exceeds twenty million pounds, is ridiculously inadequate for a country of between twenty-two and twenty-five million people, endeavouring to build up a modern economy. Moreover, the limited revenue is subject to a variety of heavy commitments. I do not mention this to depress Honourable Members—the grant-in-aid vote has, in fact, increased nearly five fold in the last five years—but to emphasise that the limitations set to Government aid are not merely monetary. The improvement and expansion of primary education depends on the output of trained teachers and, in the Regulations now before the Council, it is proposed that Government should take the strain represented by the increments to teachers in grant-aided schools and the major part of the strain represented by the output of newly trained teachers.

A second difficulty lies in the fact that there is no highly developed system of local Government in this Territory. I have already referred to this problem and merely reiterate the point that it is not yet possible to throw on to local taxation or rates that part of the financial burden which may properly be regarded as local.

Again, the fact that our educational system is highly localised means that, broadly speaking, any assistance which Government may provide for schools does not release further funds for educational expansion. It merely means a grant-in-aid to relieve particular communities of financial burdens they have hitherto carried.

Fourthly, in certain Regions, though Government aid was of a very limited order until the last five years, insistent popular demand brought about the establishment of schools far in excess of the supply of trained teachers. In these areas the process of dilution has gone too far and the grant-in-aid regulations provide the steps needed to strengthen the system which has been so created.

Yet another difficulty lies in the fact that, after a decade during which grants-in-aid were "frozen", additions to the vote were intended almost entirely for the improvement of conditions of service of teachers without reference to the efficiency or otherwise of the schools in which they were employed. As a result of various interim settlements during the war, the position which has been

reached cannot be maintained indefinitely and the regulations provide for the transfer of the interim part of the grant-in-aid vote into provision for the assistance of efficient and socially useful schools.

May I remind Honourable Members that in Nigeria, as in most other countries, education is financed from two sources—the local contribution and the contribution by the Central Government. In highly developed countries the former is met from local taxation in the form of rates and represents about 50 per cent of the total cost. In Nigeria, however, this local contribution comprises school fees, Church contributions, Native Authority grants, and, what may be termed, community levies. Grants-in-aid regulations, therefore, are extremely important not merely from the financial standpoint, but because they can shape the whole educational system for better or for worse. The Regulations now before the Council are the result of very wide and intensive discussions. They have been subjected to a final scrutiny a few weeks ago by the Southern Board augmented by representatives from the North when an unqualified blessing to the principles underlying Schedule A was forthcoming. The Board on that occasion suggested a number of textual amendments—only one of any consequence—and none involving educational principle.

So much for the general background. May I now run briefly through the Regulations themselves? Honourable Members will have studied the Objects and Reasons of the Bill and will have noted from paragraph 6 of these that, broadly speaking, the Regulations seek to remedy the defects outlined in paragraph 3, to fulfil the desiderata listed in paragraph 4, and to give effect to the principles set out in paragraph 5. As to the principles, it will be within the knowledge of the Council that during the past twenty-five years there has been brought into being a select number of highly developed efficient schools on the assisted list proper and a very large number of so-called unassisted schools which have benefited from the various interim settlements without regard to their efficiency. In fact, therefore, with the closing of the list of approved Voluntary Agencies we have reached the stage when some communities are specially privileged at the expense of others and where useful schools of reasonable efficiency belonging to non-approved agencies are unable to get a grant while less useful and less efficient schools do so benefit.

The underlying aim of the Regulations, therefore, is to direct the newly trained teachers in such a way that they will cover the whole territory wherever there is a real and effective demand for education. We aim at building up a system—not a limited number of efficient schools—and at extending that system to the backward areas of the territory.

Regulations 5-10 cover Junior and Senior Primary Schools. These regulations will have two good effects in that they will lead to improved staffing at the base of the school system and encourage communities to group their schools into well organised units.

Regulations 24-28 deal with Secondary Schools and Regulations 29 and 30 with Teacher Training Centres. In the case of the former, the only point to be noted is that a different method of assessment is applied to schools selected for control by Boards of Governors—a fact which places on these Boards a special responsibility. In the case of Teacher Training Centres, the only change affected by the Regulations is that the present capitation grant is increased from £15 to £18.

Regulation 11 represents Mr Phillipson's main contribution to the problem now before the Council. The method of assessment proposed for primary schools is "recognised expenses" less "assumed local contribution". Both these terms require explanation and Regulation 12 makes it clear that the recognised expenses comprise the salaries of approved teaching staff plus an equipment grant at the rate of 2s per pupil.

The term "assumed local contribution" is explained in Regulation 14. Though not in actuality new, it is in practice entirely new as a factor in grant assessment. The fixing of the rate has been determined by a calculation of the actual local rate of contribution which has been made during the past year by the local communities supporting non-assisted schools in a large cross-section of the territory. I have spoken earlier of the nature of this contribution: the present proposal is to "rationalise" it as part of the new scheme. The "assumed local contribution" will, in fact, develop into an education rate. One important feature of the present proposals is that both Government and the local communities will know their commitments over a period of years.

Honourable Members will have noted that the contribution has been lowered in the poorer areas of the territory; that provision is made for its lowering by a reduction of the multiple in thinly populated districts; that it is set lower in Junior Primary Schools, partly to encourage the spread of basic education and partly because the salary costs per pupil are much higher in Senior Primary than in Junior Primary Schools; and, lastly, that it is made lower in girls' schools with a view to giving a fillip to female education.

I mentioned earlier, Sir, that in its final review of these Regulations the Board advised only one amendment of substance. It is not an amendment of principle, but it has a considerable financial significance: Briefly, it is to the effect that the multiple for junior primary schools in rural areas only should be reduced from thirty-five to twenty-five. Acceptance of the amendment advised by the Board will, of course, mean a sharper rise in the rate of assumed local contribution at the end of the four-year period referred to in Regulation 16 though it will be 1949 before the true financial implications of the scheme have been ascertained empirically.

I must also mention the financial strain imposed on the Central Government. As I have said earlier, during a three year period Government proposes to meet the full cost of increments and a good

part of the cost of newly trained teachers who will enter the system. That cost is formidable. An indication of its order is furnished in Appendix M to Mr Phillipson's Report. Quite clearly Government cannot go on bearing the whole of that strain indefinitely. For that reason there will be a readjustment every triennium when the rate of local contribution comes under review.

In brief, Sir, this Bill aims at creating quality in the regulation of a vast and expanding system; at facilitating efficient management; at building up a system of good teachers; at securing an adequate contribution from local sources and at supplementing that contribution by an adequate grant from the central revenues. It seeks to build up a system of consultation at every level by combining the spirit of national education with the spirit of regionalisation; it points the way to local government in the sphere of primary education and it offers a long term method of financing widespread primary education by an easily understood system which divides the cost between the Government and the communities which are served. The way ahead will be hard and the burden heavy but we should all agree as to the objective. I submit that this Bill will assist materially in that forward movement and I commend it to Honourable Members: and in so doing, Sir, may I inform them that I would propose, in due course, with Your Excellency's permission and with the agreement of Council, that it be referred to a Select Committee for consideration of points of detail.

Sir, I beg to move that the Bill be read a first time.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Education :

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

His Excellency :

Honourable Members, I think that this would be a suitable moment at which to adjourn. There had been a proposal to devote the afternoon to an informal meeting, but, as we have not completed First Readings, I suggest that we should meet again this afternoon, at least to complete the First Readings and possibly a little more. The informal meeting will take place after this afternoon's meeting. After the informal meeting I shall have more knowledge about the wishes of Members in regard to hours of work, but at the moment I hazard a guess that most of us want to get through quickly, not without thoroughness but with as much speed as possible, and so if it is in accordance with your wishes, Council will resume at 3.30. An informal meeting will take place immediately after the formal meeting. Council will now adjourn until 3.30 this afternoon.

Council adjourned at 1 p.m.

Council resumed at 3.30 p.m.

THE WIDOWS' AND ORPHANS' PENSION (AMENDMENT)
ORDINANCE, 1948

The Hon. the Financial Secretary :

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

“ An Ordinance further to amend the Widows' and Orphans' Pension Ordinance ”

I do not propose, Sir, to amplify the explanations which are given in the Objects and Reasons. Briefly, the amendment proposes the return of contributions to an officer who becomes a widower after he has left Nigeria. I would add, Sir, that the Bill has been referred to the Regional Houses and has been found acceptable, and also that the four Legislative Councils of the West Coast are also considering the same Bill.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Financial Secretary :

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

THE CUSTOMS (AMENDMENT) ORDINANCE, 1948

The Hon. the Financial Secretary :

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

“ An Ordinance further to amend the Customs Ordinance, 1942 ”.

This Bill, Sir, is non-contentious and is not nearly so formidable as appears at first sight. The large majority of the Clauses cover improved definitions and improved wordings which were determined last year at a meeting of the four Comptrollers of Customs of the West African Colonies. Clauses 4, 5, 6 and 26, which are not merely clarifying amendments, are explained in the Objects and Reasons of the Bill, and I do not propose to add to those explanations. The definition of “ pure alcohol ” added to the Ordinance by Clause 2 of the Bill, and referred to in the amendments proposed by Clause 2 of the Bill and referred to in the amendments proposed in clauses 13, 32 and 35, are intended to give legal authority to the system which has been in practice and use in West Africa of classifying liquors by their percentage of pure alcohol by volume rather than by their degree of proof spirit. I might add, the proposed datum of 43 per cent of pure alcohol is the equivalent of 75 per cent proof spirit in the Ordinance as it now stands. Clause 29 removes from section 207 of the Ordinance the limitation that the Comptroller of Customs must

submit to Your Excellency any proposal to pay a reward of over £5. I would point out, however, Sir, that this House and the Standing Finance Committee retain their present control of funds for rewards by virtue of the financial provision under the relevant item in the Nigerian Estimates. Clause 34 adds to the Schedule of Exemptions in Part 3 of the First Schedule of the Ordinance goods imported for the use of planning authorities, and in particular the Lagos Executive Development Board. I feel, Sir, that this concession will be welcomed by all Honourable Members. I give notice that at the committee stage of this Bill I shall seek permission to move two further amendments which are purely textual corrections. Finally, Sir, I should bring to the notice of Honourable Members the fact that none of the amendments proposed has raised any objection on the part of the commercial community of Nigeria, and that the Bill has been found acceptable in the Regional Houses.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Financial Secretary :

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

THE AGRICULTURE ORDINANCE, 1948

The Hon. the Acting Director of Agriculture :

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

“ An Ordinance to make provision for regulating the planting and growing of agricultural crops, for the control of plant diseases and pests, and for the preparation, marketing, storage, transport, shipping and export of agricultural produce and for purposes incidental to the above ”.

Sir, when this Bill was first presented to the public it would be incorrect to say that it got a hearty welcome. There were, however, several reasons for this chilly reception.

Firstly there were many people, particularly unlettered farmers, who could not understand the Bill and who feared—quite unnecessarily—that they would suffer interference from officialdom in the ordinary course of their farming work. They were misled into believing that they would require a licence to plant their crops, that they would not be permitted freedom of action in deciding what crops they should plant and that generally speaking the stage was being set for their exploitation by a uniformed inspectorate. I need not tell this Council that this was never the aim nor the intention of the Bill which, as far as the farmer is concerned, is largely designed to protect him and his crops from the ravages of nature.

There were other honest men who tried hard to understand the Bill but were very understandably confused by the legal terminology. They could not appreciate that this is mainly an enabling Ordinance under which Regulations may be drafted *in case of need and as they become necessary*. What these men read in certain sections of the press did nothing to dispel their confusion or to allay their suspicion.

There was a third group of people who had apparently made up their minds, in spite of all our efforts to explain the Bill to them, that no possible good could come of it. To this type of critic it was useless to point out either that this was mainly an enabling Ordinance or that most of its provisions were already included under existing Regulations. Their reaction to the Bill was similar to that of the small boy to his doctor in the Nursery Rhyme who said:

“ I do not like thee Doctor Fell
The reason why I cannot tell
But this I know and know full well
I do *not* like thee Doctor Fell.”

To one section of the public however, and this includes several Honourable Members of this Council, we are greatly indebted, for they gave the original Bill close study and have provided much helpful and useful criticism.

There were two main points at which this criticism was levelled. The first was that the Governor-in-Council was empowered to make Regulations under the Ordinance without further reference to the Legislature.

The second objection was directed against the inclusion of food crops in what may be termed the Produce Inspection part of the Bill.

Sir, in the revised draft of the Bill which now lies before you, the causes of both these objections have been removed.

Regulations will now be made by a Board of Agriculture, the membership of which is set out at section 4 and which will consist of four Heads of Departments together with seven Nigerian members. These Nigerian members will consist of two selected by each Regional House of Assembly but not necessarily being members of these bodies. In addition there will be one member nominated by the Governor to represent the agricultural interests of the Colony. This Board with its Nigerian majority will make the regulations in the first place after which they will be placed on the tables of the Houses of Assembly and the House of Chiefs where they may be scrutinised and possibly criticised. Finally they will come before the Legislative Council where they may, if found necessary, be amended or revoked.

The only admissible exception to this procedure would be in the case of a sudden plant disease or pest infestation of epidemic proportions in which case the Governor has powers under section 6

to make regulations to meet the emergency. But even in this event the Board must meet within twenty-one days in order to decide whether such emergency regulations are justified.

Sir, I think Honourable Members will agree that this amended procedure fully protects the constitutional rights of the people.

The second objection regarding the inclusion of food crops in this legislation has been almost entirely removed inasmuch as these crops—only these crops—specifically intended for export will now be subject to the normal inspection regulations. This means, for instance, that a farmer may continue to sell his groundnuts or his cotton without let or hindrance at any market he chooses and in any manner he chooses. But if he intends to sell these for export he must naturally make them conform to accepted standards if the quality and price of the Nigerian crop in the world market is to be safeguarded.

So much, Sir, has been written about this Bill and it has been the subject of so much discussion that I feel it may be redundant for me to examine it in great detail before a Council which has doubtless already given it close study. But I should like to presume upon the patience of Honourable Members to try to explain some of the underlying principles which make this Bill necessary.

This Bill may be roughly divided into two parts. The first part is contained in sections 4 (a), (b), (c) and (d) which with related clauses may be termed the agricultural part of the Bill for they refer to the growing of crops. These sections have been solely designed to protect the farmer's crops from diseases and pests.

But Honourable Members may ask, is there in fact such danger or potential danger from diseases and pests as to require the very comprehensive measures which are set out in these clauses? My answer is—yes indeed. We already have many diseases and pests which we could well do without. Honourable Members will be only too familiar with Swollen Shoot disease in cocoa. Black-pod disease is estimated by some observers to have ruined 30 per cent of our cocoa crop last year and Tobacco Beetle takes its toll of the stored cocoa annually. Pink Bollworm and Red Bollworm, both serious pests of cotton, have now established a foothold throughout West Africa and unless these two pests are checked they may well reduce our exports of cotton to negligible proportions.

As regards potential diseases it must be remembered that some of our crops have been introduced into Nigeria in comparatively recent times. It is only some sixty years ago for instance that cocoa was first grown here. Now sixty years is a very short time biologically speaking and it is certain that in that time the crop will not have met all its enemies, both bacteriological and entomological, which will eventually attack it.

If we look at what is happening in other lands, lands formerly separated from us by several weeks of sea travel and now brought within a few hours by air travel we may well be appalled by the

dangers which threaten. In Trinidad, for example, the cocoa crop has been decimated by Witch-broom disease, a calamity from which we have so far been spared. In Jamaica the banana crop on which that Colony largely depended for most of its revenue has been destroyed—or practically destroyed—by disease. From several countries have come recent reports of a sudden death of citrus. Any of these diseases might easily be introduced into Nigeria by careless or ignorant action. And if the casual importation of plants and plant products is permitted they assuredly will be.

Therefore, Sir, in the interests of the Nigerian farmer, and for the prosperity of the country as a whole, we must arm ourselves with the powers to bar the entry of these foreign invaders and, if they penetrate our defences, to liquidate them as speedily as possible.

The second part of the Bill deals with the powers required to carry out Produce Inspection.

I feel, Sir, that it is unnecessary for me to defend the principle of Produce Inspection for it is upon our export crops that we depend for the greater part of our revenue and any lowering of the quality of these crops would have very serious repercussions on the economy of the country.

As far as Produce Inspection goes, the powers given in this Bill are almost identical with those provided in existing regulations and I would remind this House that these regulations have been moulded in the fire of experience and administered for many years without complaint.

The purpose of this Bill as explained in the Objects and Reasons is, and I quote

“ to gather into one enactment all those matters which are common to the various regulations and to consolidate and amend them in the light of experience ”.

Certain amendments which, I suggest, are almost entirely of a non-controversial character will be moved in Select Committee, to which it is proposed to refer this Bill, and at the Committee stage proper, but I take leave to hope that the purpose of the Bill has now been achieved to the satisfaction of this Council.

Sir, I can assure Honourable Members that there is nothing in this Bill which any honest citizen may fear.

Your Excellency, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Director of Agriculture :

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

THE PORT HARCOURT TOWNSHIP ORDINANCE, 1948

His Honour the Chief Commissioner, Eastern Provinces :

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

“ An Ordinance to make provision for the constitution of and the appointment and election of the members of the Port Harcourt Town Council and to empower the Council to levy rates for township purposes ”.

I consider it, Sir, a very great privilege to be able to move this Bill. It is to my mind, and I hope it will be accepted so by Honourable Members, a most progressive piece of legislation providing as it does for a Council for Port Harcourt with an elected majority, with, it is anticipated, at the outset, six wards each returning by secret ballot two members. Provision is made in clause 3 for a number of members of the Council to be appointed by the Governor but these are restricted to not more than half the number of elected members. It is anticipated, Sir, that no more than three such members will be nominated. They are the Local Authority, the Provincial Engineer and the Medical Officer of Health. The two latter, Sir, may well be eliminated when the time comes for the Council to have its own paid executive and the first—that is the Local Authority—must be eliminated as the Council gains sufficient experience and no longer needs official advice and guidance. Before going further, Sir, I should like to say a few words about Port Harcourt—possibly some Honourable Members are not fortunate enough to have been there—and to explain in some way how it has been possible to bring this Bill before this Council. Port Harcourt, Sir, arose from the swamps of the delta as a creation of Government. It has been administered directly from the moment of its inception. It has grown from nothing to its present population of approximately 36,000 persons in the course of only some thirty-five years and now it ranks in Nigeria as a port second only to Lagos. It is the southern terminus of the Eastern railway and it is the port of exit for the coal for export from Enugu. The people are, I am sure I am right in saying, justly proud of the town and they have developed a surprising sense of civic responsibility, especially so when one considers how cosmopolitan Port Harcourt is. Gradually the town has advanced in its sense of civic responsibility until, almost imperceptibly perhaps, it has reached a stage when the introduction of this Bill came quite naturally in the course of orderly progress. As an illustration of this development, I might mention, Sir, that the people while accepting the jam have swallowed the pill which takes the form of rating, which will probably reach the sum of 2s in the pound on the annual value of tenements. Before turning to the Bill itself, I should like to commend the Port Harcourt League under the able presidency of the Rev. Potts Johnson, who seconded the Bill in the House of Assembly, and certain tribal unions which have assisted ably and quietly in the preparatory stages. We turn

now to the Bill. I regret that in the committee stage, Sir, I shall have to propose a considerable number of amendments but this is the first Bill of its kind and I think, Sir, that is some excuse. And for this reason, Sir, it will be moved, subject to Your Excellency's approval and the approval of the House, that it be sent to a Select Committee. Even should the amendments be enacted, I doubt if the final enactment will be perfect, but our experience may well assist in the drafting of the proposed Bill in about two years' time to regulate municipal government wherever that may be adopted in Nigeria. I have already referred, Sir, to the constitution of the Council which is provided for in clause 3. The electoral qualifications will be found in clause 16 and are based on rate and/or rent paying qualifications and include female suffrage. That is quite new, I think, Sir, to Nigeria. Clauses 44 and 45 provide for the raising of revenue by rates by the Council and I think it is unnecessary for me to go into further details of the actual Bill. The Eastern House of Assembly, which I might say advised Your Excellency on a unanimous vote that the Bill is acceptable to that House, argued a number of points which are not reflected in the amendments and to which I should like to refer briefly. In clause 3, Sir, an amendment was proposed that the Governor should in making appointments take into consideration the recommendations of the Council. This in the Eastern House of Assembly was not accepted as it was felt it was intended only to appoint what may be termed *ex officio* members and the discretion of the Governor should not be fettered. Clauses 10 and 11 came in for some criticism on the grounds that whenever the President was absent the Vice-President could exercise any of the powers and perform the duties of the President. As will be seen in clause 10, it is provided that the Governor may appoint a member to be a temporary President to take the place of the President in his absence. There may be some force in these arguments but in accordance with the Bill the President has certain duties to perform, such as acting as revising officer, which need technical and specialized knowledge. I suggest, Sir, that only when such duties were to be performed would the Governor appoint a member to be President. Clause 16, Sir. It was urged that provision should be made for certain members of the community. They were mostly expatriate members, who do not pay either rent or rate, to be afforded an electoral qualification. This was rejected on a matter of principle, Sir, as such provision would establish a privileged class outside the basic electoral qualification of payment of rent or rates. In case clause 16 (i) (c) may be considered, as it stands, as infringing this principle, I would say that I propose to move an amendment at a later stage to establish the rent qualification quite plainly. Clause 46. It was proposed that a ratepayer should be given one week's notice in writing that the payment of his rates were due before any court action was taken against him. This was held to be against the principle of the Bill and to throw an undue burden on the township staff, and was there-

fore rejected. Other contentious matters, Sir, are reflected in the amendments and I consider it unnecessary to go further into them at this stage.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

His Honour the Chief Commissioner, Eastern Provinces :

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

**THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA REGIMENT)
(AMENDMENT) ORDINANCE, 1948**

The Hon. the Acting Attorney-General :

Sir, I rise to move the first reading of a Bill intituled :—

“ An Ordinance further to amend the Royal West African Frontier Force (Nigeria Regiment) Ordinance ”.

Honourable Members may recollect that in 1946 there was amending legislation enacted which eliminated the punishment of whipping for offences of a military character, but it did not go further than that. It has since become apparent that the real intention was to take away all powers whatsoever of a court-martial to impose whipping under that Ordinance, and the object of this Bill is to give effect to that intention. There is, however, one point which I should mention, Sir, and that is that the civil courts still retain power to award corporal punishment for certain criminal offences, such as rape and robbery with violence, and it is considered that there should be no discrimination between the civilian and the soldier in such cases. It is, therefore, provided by paragraph (c) of clause 2 that any offence punishable with corporal punishment shall be taken out of the jurisdiction of military courts save where the offender is on active service at the time of the commission of the offence.

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

THE REVISED EDITION OF THE LAWS (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I rise to move the first reading of a Bill intituled :—

“ An Ordinance to amend the Revised Edition of the Laws Ordinance, 1947 ”.

This is a Bill in respect of which a Certificate of Urgency was laid on the Table this morning. It is a non-contentious Bill and

I think that the Objects and Reasons set out quite clearly the objects of the Bill and the reasons for the urgency of it.

Sir, I beg to move.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

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

His Excellency :

Gentlemen, that takes us to the end of the formal business we have before us to-day and I think that in view of the fact that there is this proposal for an informal meeting it would be convenient that we should now adjourn. I should like to consult your pleasure in the matter of our starting hour for tomorrow. This morning we started at 10. I can arrange to start at 9.30 if Honourable Members feel that that is a good idea. There is no dissent. Then this Council now adjourns until 9.30 tomorrow morning.

Council adjourned at 4.10 p.m.

Debates in the Legislative Council of Nigeria

Wednesday, 18th August, 1948

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos
at 9.30 a.m. on Wednesday, the 18th August, 1948.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

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

- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- Temporary Nominated Member,
Major the Honourable H. E. Wilson, E.D.

ABSENT

UNOFFICIAL MEMBERS

- The Second Member for the Western Provinces,
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe,

The Oni of Ife,
 The Honourable Aderemi I, C.M.G.
 The Oba of Benin,
 The Honourable Akenzua II, C.M.G.
 The Second Nominated Member,
 Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 17th day of August, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

NOTICE OF QUESTIONS AND MOTIONS

The Hon. the Chief Secretary to the Government :

Sir, I seek the permission of the Council to suspend Standing Rules and Orders in order to move a motion to enable a Select Committee to be appointed to consider the new draft Standing Rules and Orders of this Council.

Standing Rules and Orders suspended.

MOTION

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to move that a Select Committee be appointed to consider the draft Standing Rules and Orders of this Council and to make recommendations to this Council.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Motion adopted.

His Excellency :

The Select Committee will consist of all the members of this Council with the Honourable the Chief Secretary to the Government as Chairman.

QUESTIONS

The Second Lagos Member (Dr the Hon. Nnamdi Azikiwe):

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

What is the quota of newsprint allocated to each newspaper or periodical in Nigeria for 1940 to 1947 inclusive, year by year?

Answer—

The Hon. the Chief Secretary to the Government :

Figures are not available for the period 1940-42. The following are the quota figures, in reams, for the years 1943-47:—

	1943	1944	1945	1946	1947
Nigerian Daily Times ...	2,700	2,700	2,700	2,700	3,020
Nigerian Observer ...	416	416	416	400	440
The Daily Comet ...	540	674	1,296	2,000	2,200

	1943	1944	1945	1946	1947
Nigerian Eastern Mail ...	910	1,060	1,200	1,200	1,320
African Church Chronicle	12	12	12	10	15
Zik's (Group) Press ...	8,500	8,500	8,500	9,000	9,900
Akede Eko ...	260	364	364	380	594
In Leisure Hours ...	47	47	120	120	192
Daily Service ...	3,120	4,200	4,200	4,200	5,100
War Cry ...	31	32	31	32	36
Yoruba News (Irohin Yoruba) ...	26	26	39	40	90
Labarin Ekklesiya ...	54	54	54	50	55
Catholic Herald ...	80	111	500	700	815
Nigerian Worker ...	—	—	28	28	31
African Civil Servant ...	—	—	120	120	132
Nigerian Herald ...	—	8	60	60	66
Western Echo ...	—	—	—	120	132
African Hope ...	—	—	—	12	16
Occult Review ...	—	—	—	20	70
West African Farmer ...	—	—	—	100	110
Nigeria News ...	—	—	—	16	21
Nigerian Advocate ...	—	—	1,250	800	—
Abeokuta Weekly Herald	—	12	50	50	55
Niger Press ...	—	108	108	48	60
Nigeria Land Quarterly Review ...	—	—	—	52	56
Ijebu Review ...	—	—	—	—	120
Egba Bulletin ...	—	—	—	—	60
Northern Publishing Press (The Way) ...	—	—	—	—	100
Nigerian Schoolmaster ...	—	—	—	—	40
Everybody's Daily ...	—	—	—	—	40
Eleti Ofe ...	—	—	—	—	150
Station Union ...	—	—	—	—	24
Ijebu Weekly Echo ...	—	—	—	—	40
Ilaro Bulletin ...	—	—	—	—	30
Nigerian Statesman ...	—	—	—	—	160
Daily Mail (not used) ...	936	—	—	—	—
African Mirror (not used)	1,014	—	—	—	—
Gaskiya Ta Fi Kwabo ...	13	14	11	13	3
Nigeria Review ...	23	35	43	44½	54
Children's Own Paper ...	6	8	10	11	12½

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

333. To ask the Honourable the Commissioner of the Colony:—

(a) If it is a fact that as a result of an agitation by the Ikorodu people concerning the boundary between Ikorodu and Shagamu the matter received attention at a conference of those concerned arranged by the Commissioner? If so will the outcome of the Conference be kindly made known and whether a final and satisfactory settlement was effected?

(b) What amenities are enjoyed in return for taxes collected from Ikorodu and outstations, e.g., Ijede, Baiyeku, Ereta, Lamgbasa, Ajiran, etc.?

(c) Are there Police constables stationed at Ikorodu permanently or do they go there to serve cases of emergency?

(d) Is it a fact that an imbroglio arose in Ikorodu recently during the funeral obsequies of the Balogun of Ikorodu? If so, what was the cause and how was the matter settled please?

Answer—

The Hon. the Acting Commissioner of the Colony:

(a) On the initiative of the Assistant District Officers at Ikorodu and Shagamu respectively, a meeting was arranged at Ogijo on 5th April, 1948, between the Oloja of Ikorodu and the Akarigbo of Shagamu to discuss problems arising out of the existing boundary between the Ikorodu and Ijebu Remo Native Authority areas. Unfortunately both chiefs allowed themselves to be attended by a very large number of followers and the noise and other distractions made much useful discussion impossible: but provisional agreement was reached regarding the grant of traditional honours by the Oloja and Akarigbo to persons subject to each other's formal jurisdiction and also in respect of tax payment by persons farming, or visiting markets across the common boundary of the Ijebu Remo and Ikorodu Native Authorities.

(b) Apart from a capitation payment of 3d to Government, taxes collected in the Ikorodu, Ijede and Eti Osa areas, to which the question refers, form part of the general revenues of the native authorities concerned which dispose of them in accordance with their own annual estimates of expenditure on medical, educational, native court and other local services. In the town of Ikorodu considerable expenditure has been incurred on drainage and street works. Owing to the refusal of the inhabitants in the past to submit themselves to the jurisdiction of any form of common Native Authority, useful expenditure in the Eti Osa area has offered some difficulty but with the reorganisation which is now taking place in this area accumulated funds will permit an extension of existing services and the gradual introduction of fresh amenities.

(c) Two police constables are permanently on duty at Ikorodu. With barrack accommodation which is to be provided this year, a police detachment will be posted for duty in the town and surrounding areas.

(d) Yes, Sir, but as the matter is at present *sub judice* it would be improper for me to comment on it.

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

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

(a) Under what administration is Igbesa—Badagry or Ilaro?

(b) Is it a fact that the King-maker there who is now acting as Native Authority and president of the Local Court since the death of the Oba is being victimised by the suspension of the emoluments due to him because the town did not agree in the choice of a new Oba?

(c) Will Government cause an inquiry to be made into the condition of the town and find ways and means to restore order?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Ilaro.

(b) The Native Authority for Igbesa district is the Ado-Igbesa Federal Council. No person has been appointed as Acting President of the Native Court. Pending the selection of an Oba the Court members have been instructed to choose one of themselves to preside at Sessions of the Court.

(c) The District Officer is already engaged in enquiries into the situation arising from a dispute regarding the selection of a new Oba of Igbesa.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown) :

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

(a) Why are Magistrates in temporary appointments paid higher salary than those on the permanent staff?

(b) Is it not advisable, more appropriate and economical for Magistrates Grade I to be appointed permanently with a basic salary of say £1,000 per annum in order to attract some of our best legal brains into the Service and thus obviate the necessity of making temporary appointments or giving cause for frequent resignations?

(c) Can a second Magistrate be appointed to relieve the congestion at Port Harcourt and save the community from inconveniences now prevailing there?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Temporary Magistrates are paid higher salaries than their colleagues on the permanent staff in accordance with the generally accepted principle that salaries attached to temporary appointments should be more favourable than those attached to permanent appointments of equivalent status, to compensate holders for the absence of the pension benefits which accompany permanent appointment.

(b) The question of the initial salary payable to Magistrates on first appointment is under review but a decision has not yet been reached.

(c) I am making enquiries regarding this suggestion and will communicate again with the Honourable Member later on this matter.

The First Member for the Western Provinces (The Hon. A. Obisesan, O.B.E.) :

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

(a) Whether it is a fact that the Department of Posts and Telegraphs received applications from private persons in the town of Ibadan for extension of Telephone Service to their houses; if so, how many applications were received and whether the names of the applicants could be given?

duity materials for rubber processing. It is important that the quality of production should improve and the possibility of introducing co-operative methods and crepe-making machinery is being investigated.

THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT)
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(b) Is there among the applicants any who has made repeated requests between 1946 and 1947 for priority consideration due to the nature of his duties, and if so, who is the person?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The Posts and Telegraphs Department has received sixty-three applications from private individuals and commercial firms for telephone installations at residences in the Ibadan telephone area. Of these applications three are for extension telephones from existing exchange lines. I shall be glad to give the Honourable Member a list of these applications if he so wishes.

(b) Most of these applicants have requested special consideration because of their duties and have made repeated verbal requests. There are eleven who have applied in writing more than once. It is regretted that these installations cannot at present be provided because of the lack of spare parts for the switchboard and for the underground cables, and because of the shortage of overhead line material. The new switchboard for Ibadan telephone exchange which was ordered in 1945 is expected to arrive this year. Underground cable and overhead line materials are also expected to arrive shortly, and every effort to improve and extend the service will be made.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) Is the Government aware that the racial policy of the South African Government is causing bitter resentment in this country among such Nigerians as are aware of that policy?

(b) If the answer is in the affirmative, will Government give an assurance that recruitment of officials from among South African nationals of European descent will discontinue forthwith?

Answer—

The Hon. the Chief Secretary to the Government:

(a) This Government is aware that the racial policy of the South African Government is criticised in Nigeria.

(b) Government is unable to give such an assurance. Candidates for the public service are appointed on their individual merits and their suitability for such appointment cannot be determined by the policy of the Government which happens at any given time to be in power in their country of origin.

Supplementary Question to No. 355 by the First Member for the Eastern Provinces (The Honourable C. D. Onyeama).

Your Excellency, how many such officers are there in Government Service?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member has put down another question on that point and the reply will appear in the Order of the Day in the course of this meeting of Council.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a third time and passed.

THE BILLS OF SALE (AMENDMENT) ORDINANCE, 1948

The Hon. the Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Bills of Sale Ordinance ”.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE UNIVERSITY COLLEGE, IBADAN (PROVISIONAL COUNCIL)
ORDINANCE, 1948

The Hon. the Director of Education :

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

“ An Ordinance to provide for the establishment of a Provisional Council to be known as the Provisional Council of the University College, Ibadan, and for matters ancillary thereto ”,

The Hon. the Acting Attorney-General :

Your Excellency, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-3.

Clause 4.

The Hon. the Director of Education :

Clause 4, Sir. I beg to move that Clause 4 (1) (c) be amended by the deletion of the word " and " at the end of the second line, and I further beg to move, Sir, that the proviso to sub-section 1 of Clause 4 be deleted and the following be substituted therefor:—

“ Provided that when a member nominated under paragraph (d) of this sub-section is unable to attend, the Inter-University Council for Higher Education in the Colonies may be represented at any meeting of the Council by any member nominated by the Inter-University Council for that purpose ”.

Clause 4 as amended.

Clause 5.

The Hon. the Director of Education :

Clause 5, Sir. I beg to move that Clause 5, sub-section (2), be amended by the insertion of the word " into " after the word " enter " at the end of the first line.

Clause 5 as amended.

Clause 6.

The Hon. the Director of Education :

Clause 6, Sir. I beg to move that Clause 6 be amended by the deletion of the word " necessary " in the third line, and the substitution therefor of the word " expedient ”.

Clause 6 as amended.

Clause 7.

Clause 8.

The Hon. the Director of Education :

Clause 8, Sir. I beg to move that Clause 8 be amended by the deletion of the words " or branch banks " in the second line, and by the deletion of the words after the word " credit " in the third line and the substitution therefor of the words " of the general or current or deposit account of the Council ”.

Clause 8 as amended.

Clause 9.

Clause 10.

The Hon. the Director of Education :

Sir, I beg to move that Clause 10 be amended by the insertion of the words " number of " after the word " such " in the third line.

Clause 10 as amended.

Clause 11.

Clause 12.

The Hon. the Director of Education :

Clause 12, Sir. I beg to move that Clause 12 be amended by the deletion of the words " and shall regulate the education, discipline and internal administration of the University College " and the substitution therefor of the words " and for the teaching and academic policy of the University College ".

Clause 12 as amended.

Clause 13.

The Hon. the Director of Education :

Clause 13, Sir. I beg to move that a new Clause 13 be inserted to read:—

" The Principal shall be responsible for taking action, after consultation, where he thinks fit, with a committee appointed by him and composed of members of the academic staff of the University College, to deal with cases of student discipline as they arise ".

I further move, Sir, that the word " Discipline " be inserted as a marginal note.

Clause 13 as amended.

Clause 14.

The Hon. the Director of Education :

Clause 14, Sir. I beg to move that the original Clause 13 be re-numbered as Clause 14, and further I move that the words:—

" as it thinks fit regulating the statutes of the University College, its administration "

be deleted and the substitution therefor of the words

" in conformity with this Ordinance as it thinks fit for the administration of the University College ".

I also move, Sir, that the word " ancillary " be correctly spelt and that the marginal note be deleted and the words

" Regulations touching administration "

be substituted therefor.

Clause 14 as amended.

Clause 15.

The Hon. the Director of Education :

Sir, I beg to move that Clause 14 be re-numbered as Clause 15 and that the word " own " at the end of the first line be deleted.

Clause 15 as amended.

Preamble.

The Hon. the Director of Education :

Preamble, Sir. I beg to move that the words after the word "learning" in the first paragraph be deleted and that the words "and research and to provide instruction in all branches of a liberal education" be substituted therefor. The preamble will then read as follows:—

"Whereas it is required to establish a University College at Ibadan in order to advance learning and research and to provide instruction in all branches of a liberal education.

And whereas it is expedient to establish a Provisional Council for an interim period pending the permanent constitution and establishment of the University College."

Preamble as amended.

Title.

The Hon. the Director of Education :

Sir, I beg to move that the title be amended by the deletion of the word "ancilliary" and the substitution therefor of the word "ancillary".

Title as amended.

Council resumed.

The Hon. the Director of Education :

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

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE SURVEY (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill entitled:—

"An Ordinance to amend the Survey Ordinance".

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Attorney-General :

Clause 2, Sir. There is one very minor point and that is in paragraph (c) sub-paragraph (e), the third line. The word "of" should read "for",—"for three years".

Clause 2 as amended.

Clauses 3 and 4.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee with one amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a third time and passed.

THE NATIVE COURTS (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to amend the Native Courts Ordinance, 1933 ”.

The Hon. the Senior Resident, Sokoto Province :

Sir, I beg to second.

Bill read a second time,

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Attorney-General :

Clause 2, Sir, a very minor amendment. I beg to move that the word “ Resident ” should appear in double quotation marks and the whole of the quotation which now appears in double quotation marks should appear in single quotation marks. I beg to move that that clause be amended accordingly.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I desire to move a further amendment, Sir, to the sub-section of Clause 2. It is our suggestion, Sir, that these powers should be restricted to section 25 of the Native Courts Ordinance. I think the Eastern House of Assembly made its stand clear, Sir, in that matter. That is to say “ Resident includes an administrative officer appointed in writing by a Chief Commissioner to exercise all or any of the powers of a Resident under this Ordinance ”, and the intention Sir, is to restrict these powers to powers under sections 25, 28, 33, 35 and 36 of the Native Courts Ordinance. Possibly Sir, the Honourable the Acting Attorney-General might advise suitable wording.

The Hon. the Acting Attorney-General :

Well, Sir, I don't know that that amendment is acceptable. I think that perhaps some misunderstanding has arisen as regards paragraph 2 of the objects and reasons. My learned friend, Mr Howe, has quoted sections 25 and 28 as examples of powers which might be delegated. The intention is not to restrict delegation to those powers, as I understand it. The Chief Commissioner naturally will consider whether it is right and proper for him to delegate any particular function, and I suggest that it can be left to the discretion

of the Chief Commissioner to decide what powers he will delegate and whether he will put any administrative restriction on their exercise by the person to whom they are delegated.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, on this point we can only go by the objects and reasons as set out in the Bill and we gather from the objects and reasons that the idea of this Bill is to enable the Chief Commissioner to appoint an administrative officer, for example, to carry out the duties of a Resident under sections 25 and 28 of this Ordinance. Well naturally we think that only powers of review and appeal should be delegated, and we do not agree, Sir, that all powers may be delegated. We think that if it is the intention to delegate all powers, then of course we will have to oppose the Bill. But if it is the intention to delegate only those powers then we will support the Bill.

His Excellency:

In fact you are suggesting a restriction rather than an expansion.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

That is so, Your Excellency.

His Honour the Chief Commissioner, Eastern Provinces:

Perhaps I may explain that in the Eastern House of Assembly when this was discussed the members were very anxious to restrict it to the powers of review and appeal, and I think they were rather apprehensive of the powers of suspension and dismissal of members which might possibly be allowed to be delegated, and that they opposed very strongly.

His Honour the Chief Commissioner, Western Provinces:

I think the Bill originated in the Western Provinces, actually, and the object of it was no more than to give the powers of review and appeal, nothing more than that.

The Hon. the Chief Secretary to the Government:

If I might make some comment, Sir, on the point at issue. The proposal in the Bill is that the Chief Commissioner shall be able to devolve on his Residents any of his powers as he thinks fit. The view of the Eastern House of Assembly was, I gather, that that was going too far and that only certain stipulated functions should be so devolved. That is the difference of opinion which exists. The first point to be borne in mind is that we place reliance on the discretion of the Chief Commissioners. The second point is that in the interests of efficiency and speed we wish to see the maximum devolution. Those are the two factors which we wish to remember in dealing with a Bill of this kind. And if it is accepted that we can trust the Chief Commissioners in exercising the powers, surely we can trust the Chief Commissioners in what they devolve. If we cannot trust the Chief Commissioners they should not have the powers at

all. Therefore it is the Government view that this proposed power of devolution should be granted. It is in line with Government policy generally in order to break down the over-centralisation in Lagos, and indeed at Regional headquarters, which has, I think, in the past, existed. Therefore, Sir, from the Government point of view we would like to see the Bill stand as drafted.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

I think, Sir, that it does stand to reason that there is no question of not having confidence in the Chief Commissioners by restricting the power of devolution of authority which is given under this Ordinance. The whole idea is to safeguard certain duties which are imposed under the Native Courts Ordinance. That is to say that a member of a Native Court bench will have the right at all times to retain his seat until such time as the Chief Commissioner thinks that he is no longer suitable, and it is the view, Sir, of the Eastern House of Assembly that a power like that should not be delegated to anybody else, and, from the objects and reasons, we think that the only proper powers that should be delegated are those of review and appeal. We are not yet aware, Sir, that the Chief Commissioners have complained that they have too many duties to perform under the Native Courts Ordinance.

His Excellency:

If no other Member wishes to speak I will put the question. The second amendment proposed is that the words "to exercise all or any of the powers of a Resident under this Ordinance" be deleted and that there be inserted in their place the words "to exercise the powers of a Resident under sections 25, 28, 33, 35 and 36 of the Native Courts Ordinance". The question is that the words proposed to be deleted stand part of the Bill. Will those in favour say "Aye", those to the contrary "No".

I think the "Noes" have it.

The Hon. the Chief Secretary to the Government:

I think, Sir, I must press for a division.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Will there be a free vote?

The Hon. the Chief Secretary to the Government:

I have already explained, Sir, that the view that I put forward is the view of Government.

Council in Division.

The First Nominated Member (The Hon. P. J. Rogers):

Your Excellency, my name was not called.—"Aye".

<i>For</i>	<i>Against</i>
29	8
The Honourable the Temporary Nominated Member.	The Honourable the Member for Calabar.
The Honourable the Third Nominated Member.	The Honourable the Third Lagos Member.

For

The Honourable the Fourth Member for the Western Provinces.
 The First Nominated Member.
 The Honourable the Fourth Member for the Northern Provinces.
 The Honourable the Third Member for the Northern Provinces.
 The Honourable the First Member for the Northern Provinces.
 The Honourable the Emir of Abuja.
 The Honourable the Atta of Igbirra.
 The Honourable the Emir of Katsina.
 The Honourable the Emir of Gwandu.
 The Honourable the Third Member for the Western Provinces.
 The Honourable the First Member for the Western Provinces.
 The Honourable the Secretary, Eastern Provinces.
 The Honourable the Secretary, Western Provinces.
 The Honourable the Senior Resident, Sokoto Province.
 The Honourable the Acting Commissioner of the Colony.
 The Honourable the Commissioner of Labour.
 The Honourable the Acting Director of Public Works.
 The Honourable the Acting Director of Agriculture.
 The Honourable the Director of Education.
 The Honourable the Acting Development Secretary.
 The Honourable the Director of Medical Services.
 The Honourable the Financial Secretary.
 The Honourable the Acting Attorney-General.
 The Honourable the Chief Commissioner, Northern Provinces.
 The Honourable the Chief Commissioner, Western Provinces.
 The Honourable the Chief Commissioner, Eastern Provinces.
 The Honourable the Chief Secretary to the Government.

Against

The Honourable the Fifth Member for the Eastern Provinces.
 The Honourable the Second Lagos Member.
 The Honourable the Fourth Member for the Eastern Provinces.
 The Honourable the Third Member for the Eastern Provinces.
 The Honourable the Second Member for the Eastern Provinces.
 The Honourable the First Member for the Eastern Provinces.

His Excellency :

The result of the vote is " Ayes " 29, " Noes " 8, Abstentions 3. The " Ayes " have it.

The question is that clause 2 as amended in the terms of the Honourable the Acting Attorney-General's original amendment should stand part of the Bill. The " Ayes " have it.

Clause 2 as amended.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee with one amendment.
Sir, I beg to move that the Bill be now read a third time and passed.

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a third time and passed.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

May I point out that there was no question put as to clause 2 as amended as a whole.

His Excellency :

The question was put when the amendment to the words proposed to be left out stand part of the Bill. I then put the whole clause with the other amendment.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Thank you.

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1948**The Hon. the Acting Attorney-General :**

Sir, I beg to move the second reading of a Bill intituled :—

“ An Ordinance to amend the Native Courts (Colony) Ordinance, 1937 ”.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment.
I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a third time and passed.

THE MINERALS (AMENDMENT No. 2) ORDINANCE, 1948**The Hon. the Acting Attorney-General :**

Sir, I beg to move the second reading of a Bill intituled :—

“ An Ordinance to amend the Minerals Ordinance, 1945 ”.

His Honour the Acting Chief Commissioner, Northern Provinces :

Sir, I beg to second.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, I beg to oppose the second reading of this Bill on the grounds that it was opposed in the Eastern House of Assembly and also on the grounds that when the original Ordinance was passed in this country three years ago it evoked such opposition that we do not think it proper that powers under this Ordinance should be delegated in any way. We think, Sir, that the powers of the Chief Commissioner, which include the power to supervise all activities under this Ordinance, should still remain with the Chief Commissioner and should not be delegated. We think, Sir, that whatever duties the Chief Commissioner has to perform, the duties under this Ordinance are of paramount importance, in that they safeguard the minerals of this country. We do not think, Sir, that this is an Ordinance which should be brought into line with others in the matter of delegation of powers. We think that the power of the Chief Commissioner should remain with the Chief Commissioner and should not be delegated. Your Excellency, I oppose the motion.

The Hon. the Chief Secretary to the Government:

The Honourable Member is proposing an amendment?

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

No, Sir, I oppose the whole Bill.

The Hon. the Chief Secretary to the Government:

I don't think there is much that I can add to what has already been said. There is an honest difference of opinion between us. We in Central Government are in favour of the maximum devolution and the Council is well aware that considerable measures of devolution have taken place already in recent years from headquarters in Lagos to the Regions. They will know the policy of departmental regionalization which is being followed with, I believe, the full approval of this House. In certain circumstances we consider that we can go further. We think that there can be—in the interests of speed and efficiency—we think that there can be further devolution of the powers exercised by the Chief Commissioner to his Residents. It is, of course, the Chief Commissioner who decides what he devolves. We put the point again that if we can trust the Chief Commissioner to administer these powers we can trust him to delegate such powers when necessary. I appreciate that the view which is held in the East is sincerely held. I know that there are arguments for that point of view, but after full consideration the Government view is to the contrary.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

Your Excellency, already the Chief Commissioners hold their powers by delegation from Your Excellency and in so important a matter as the question of minerals which are invested in the Crown it is a strong feeling in the East that the process of devolution

should halt at a very high level—the Chief Commissioners—at least for the time being, and I want to associate myself with the First Member for the Eastern Provinces in voicing a very strong opposition from the East against the second reading of this Bill.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, I rise to support those who oppose the second reading of this Bill, for the simple reason that the Chief Commissioners have certain duties to perform, and this is among the important duties that they have to perform. They are delegates in themselves, and if they are delegates why should they delegate again to some other people. *Delegatus non potest delegare*. The devolution is going too far, and, as was pointed out by the Fourth Member for the East these minerals are things that we have to treasure, and the custody of them should be with persons of high responsibility; and the Chief Commissioners are, I think, the proper persons to whom the Governor should delegate the power which he has already delegated. But to say that they should delegate their own power again, I think that is going too far. It had better remain with the Chief Commissioners. And when the Chief Commissioners' powers over the Native Courts and over the Minerals are delegated to Residents, what else is left for Chief Commissioners to do? So in the circumstances I rise to oppose the second reading of the Bill.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, I think that my Honourable friends have put the case very clearly, but I want to point out two factors that seem to be misleading. We do not in any way distrust our Chief Commissioners. We have implicit confidence in their work and in their service. The Honourable the Chief Secretary has pointed out that this is a question where the Government thinks that it should stand as the Bill reads. The other question also, Sir, is what the people think it should be. I think we are here, Sir, to represent the opinion of our people, and they have expressly told us that they do not like such powers to be brought down to a lower level, and the question of minerals, Sir, does cause a high tension everywhere. We would be very pleased if the Chief Commissioners held the right all the time to decide cases under the Minerals Ordinance.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, this Bill has the support of the Northern Provinces where we get many of those minerals, and our main complaint, Sir, is that because of the control from the Central Headquarters and from the Regional Headquarters we do not move as quickly as we should, and I think by the central headquarters, loosening the control over the provincial headquarters, things would move fast, and so the Northern Provinces, Sir, support the Bill.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, in associating my views with those expressed by my friends from the East and my Honourable colleague the Third Lagos Member, I feel that it is asking too much in this country not only to vest our mineral rights in the Crown, but to allow the Governor, in his absolute discretion, to grant, vary, or cancel prospecting licences, mining rights, etc.; now, the amendment to this Ordinance is to allow Chief Commissioners to delegate whatever powers have been delegated to them to Residents. Personally, I am against the spirit of this Bill. Although I appreciate that the idea of devolution is necessary in some respects but certainly it should not be applied in the case of our minerals. Therefore I oppose this Bill.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

Your Excellency, this amendment to the Mineral Ordinance came up, I believe, as a result of repeated complaints from those engaged in mining business for delay in getting necessary attention from Government regarding their applications and other relevant permits required for efficient prosecution of their work. As my Honourable friend the Second Member for the Northern Provinces said, there has been much complaint of delay in attending to applications from miners, and that is the reason why the Western House of Assembly supported the Bill when it was brought to the House for discussion. Sir, I support the Bill.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

I have nothing more to add except to point out that the date is not far ahead when we shall be confronted in this House by further delegations by Residents to District Officers. Already this morning we have two powers delegated to Residents and I am certain it will not stop now. We have been told that it is the policy of Government to delegate powers as much as possible and I am certain that in the near future the Residents will find themselves with so much delegated power that they might wish to delegate powers still further to the District Officer and I do not know when the time will come to stop.

His Excellency:

On a question of procedure. Standing Rules and Orders—the relevant one is 35, sub-paragraph 2,

“ On the second reading of a Bill an amendment may be proposed to the question ‘ That the Bill be now read a second time ’ to leave out the word ‘ now ’ and add at the end of the question ‘ upon this day three months ’ or some other date, or an amendment may be moved to leave out all the words after the word ‘ That ’ in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the Bill and not deal with its details ”,

this House for a second reading. What will happen is this—if this Bill were read a second time and then probably a third time and passed into law it means that in the meantime all disputes on chieftaincy in the Western Provinces, where the Bill will be limited to, will have to go to nowhere and then there will be chaos. The Courts could not hear them and there is no machinery for their settlement and under the circumstances I feel that the House will agree with me that it is not yet opportune for this Bill, or it is premature for the Bill to be brought before the House, and I suggest six months deferment from now.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Sir, I beg to second.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin):

Your Excellency, I feel the introduction of such a Bill by Government into this country is already overdue. We have so many cases in the Courts and if we are to defer this Bill until another time these cases will accumulate. Although we do not have many cases in the far North which would be affected by this Bill, I have in mind cases in the middle belt, particularly in Ilorin. We have far too many chieftaincy disputes which are taken to the Courts. Well, before the advent of the English people our cases for chieftaincy disputes had never been taken to Court. We take it to be a foreign idea. We have our king-makers and I think we should try to stick to our old customs because these customs are well cherished by our people. So I think the sooner we get this Bill passed the better for the Western Provinces and for those Provinces in the middle belt.

The Third Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.):

Your Excellency, as mover of the resolution on which this Bill is based, it is hardly necessary for me to add anything to what I said at the Kaduna meeting. In the Bill, Sir, it will be observed that the provisions are to affect only the Western Provinces and it can be extended to other parts of the country only if they ask for it. As far as the Western Region is concerned, the Bill, as could be judged from its inception in the House of Assembly, has met with the wishes of the people. This in spite of, I regret to say, incitements from a certain section of the Lagos press of the people to oppose it. How much response the advice of the press has received, is for this House to judge. It is my sincere belief, based on knowledge of what our people are saying, that the Bill will remove the source of never ending litigation with its consequent political unrest and impoverishment of large section of the people. Sir, if we people from the Western House of Assembly who are directly concerned with this Bill are moving that it be read the second time and passed, and there is no petition before Your Excellency from the people of that region that the Bill is not acceptable to them, I see no reason why it should be delayed.

Already Your Excellency knows what is going on in the Western Provinces and what trouble chieftaincy disputes have created in the Western Provinces. If there were any opposition from the Western Provinces that the Bill be read the second time I would agree, but the provision in the Bill itself has been clearly put that the Bill would only affect the Western Provinces and that it can only be extended to other areas or other parts of the country if they ask for it. My Honourable friends from the Eastern Provinces have already made clear their own stand in this matter, and I think the same thing would have happened in Lagos or to the Northern Provinces if they did not want it. If it does not affect Lagos or any other part of the country I see no reason why because they are free from any trouble at present, they should wish us to continue to suffer. I support the Bill, Your Excellency.

His Honour the Chief Commissioner, Western Provinces :

May I rise on a point of explanation. I think it may not be clearly understood in the Eastern Provinces, that in the committee stage I propose to move an amendment which will permanently exclude the Eastern Provinces from the operation of this Bill.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, I view this Bill as a piece of social legislation on the Regional level, and it has already been made very clear that we in the Eastern Provinces do not approve of the principle nor do we intend to be obstructionist in attitude. As a piece of legislative courtesy we are perfectly prepared to let our brethren from the West have their way but we do sincerely hope that one day—it may be a thousand years hence—they will reciprocate this attitude.

The Hon. the Chief Secretary to the Government :

I had not intended to speak on this subject which is a matter on which anyone who speaks should have a much greater local knowledge than I can claim, but while I have been sitting in this Council this morning I have received a communication from an Honourable Member who is unable to be with us. The Honourable the First Lagos Member is absent owing to the serious illness of a close relative and I am sure that the House would wish to convey a message of sympathy to him at this time. He asks that his notes on various matters which are to come before this House should be communicated to you, Sir, and asks that they should be communicated through you to the House. There is of course no provision in our Standing Rules and Orders to permit of such an arrangement nor would we wish any such arrangement to be made. It is obvious that any discussion in Council can only be carried out by those who are present but, nevertheless, in the exceptional circumstances, and as I know that the Honourable the First Lagos Member feels particularly strongly on this matter, I thought it my duty—not to read in detail the notes which he has written—but to inform the Council of his view. His view is strongly that deferment of this Bill is the correct course and he makes on that two main comments. The first is a legal point on which I would not attempt to follow the Honourable the First

Lagos Member—he goes back for some centuries to justify his point and it would be difficult for me to do justice to his argument. He also makes complaint, and this is a matter which concerns me, he makes some complaint about the manner in which the matter has been handled. I think that Honourable Members will remember that in Kaduna when a motion was introduced asking Government to introduce this Bill which originated, as you will remember, in the Western House, Official Members at my suggestion did not vote. And you will remember that we applied the same principle when other Honourable Members asked leave to introduce private Bills. I believe that that course is a good course for us to follow and I explained to you then, and I would remind you now, of the intention of Government, where there originates either from a member of this House or from a Regional House a proposal that a Bill should be introduced, I should much prefer to leave the decision whether a Bill is prepared for consideration or not to the Unofficial Members. I also explained that when the Bill finally comes forward it is the duty of Government to explain its view upon the Bill before the final vote of this Council takes place, and I think that we would be shirking our duty if we did not do so. In this case we left it to the vote of the Unofficial Members of the Council to decide whether this Bill should be brought to us at all. The Bill has been brought to us after discussion in all Regional Houses and we now have to consider the Bill which has been made in accordance with the wishes expressed in the Western House. The Bill now carries with it the support of all the Regional Houses, and most certainly I consider that it deserves the support of the Government. I mention this point particularly because in the note which I have received from my friend the First Lagos Member he suggested that the procedure which we followed earlier was not correct. I myself consider that it is sound procedure. The question whether legislation should be introduced for our consideration is a matter which I would much prefer the Unofficial Members to decide. The question of what legislation is passed is however a matter on which the Government view must be expressed, and the Government view on this Bill is that as it carries the support in its amended form of all Regional Houses it should have the support of this Council.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, it appears that the last speaker, the Honourable the Chief Secretary, did not quite understand me in this matter. I do not say at this moment, or at present, that I am opposed to the Bill itself, I say that it should be deferred—the second reading of the Bill—until a time when we know that machinery has been set up to which these disputes might go in case they occur in the very near future. At the moment there is nothing like that. We just want to see that these disputes do not go to the Courts. Where are they going to? Nowhere at the moment. That is why I make the motion that the second reading should be deferred until six months' time. Within such period this machinery would be set in motion or put properly in a way that it will take over from the law Courts.

Although I have my own views on the Bill itself, I am not putting them before the House now.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, it is the nature of the Northern House to support this Bill. During the Budget session in Kaduna, when a motion was introduced asking permission to introduce such a Bill, we pointed out, Sir, that although we are not affected in the Northern Provinces yet we are afraid that this evil thing may creep up into the North one day, because it is very amazing how things like this creep into other Regions from other sources, and we very much sympathise with the people in the Western Provinces, and, since this Bill has been accepted by the Regional Houses, I can see no reason why we should defer its second reading in this House, and the sooner the Bill is passed the better for the Western Provinces, whose Region the Bill is only going to affect for the time being. It is not going to be applied to the other Regions. It is only going to apply to the Western Provinces. It may not apply to the other Regions without a particular Region asking that it be applied there. And so, Sir, the sooner the Bill is passed the better for the people of the Western Provinces.

His Excellency:

If no other Honourable Member wishes to speak I will put the question.—The original question was that the Bill be now read a second time. Thereafter an amendment was moved that the word "now" be deleted and that there be added at the end of the question the words "in six months' time". I will now put the question that the word "now" stand part of the Bill. That is, those who vote "Aye" will be voting in favour of the second reading of the Bill now. The question is that the word "now" stand part of the Bill. Will those in favour say "Aye" those of the contrary opinion say "No". The "Ayes" have it.

Council in Committee.

Clause 1.

His Honour the Chief Commissioner, Western Provinces:

Clause 1, Your Excellency. Clause 1, sub-clause (2). In the first line delete the words "any region" and substitute "the Northern Provinces" and in the second and third lines delete "House or Houses of such region" and substitute "House of Chiefs and the Northern House of Assembly", so that the whole sub-section or sub-clause will read as follows:—

"The Governor may apply this Ordinance to the Northern Provinces upon a resolution adopting this Ordinance being passed by the House of Chiefs and the Northern House of Assembly and the Colony upon being so requested by a majority of the Native Authorities therein."

Clause 1 as amended.

Clause 2.

His Honour the Chief Commissioner, Western Provinces :

There are two consequential amendments here. Starting from "House" halfway through the clause, *delete* the whole of the following:—

"House" means the House of Chiefs and a House of Assembly;
 "House of Assembly" and "House of Chiefs" means a House of Assembly and the House of Chiefs established under the Nigeria (Legislative Council) Order in Council, 1946;

There is no need now for those definitions.

Also just below that under "property" at the end of the second line, you see "by virtue of the Chieftaincy;". It is thought better that it should be "by virtue of his Chieftaincy;".

Furthermore, in clause 2, and, if I may touch on this now, clause 3 and clause 4, in various places chiefs and chieftaincies have arrogated to themselves capital letters. I suggest that these do not amount to amendments, but that where "chief" or chieftaincy" appears with a capital "C", a small "c" should be substituted. And a further amendment, "region" means "the area for the time being of the Northern or the Western Provinces". I think we should delete the Eastern Provinces.

The Hon. the Acting Attorney-General :

If I may so say, Sir, I think that the definition of the word "region" is no longer necessary at all.

His Excellency :

This appears in the last sub-clause of clause 2.

His Honour the Chief Commissioner, Western Provinces :

I further move that from "region" to "Eastern Provinces" should be deleted.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, may I point out, Sir, that in clause 5 sub-clause 2, that we are coming to, the word "region" occurs.

The Hon. the Acting Attorney-General :

May I point out, Sir, that when we come to that clause that will be amended.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, clause 2—the definition of "Court". Does it mean that we shall add "not including Native Courts". In other words, can the disputes go to the Native Courts? Perhaps the Honourable the Acting Attorney-General will be in a position to let us know whether these disputes might go to the Native Courts.

His Honour the Chief Commissioner, Western Provinces :

It does not say that the disputes cannot go to the Native Courts. It doesn't say where they will go. I can go no further than that.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

It does not say that it will go. We want to know where they will go, Sir.

The Hon. the Acting Attorney-General:

If the dispute were within the jurisdiction of the native court, it would go to the native court. That is the short answer to the question. The view taken by Government is that these are not properly the subject of litigation in courts at all, but if it were that the dispute were within the jurisdiction of the native court, it would certainly go there. The Government regards these disputes as political and not legal matters.

Clause 2 as amended.

Clauses 3 and 4.

Clause 5.

His Honour the Chief Commissioner, Western Provinces:

Clause 5, Your Excellency. There is one small amendment in the second line, where it appears "trial of any issue pending". It is thought better to make it read "trial of any case pending". Substitute "case" for "issue", and in sub-clause (2) in the second line "in respect of any region" should be deleted and "with respect to the Northern Provinces" substituted, and at the extreme end the full stop should be omitted, comma substituted, and the words "as the case may be" added, so that whole of that sub-clause should now read:—

"For the purposes of this section, the date on which this Ordinance comes into operation shall, with respect to the Northern Provinces or the Colony, be construed to mean the date on which this Ordinance is applied to that region or the Colony, as the case may be."

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, I think—clause 5, the second line of sub-section (1) says that trial of any case or issue pending before the Supreme Court—I should think "Magistrates Court" and "West African Court of Appeal" should be added there, because I think it only ousts the Supreme Court and leaves the others, and there are some cases in the Magistrates Courts about chieftaincy disputes now, I know; but probably they will have to be removed. If that is the intention of the legislation it is quite a different matter, but my opinion is that it is intended to leave those that are in the courts at the moment, so that those that are now pending in the Magistrates Courts may be left. But even then I do not know what will happen to those that are in the Privy Council.

His Honour the Chief Commissioner, Western Provinces:

Subject to the correction of the Honourable, the Acting Attorney-General, I think that this is correct; there should be an amendment there.

The Hon. the Acting Attorney-General:

I think that is correct. That is, that the words "or a Magistrate's Court" should be added after the expression "before the Supreme Court". Yes, I think that that is a proper amendment.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

I think we can avoid the use of many words by following the definition. It says "Court" means "a magistrate Court, the Supreme Court and the West African Court of Appeal or any one of such Courts;". So that if you have in the second line, Sir, of the fifth clause "before a court" I think that would meet the case very well.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

I do not agree to "court". I say "the courts".

His Honour the Chief Commissioner, Western Provinces:

I don't think it can be before two courts at the same time.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

It can be before two or three courts at the same time.

The Hon. the Acting Attorney-General:

As this clause is drafted it relates to cases pending before the Supreme Court on the day on which the Ordinance comes into operation or any appeal from a decision of that court, so that it is apparent from the drafting of it—I don't know whether this was the intention or not—that a Magistrate's Court is omitted from the provisions of section 5. I gather that the point put by the Honourable Member is that the Magistrate's Court should also be covered by clause 5 as there may be cases pending in the Magistrate's Court. I think that that sounds to me a reasonable proposition. From the drafting point of view I think that if we added the words "or a Magistrate's Court" after the words "before the Supreme Court" that would meet the case; and it would prevent us from getting into any difficulties from the definition of "court". That is—"pending before the Supreme Court or a Magistrate's Court on the date on which this Ordinance comes into operation or any appeal from the decision of that Court". In my opinion that may properly be accepted.

His Excellency:

That meets your point?

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Yes.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Just a point, Sir. Clause 5 (2). The word "region" occurring there, Sir, has no definition now and as a matter of consistency I might suggest that the word "region" might be removed.

His Excellency:

It has been removed.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

The last line, Sir. May "Northern Provinces" be substituted.

The Hon. the Acting Attorney-General :

That amendment is acceptable.

Clause 5 as amended.

Title.

Council resumed.

His Honour the Chief Commissioner, Western Provinces :

I beg to report the Bill from Committee with ten amendments. I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE EDUCATION ORDINANCE, 1948

The Hon. the Director of Education :

Sir, I rise to move the second reading of a Bill entitled :—

“ An Ordinance to make better provisions with regard to Education in Nigeria ”.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

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

Sir, I don't know whether other Members of this Council have received the list of amendments which I have received proposed by teachers and so on. If I may be allowed to hand it to the Honourable the Director of Education or be allowed to go through it here because it is very important to them.

His Excellency :

Is that a Motion?

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

No. I am suggesting amendments.

The Hon. the Chief Secretary to the Government :

May I suggest, Sir, that if they are detailed amendments it would be better to raise them in Select Committee which is to be appointed.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

I would like to speak on the principle of this Bill. When we adopted it in the Northern House of Assembly we suggested some amendments, but still I would like to express the views and opinions of the Northern Provinces, Sir, as regards this new Bill on Education. We have seen that the Bill has overlooked an important point, Sir, that the educational problems of the Northern Provinces, are rather different from what they are in the other Regions and the provisions also have overlooked the fact that in the Northern

Provinces for years and years the Native Administrations have been the agents of education. It appears, Sir, that the provisions of the Bill only think of the new grants-in-aid system without the Native Administrations being given more responsibilities in the educational advancement of their areas. Now our special complaints are—one, the constitution of the Councils, both regional and central. By looking at those regional Councils, Sir, and the central Council we could easily see that they are more or less religious bodies and not educational councils at all. The representation there is mainly of missionary bodies. Now, if the other Regions have the Voluntary Agencies giving them education, it cannot be said of the Northern Provinces, Sir, and in the North you get most of the representatives on the Northern Regional Council being representatives of the Missions, and so we strongly ask, Sir, that the Northern representation on the Northern Regional Council should really be Northern and that the interests of the Native Administrations, must be taken into serious consideration. Now, our second complaint, Sir, is on the way that Government is going to make the grants to Voluntary Agencies. Most of the schools we have in the Northern Provinces which are run by the Mission schools are mainly peopled by sons of the people from the Eastern or Western Provinces. Therefore, though schools in the Northern Provinces developed, they are not schools for Northern children. Now this we would like to be considered again, and also we strongly ask, Sir, that the old wrong which the Government in the past has been doing should be righted, and that is the grant-in-aid funds must be regionalized because already the number of schools we have in the North is limited. The East have more schools, the West have more schools. They have more qualified people for the Government grant while in the North we are just as we are now, Sir, and if the funds are not regionalized it means we will still be behind. We lost a great opportunity before due to the unfair distribution in the allocation of revenue and still it appears, Sir, we are going to lose, and we would like to see the grants-in-aid funds regionalized and the Native Administrations fully represented on the Northern Regional Board of Education, and that the Northern representation, again, Sir, on the central Council should also be strong, because it is only by this that we may feel that this Bill is really going to be of any use to us in the North. We want to have a place where we can be represented directly. The Muslim community of the Northern Provinces would not accept a Council of, let us say Christian bodies, about twelve or more with one Muslim representative from the North. We would not imagine that that representative would carry any weight at all, and so we would like to have real representation, Sir, on the central Council and on the Northern Regional Council and we would like them to contain representatives of the Native Administrations of the teaching profession who will be in so strong a body that they can have some weight over the non-Muslim members of the Regional Council and so, Your Excellency, I hope that these points will be seriously considered by Government.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, in speaking to this Bill I would like to say that I commend it to the House. This country, Your Excellency, has been looking forward to a system which would give the people a chance to acquire knowledge which would stand them in good stead. It seems, therefore, Sir, that the Government is out to implement their promise to help us towards this advancement. The very difficult position with regard to the smaller schools in the bush is being remedied. In the time past, Sir, the village schools always found it difficult to make two ends meet. The Nigerian at present is not fully aware of the fact that his most vital need today is education. The very few who are aware of this find it difficult to convince their people of the usefulness of education, and therefore, Sir, in any one village you will find that there are a few people trying to engineer and to encourage the people to build up schools and to allow their children to have a school career. This Code or Bill seeks to help such small villages. The system of grants-in-aid helps all classes of primary schools, junior primary schools as they are called, to realize that they should be able to look after themselves, in so far as such schools are able to. That, Sir, means from the Infant School to Standard 2. Such Schools throughout Nigeria would be having Government aid financially. The bigger schools which have been enjoying the privilege of large grants will lose in some respects, but I say, Sir, that it is of some good since it means spreading out the revenue in a way which is thought reasonable. But, Sir, there are one or two comments which I want to put before the House. The Bill has failed to give us the privilege of compelling every boy and every girl in this country to go to school at a certain age. That is something that we need in this country, and we need it—I won't say very quickly—in the very near future. The idea of giving subsidies to junior schools is practically, Sir, a way of making it possible. It means that in any village or town every school reaching up to Standard 2 virtually has a free grant, and if the children of such a community would go to school it means they are having education practically free. I would like to point out, Sir, that in the Bill under rate of assumed local contribution, page 34 of the Regulations, third column, rate of assumed local contribution, we feel, Sir, that this rate is still too small, but I am glad, Sir, that this is subject to revision at some future date. We have been assured in the Eastern House of Assembly when I raised the question that this would be reviewed in the near future, that is in the light of experience. It is said that Government would give two shillings per head of pupil to help them to equip their schools, and I also suggested in my speech in the Eastern House of Assembly that this was very small and might be increased to 2s 6d. With these observations Sir, I wish to thank the Education Department for the work it has done in giving us this Education Bill, which I recommend wholeheartedly.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, in rising to commend this Bill to the House I should like to make a few statements. I should like to pay a tribute to the Education Department and to Mr Phillipson for the two masterpieces upon which the Ordinance before us is based. What I am going to say is substantially, Your Excellency, what I have said elsewhere. I pointed out to my brethren of the Eastern House that this Bill before us is not in any sense whatsoever a Government Bill as such. It is the product of long and protracted consultation at all levels and it represents the will of the people as expressed by its educational service. We accept, Sir, the idea of the basic school—the four year course—for every child in the country and we accept the idea of the four year schools acting as feeder schools for the senior primary—standards 3 to 6 into which we expect practically every child in the four year school will flow, and I should like to request the Honourable the Director of Education to give to the House and through the House to the country an assurance which personally I have got from the Department, and an assurance which I accept in perfectly good faith, that is, that everything will be done to develop senior primary education. In the Northern Provinces, on page 133 of Mr Phillipson's report, we find evidence of one to twenty-four—one senior primary school to twenty-four junior primary. That is not a happy picture and I think that if the Honourable the Director of Education would here give the country an assurance of the nature I am requesting, it will go very, very far to winning the confidence of the people, because I can say there has been talk here and there which is based on misconception, talk here and there that the junior primary school is a start to limiting our education to standard 2. I should personally like to dispel that fear here, but of course I have not the authority of the Honourable the Director of Education and I should like him to say so here once and for all. I have heard talk also, Sir, of the obscure—I wanted to say obscure position, but there is no position at all—I refer to the entire absence of African proprietors as such on the central or regional boards. I have been answered by some such statement as this—that this is not an African or non-African venture, that education as a co-operative field. That is true and then I have been told that there is in the Eastern Provinces, for instance, an education authority with a majority of Africans—that is not quite so true. But I think the answer I have got are a postulation of the ideal position, Your Excellency, not of the factual position, and it is answers like this that shake confidence. Now refer to the educational authority in the Eastern Provinces which is always held up before us as perfect. You have its constitution—an educational authority with a nominal African majority, but with a majority of what people? Of schoolmasters in the employ of the modest minority—managers. That surely is not the meaning of democratic majority. So they have power which they dare not yield for the consequences are always too clear in their imagination. I could understand an education authority with an unofficial majority of

independent gentlemen who are not in the Mission employ. Precisely, I think, what is envisaged in the local education authorities of the Ordinance. That has not come, it is only envisaged in the Bill before us, and until it comes no mission should make a claim that is unrelated to facts. African proprietors, I admit, Your Excellency, are not above criticism, in fact I can go so far as to say that the big missions have brought education to this country and they deserve their seats on the various boards, certainly. But that is not the same as saying, Sir, that the African proprietor should not be encouraged. It think it will be a very great diplomatic step to take if we could allow the African proprietor his place on the board. I am told that they are not organized. that is so to some extent, Your Excellency, but I have requested the Government to try to organize them. If African Proprietors help us to formulate our educational policy and if they help us to carry that policy out, that confidence, in need of which we stand so much, will be forged and maintained, Your Excellency. Finally, well not quite finally, Sir, I should like to request the Honourable the Director of Education not to allow the extreme individualism of the East to be our deterrent to our local education authorities and committees. We must not be allowed in the East to be too "progressive", suicidally, and I request the Department to hasten the day when we shall have our local education committees. Finally, I do not agree with my friend, the Second Member from the North, who is asking for regionalization of grants-in-aid. Grants-in-aid policy can roughly be defined as a pound for pound policy, and if the Northern Provinces took away a third or more of the available vote now they would have no use for it. That is the factual position, Your Excellency, and nobody desires hastening of educational progress in the North any more than I do, but the fact is that in the East and in the West primary education has spread far and wide and the Government proposes to adopt a policy of central assistance to encourage local initiative. Roughly, in L s d term, pound for pound. That is fair and equitable, Your Excellency. At the March Session at Kaduna, this Council recognized that our brethren in the North are a bit backward and we voted them a big sum of money for supplementary educational development. That is in good fashion, and in the Ordinance before us, Your Excellency, it is proposed that in thinly populated areas which again fall to the North mainly, the multiple should be reduced from thirty-five to twenty-five originally, but in a consequential amendment coming before Your Excellency, it is proposed that the twenty-five should be fifteen. That also will have financial repercussions to their benefit, Your Excellency. I very strongly oppose regionalization of grants-in-aid.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin):

Your Excellency, this is not a court of law and I do not want to argue with the last speaker. We have been talking about Nigeria

as one country. Well, how can it be one country when in one Region we have very highly qualified people, well educated people, more progressive than others, unless one class wants to dominate the other class. If in the course of years we do not want to be dominated by the Eastern Region or the Western Region, I think it is up to the two Regions, both the Eastern and the Western Regions, to do their best to give the North the best support they can, and this the new constitution has made provision for. I see that last March the Officer Administering the Government, Sir G. Beresford Stooke was kind enough to allot a special fund for the development of education in the North. Well, I am very sorry to know now that the last speaker should be jealous of this, really jealous of it. . . .

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

On a point of order, Your Excellency—imputations.

His Excellency:

I think his words were that it was in good fashion.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin):

When Members get up they always say the North is backward. Well, how can we progress without education? And how can we have education without money? We have been complaining that the greater part of Nigeria's revenue comes from the North but very little of this sum is being spent for the benefit of the people of the North. Now there is an opportunity for us to have more money for the development of our education and therefore we ask for the regionalization of this grant-in-aid so that we can have more money and be able to spend it as we think fit. Your Excellency, we have many troubles in the North—lack of teachers is one of our greatest problems. We want more schools for girls and we want our boys to be able to qualify for this University at Ibadan, but if we do not make a start now and if the other Regions do not give us their whole-hearted support we shall not be able to achieve all these things. Therefore, I strongly recommend that that grant-in-aid should be regionalized in order to give us more chances of developing our educational facilities in the North.

Your Excellency, I commend this Bill to the House.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, I know very little about education and I do not as a rule speak on these matters, Sir, but there is just one point I would like to talk about. That is, this morning the Honourable the Chief Secretary reminded us about the confidence we ought to have in our Chief Commissioners and I think I might also repeat this in another context. That is the confidence we ought to have in our Director of Education. I am certain, Sir, that the Honourable the Director will take steps to see that the best possible is done for the North but at the same time, Sir, I do not think that any useful purpose can be served by conserving more funds for the North than

is really necessary. I think that the people who control these things will know what best to do in the circumstances. I associate myself with what has been said by my friend the Third Member for the Eastern Provinces and I regret to disagree with my friend the Second Member for the North and I can assure my friend the Fifth Member for the North that there is no question whatever of jealousy.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, at the March Session of this Council when the Memorandum on Educational Policy was laid on the table of this Honourable House, I commended the policy as stated by the Honourable the Director of Education and I am happy that we have before us today this Education Bill so as to implement that policy. The creation of a Central Board of Education, Regional Board of Education, and Local Education Authorities is a step in the right direction. I hope that when this Bill goes into committee that certain amendments will be made in the light of what had been previously discussed and also the suggestions made by certain organizations interested in the education of this country, and I would like to say at this juncture that we in the Colony appreciate the gesture of including Muslim representation on the Regional Board of the Colony. The Muslim element, particularly in the Colony, forms the greater part of the population and they are also playing a very important part in the educational progress of this country. I agree with my friend from the North that more representation of the Muslim elements of the North on the Regional Board of the North should be given due consideration. In this connection I should also wish to suggest that the representatives of the African Communion and the Muslim communities of the Colony should be considered for places on the Central Board as well, as in the case of the Regional Boards, so as to prevent these groups from feeling that they are being discriminated against. There is no doubt that the Protestant Missions and the Roman Catholic Missions are doing a great deal for education in this country, but at the same time we should also encourage African Missions and Muslim organizations. With these few remarks I associate myself with those who support this Bill.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown):

Your Excellency, I rise to support those who have extended words of praise to the Education Department and to Mr Phillipson for the very excellent work they have produced for this country, but I would add, Your Excellency, that in my view there is one very clear defect or omission in the Education Bill and that is there is not sufficient provision for technical and professional courses. At Kaduna I stressed the fact, Your Excellency, that our boys and girls are being taught to just acquire academic knowledge. They want to have all the letters of the alphabet after their names. They look for scholarships overseas and for local university scholarships.

But that will take only very few of our people far enough under existing circumstances. Clerical situations are all over-filled and most of our boys who come out of school have practically nothing to do and that no doubt contributes a great deal to the wave of crime now prevailing in the country. We have quite a large number of ex-servicemen who are knocking about for jobs and boys turned out of the schools by the thousands every year have practically nothing to do. They cannot obtain clerical appointments. Therefore if our Education Code have provision whereby our children can come out of school with some knowledge of technical work, agricultural experience and things like that, it would be better for the country. I do not want to be considered parochial, Your Excellency, but I think I should like to give one concrete instance. This refers to the Bonny Government School, which the Education Department has definitely refused—I do not know whether with Your Excellency's authority—ever to raise beyond what it is today. I have done all I possibly can to persuade them to reconsider the matter; to see what can be done for the oldest Government school in Nigeria, at least in the East. There is a very great tradition behind it, Your Excellency. The Ogugumanga Institute was the first school, where most of the clerks and Senior African officials were brought up. That school eventually became the present Government school at Bonny and there was attached to it at the time a technical branch. Boys were turned out of that school as carpenters, coopers, mechanics and one thing and the other. All that was scrapped and the school was brought down to grade of a primary school—to standard 6—and it is said nothing more could be done for us. But as I have said and as I still say with great emphasis, the technical branches should please be re-introduced. That would be very helpful to the children who have no chance of going further with their education to secondary schools or perhaps to university colleges or overseas scholarships. Your Excellency, there is no doubt that education is all that we primarily need just now in Nigeria and until the large majority of our people are able to read and understand for themselves we shall be always getting ourselves mixed up and in trouble. We have newspapers, and these newspapers in the country are read by a comparatively small percentage of the people. The majority of us are told what is written and what is published. We have no idea of knowing exactly what they stand for. If the country was largely educated perhaps a lot of these troubles could be eradicated. I support this Bill with all my heart and I am sure the Government's intention is the best for the country. Under the circumstances I do not think that anybody in this House can have anything but praise for the Education Department.

The Third Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

Your Excellency, this Bill and the other document accompanying it known as Grant-in-aid of Education in Nigeria which I am sure has been prepared with great pains by Mr Phillipson, our former

Financial Secretary, has been fully discussed and accepted in principle by the Western House of Assembly to which I belong. From all accounts the Voluntary Agencies and other bodies who are engaged in this important work have apart from minor amendments suggested welcomed the recommendations of this Bill and I would like, to add my own tribute to that of others for the great work which has been accomplished by the Education Department and Mr Phillipson in the cause of education in Nigeria. Those who are engaged in this important work and the country in general will at least have the satisfaction that future development of education in this country has been placed on a solid well-planned basis. With regard to the code, Sir, the chief feature in that it has followed the line of regionalization and implementing the policy outlined in the Memorandum already discussed in this House, and I am sure this House welcomes the general principle of the Bill in this respect. There are however some matters of detail which call for consideration at some future stage, but I would like to take this opportunity of mentioning one, and that is the pay of teachers in Voluntary Agency schools. At present, these are at a disadvantage when compared with the salaries of teachers and others in the Government service. This, Sir, is an unfair discrimination and must lead to discontent. I hope, the matter will be further considered. I am particularly happy at the recognition by the Government of the very excellent work which has been done in the field of education by the foreign missions. The country owes a deep debt of gratitude to the self-sacrificing spirit of these missionaries, and I am sure, all members of this House will agree with me in this point. It is of great satisfaction that Government in the new policy has decided to make the fullest use of these agencies and it is hoped that every encouragement will be given to them under the new conditions to carry on the work which in the past they have done so well. With regard to the point raised by the Honourable the Second Member for the Eastern Provinces, I agree that the time has come when everything possible should be done to see that when our boys are out of school they get something to lay hands on. At present we are turning out boys from Schools without making sufficient provision for what work they will do after leaving the Schools and the result is that whatever standard of book-knowledge they may have will be of little benefit to the country. I am appealing through Your Excellency to this House that Education Department should do everything possible to see that our boys are given training in technical course so that instead of taking to only law and medicine after leaving the Schools, they may be able to do other business which are of equal benefit to the country. Your Excellency, I support this Bill.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, I rise to support the second reading of this Bill and I would like to make the following observations although I am not an educationalist. As regards the question of regionalization of

grants-in-aid I really am in great sympathy with our Honourable friends from the North, and since it has been the policy or the principle underlying the whole Bill that education should be regionalized—I mean since the Councils have been regionalized—I see no reason why we should not follow the same lines and get the grants-in-aid regionalized as well. To say that the North will have nothing to do with money, I disagree entirely. Members of this Honourable House will be more than surprised to see that if given the money, together with good advice, the North will come quickly to meet their brothers of the East and the West in due course. The other point that I would like to speak about is the village schools. We have been talking a lot about getting village schools established and they are to train the boys to be able to read and write and perhaps count too. But that is only a way of alienating the people from the farms. They go to school, they read, they write, they count, they go back home. There is no arrangement by which they are educated to go back to the farms. They leave the village schools, they go to schools in the towns and large cities and they are cut off from the farms and that is why we have the difficulty that we are experiencing in this country now. The country is big enough and our resources are really very many and I see no reason why, if given proper education, our people will not stick to the land. These are the only points that occur to me which have not been properly tackled by the previous speakers. I support the second reading of the Bill.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Your Excellency, I rise to associate myself with my Honourable friends in recommending this Bill to this House, but I have just a very simple observation to make, Sir. Before I state my observation may I, Sir, refer you to the press resume of the Eastern House of Assembly of the 31st of July this year. Page 5. It reads:

“Then Mr Essien electrified the House. After a long silence he suddenly rose to his feet and said he was opposed to the closing of schools at all as this was not in the interests of education and only encouraged illiteracy. Far better it would be, he said, to keep the school open under new management. Why this point was not raised when the draft of the Bill was debated it is not known, but to pass such an amendment at this stage would mean re-drafting the entire Bill and Mr Essien was ruled out of order.”

If my humble observation calls for re-drafting of this Bill, Sir, when it is found to be a fit and proper observation, but we press to pass this Bill as it is presently, then I will conclude that our intention is not to promote the best interests of education in Nigeria. I take it, Sir, that the intention of our Administration is to enhance the progress of adequate and mass education in this country. I now, Sir, refer Your Excellency to sections 24 and 25 of this Bill.

His Excellency :

I take it the Honourable Member is maintaining a discussion of principle and not of getting down to detail.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien) :

I am speaking on principle, Sir. These sections make the Bill to blow hot and cold with the same breath. It calls for improvement in education in Nigeria and at the same time turns to destroy that improvement which is the best wish of this House and of the whole Nigeria, generally. Sub-section 1 (a) of section 24 of the Bill says that where the proprietor is not resident in Nigeria, that school should be closed down. I wonder why the public of Nigeria should be punished because of the absence of an individual from the country. If the Board really intends the good of this country's education, that Board, in the absence of the proprietor, should replace another proprietor to manage that school which was opened in the authority and permission of the Board. The Board or the Governor has no legal or moral right to close down that school, and thereby promote and encourage ignorance and illiteracy in this country. I substantiate that statement by referring Your Excellency to this book. The title is "The Making of Citizens: A Study in Comparative Education". Page 32 reads:—"Until the perfect teacher is found, we must be content with the ordinary mortal, who is all the better for an occasional 'shake-up' from outside." That is if the proprietor goes away, Sir, and we cannot find a qualified person to take his place as a proprietor it is much better making use of whatever substitute is available to keep that school open rather than punish the pupils of that school and Nigeria as a whole. The next point, Sir, is in (b). "When an offence has been committed under this Ordinance"

His Excellency :

I do not want to restrict the Honourable Member unduly but I don't think it is proper to go through items of sub-clauses at a second reading.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien) :

All right, Sir. I feel, Sir, that this section of the Bill will not work in the interests of this country educationally because when schools are opened and are at the same time closed down, there is no authority which this House can cite to that effect. The practice which obtains in four leading countries of the world, Britain, America, France and Germany is not closing down of schools. Your Excellency will please, permit me to quote another section from the same book, page 30:—

"The rural school in England generally makes a sad picture. At the base of its troubles is poverty of funds. The one thing needed to improve rural education all over the world is more money, and England is no exception. The premises

are old, sometimes insanitary, desks antiquated and unhygienic, apparatus and equipment meagre, and staff composed largely of unqualified persons—young women who have been promoted from dressmaking to citizen-making, and children of a certain age but uncertain culture.”

Your Excellency, such “ a sad picture ” gives a very good reason for closing down such schools in England, but it has never been done so there. Whereas if such “ a sad picture ” appears in Nigeria, none of such schools would be left open. Why is it that facilities obtained in England are denied to Nigeria? I refer you again, Sir, to school buildings which might be the cause of closing down schools. Quote page 37 of the same book:—

“ It is impossible to speak in general terms of English school buildings. They vary enormously, from the uncomfortable, cold, damp village schoolhouse, which has so many functions in life to fulfil, up to the magnificent, palatial structures which the great progressive boards of England and Wales have erected for the use of their future citizens. Poor school buildings are not peculiar to England; they are to be found in America, France and Germany, and but little satisfaction can be gained by a prolonged contemplation of them.”

Those schools would have been ordered to have been closed down but have not been closed down because it is against the best interests of the public or of the country to close down schools when they are opened. If there are any defects at all those defects are to be corrected and I feel, Sir, that such also should obtain here. The last reference I wish to make, Your Excellency, is this same book on page 177:—

“ A German inspector thus gives us his impressions of such a school:—‘ I reached the village early in the day and looked for the school-house, which I expected to find near the church, but I could see no building at all resembling the school. After searching in vain for some time, I was directed by an old woman, in answer to inquiries, towards—good heavens,—what a place! It was a low, mean, one-storied hovel with windows so near the ground that every passer-by could look in, but that dirt obscured the glass. Entering the low room I found seventy children crowded round a man whose appearance by no means corresponded with his wretched surroundings. He was evidently absorbing the whole attention of his scholars. Glancing at the time-table, I arranged for the examination. The teacher’s questions were short and quick and went straight to the point, while the children’s answers were equally prompt and complete, being always given in complete sentences. I put a few questions myself, not so much to test the quantity of information which had been drilled into”

I submit, Sir, such are defects which obtaining in England and other leading countries of Europe and America. Whereas, if

such schools were here in Nigeria, they would be closed down. As this Bill and the existing Education Code show, our schools here are closed down by our Government for not justifiable reasons. A primary duty of Government is to educate its citizens. As such, inspection of schools should be done with the sole object of giving grants-in-aid, and should not be to recommend closing down of schools as it is being done at present, and as this Bill advocates. If a badly staffed, badly equipped, or badly organised or managed school be found, it should be advised and encouraged to continue as it is being done elsewhere, but never to close it down.

Education Mission was a very big and important institution in Nigeria. The proprietor there was found to have committed an offence. Instead of removing that proprietor or the principal or the teacher there, the whole of that mission was closed down and the pupils who were in that institute were turned out. That is punishing the innocent with the wicked. That policy should not obtain in this Government whose property is justice, fair play, humanity and all those virtues which make up a good Government. As such, Sir, I appeal to Your Excellency and to this House to the effect that whatever a school is, when any individual in that school, whether a proprietor, a teacher or a pupil commits any offence against the Education Ordinance, that particular individual should be dealt with according to law and the school should be allowed to continue under a substituted successor.

Your Excellency, closing down schools is tantamount to promotion of and encouragement into mass illiteracy. It is preaching and practising the doctrine of "Keep the people in ignorance and illiteracy and you will do with them as you like".

The case of Education Mission is a very serious one. It is injustice to throw out of that establishment thousands of pupils, students and teachers, in their innocence. They have been made to suffer a heavy loss of their investments for no reasonable grounds in the tradition and history of education the world over. May the Government look into this matter!

With these few observations I support the Education Bill in principle.

The First Member for the Western Provinces (The Hon. A. Obisesan, O.B.E.):

Your Excellency, it is not my desire to make any long speech, but simply to thank Your Excellency for the latitude given to Unofficial Members today on the discussion of the Education Bill. It is in fact a Bill which I believe will bring any amount of good to the people of this country. There is one aspect of the Bill I would like to discuss in brief, and that is the question of rural education. I have read the Bill from page to page and I could see nothing provided for the people in the farming districts. I was all the time thinking whether it would be proper for me to say anything about this Bill at this stage, because the Agricultural

Bill, in which I am greatly interested, is going to be discussed in this House at a later stage, but I feel that as so many Honourable Members have expressed their views, which incidentally touch the point I had in mind to raise when the Agricultural Bill came before this for discussion. Your Excellency, you have been patient in giving this latitude to the people in discussing at length, which is rather unusual. I am one of those who believe that if all the people in Nigeria are educated, of necessity they will have to get something to do. Nobody can suggest that they will become men like Mr Onyeama or the Clerk of the Legislative Council, Your Excellency, and others. They are people who will become artisans and so forth, and for this reason I rise to appeal to the Director of Education to concentrate his efforts on the people living in the rural districts. That is, those who are farmers. They want their children to be educated, it is true, but the children have been allowed to drift from the farming districts to the towns. The farming industry is most important because, after all is said and done, those who are lawyers, doctors and so forth must get something to fill their stomachs. If everyone will become journalists and so forth, I am afraid the future of this country is very gloomy, besides most of the children of this country look to the Government service, the commercial houses and so forth. Farming becomes an *eyesore* to them. To this aspect of Education in Nigeria, I respectfully call the attention of the Honourable Director in regard to what my friends from Northern Nigeria have said. It is true in the past, Your Excellency, the people, for reasons known to those who were responsible, were not encouraged to know anything about Western education. Thus they turned their face to the East and those responsible for such state of affair had their reason for so doing. We are one people, Your Excellency, and I strongly urge that all possible encouragement should be given to the people from the North, because, all said and done, as I said at Kaduna the Hausas and ourselves are one. They say now, Sir, that in the past we thought the only thing we had to do in our lives was to turn our face to the East, and now to the West. It would not be fair for the House to say we do not want them. I am not going to speak, because others have done so. That is all I have to say, Sir.

The Hon. the Financial Secretary :

If I may, Sir, just give an explanation. This question of the regionalization of grants-in-aid has been raised, but in fact it is not referred to, as far as I know, in the Bill before this House or in the regulations. It is a matter which comes before this House at the time of the Appropriation Ordinance. I have great sympathy, Sir, with the claims of the North, and I have a great understanding of the needs of the East and of the West, and there is no quick answer to the claims of the North that there should be a redistribution of revenue. All I can say, Sir, is that this matter is under consideration. That sounds a Government phrase—but

during the session of this Council I shall refer to the matter of ideal allocations again on a Resolution which I shall move in the next two or three days.

The Hon. the Director of Education :

Sir, the reception accorded to this Bill by Honourable Members has been uniformly favourable, and I am happy to add that their support has reflected that given in the Regional Houses. I should like first of all to thank those who have said pleasant things about Mr Phillipson and his association with the Department. Education, of course, is a subject in which everyone is interested, and the debate on this occasion has rather deviated from the Bill; that is to say, we have had talks on regionalization of revenue, we have had a discourse on the decline and fall of Bonny, and we have had diversions of that sort. I think, Sir, it is important as indicating the public importance of this Bill and of the general interest that it has aroused, that an infinite variety of persons and organisations have submitted to me, and, I notice, to other Honourable Members, claims for representation on the various Boards. Now, Sir, I am not unsympathetic with these claims but I do suggest that they should be dealt with in accordance with the principles which I enunciated when moving the first reading of the Bill. These were expert knowledge of education and regional responsibility; and, in addition, I then emphasised that the numbers of these Boards should be kept to a level which is compatible with efficiency. To turn now to certain points raised by Honourable Members. My honourable friend the Second Member for the Northern Provinces, who spoke first, complained of the constitution of the Councils. Well, Sir, as I have just said, everyone wishes to serve on these Boards and there must be a limit put to the number. They are, as far as possible, balanced; but if there should be any slight increase, I should much prefer that it should be through members of the Regional Houses, who would, in fact, represent the interests of these small, protean and fissiparous bodies who have no regional organisation or regional responsibility. As to the grant to which my honourable friend referred, in my speech yesterday I did point out that the Native Authorities were going to benefit very considerably under this Bill. In addition the Bill in many ways is favourable to the North, as, for example, in the lower rate of assumed local contribution, the lower multiple and in other respects. I would also remind my honourable friend that when he asked me to take into consideration Native Authorities I certainly did so; but the original representation was based on the effective work done. I turn now to the Honourable Third and Fourth Members for the Eastern Provinces who were good enough to commend the Bill. I am not going to follow the Honourable the Fourth Member into the realms of compulsory education. It is a question of, firstly, funds and secondly, trained teachers. He asked that the rate of assumed local contribution be revised. Provision is made for that

in 1949. He asked that the equipment grant be raised to 2s 6d. Well, I am afraid that that cannot be done unless the rate of assumed local contribution is also raised, as they are interlocked. I suggest that that also be deferred until 1949. The Honourable the Third Member for the Eastern Provinces referred to this Bill as a product of consultation at all levels. I think that is a fair description and I thank him for his generous reference to the Bill. I can give him the assurance that there is no desire on the part of Government or of the Department to restrict education to the Junior primary stage. What the Department does try to do is to give as many children as possible a basic education in junior primary schools the greater will be the demand for senior primary school, which will be located according to regional needs. The Honourable the Second Member for the Eastern Provinces in his reference to the Bill, said that there was not sufficient provision for technical and professional courses. I would invite him to Table One of the regulations. The actual Code, of course, as I have said, deals with the mechanics and administration of education, and does not seek to foster technical education, or indeed, rural education, for the simple reason that it cannot do so; but I would point out, both to him and to my honourable friend the First Member for the Western Provinces who put in a plea for rural education, that the rate of assumed local contribution is lower in the rural areas and that there is provision for lowering the multiple in the backward and sparsely populated areas. Two Honourable Members on my right spoke. The Honourable the Second Lagos Member, who gave his blessing to the Bill, invited me to attend to the representations for appointment to the Boards in Select Committee. The other Honourable Member—the Third—referred to what he called the flight to the towns. But that, if I may say so, is scarcely a subject for an Education Ordinance. Finally, Sir, I should like to say that grants-in-aid are necessarily the response of the State to local effort. That is the only basis on which one can give grants-in-aid. If there is any region which thinks that it is not being assisted as it deserves to be, where the effort is forthcoming, I should like to know of it. That, I think, Sir, is all I need say on the points raised in the debate. No doubt we will go into detail in Select Committee. I again tender my thanks to Honourable Members for the reception they have accorded to the Bill.

Bill read a second time.

The Hon. the Director of Education :

Sir, I beg to move that this Bill be referred to a Select Committee. I understand that Your Excellency has in mind that if this be agreeable to the Council, the Committee should comprise all Honourable Unofficial Members, the Honourable the Acting Attorney General, the Acting Development Secretary and myself.

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Bill referred to Select Committee.

His Excellency :

The Select Committee will consist of all Honourable Unofficial Members of this House, with the Honourable the Director of Education, the Honourable the Acting Development Secretary and the Honourable the Acting Attorney General as Chairman.

Council will now adjourn until 9.30 tomorrow morning.

The Hon. the Chief Secretary to the Government :

Before we go, Sir, might I ask that the Select Committee which will deal with Standing Rules and Orders meets at three o'clock this afternoon in this Council Chamber.

Council adjourned at 12.50 p.m.



Debates in the Legislative Council of Nigeria

Thursday, 19th August, 1948

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 9.30 a.m. on Thursday, 19th August, 1948.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

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

- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikokū.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- Temporary Nominated Member,
Major the Honourable H. E. Wilson, E.D.

ABSENT

UNOFFICIAL MEMBERS

- The Second Member for the Western Provinces,
.....
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.

The Oni of Ife,
The Honourable Aderemi I, C.M.G.
The Oba of Benin,
The Honourable Akenzua II, C.M.G.
The Second Nominated Member,
Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 18th day of August, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed as amended.

ANNOUNCEMENTS

His Excellency :

Before we proceed with the business of the day there are two matters to which I should wish to refer. The first is that Honourable Members will probably have seen in the Press this morning that the Honourable the First Lagos Member has lost his father. I feel sure that you will wish me to convey to the Honourable the First Lagos Member the very deep sympathy of this Council.

Second, I should like to give to the Council some good news which I have received from the Secretary of State. It has to do with the University College, Ibadan. Honourable Members will recall that at the meeting of this Council in March, in the course of the debate on a motion to approve the payment from Nigerian funds of an annual grant in aid of £100,000 for five years to assist in meeting the recurrent expenditure of the University College, the Financial Secretary stated that it was hoped to obtain from His Majesty's Government a large grant in respect of capital expenditure. The Colonial University Grants Advisory Committee has agreed that a sum of one and a half million pounds should be made available as required from the central Colonial Development and Welfare Funds at the disposal of His Majesty's Government towards the capital cost of the University College. Honourable Members will, I am sure, be interested to know that the decision of the Committee to make available so generous a sum was influenced by the fact that this Council had positively demonstrated at its last meeting its readiness to assist in meeting the recurrent costs of the College from Nigerian funds. I feel sure that Honourable Members will wish me to convey to the Secretary of State the gratitude of this Council and the people of Nigeria for the generosity which has inspired so large a measure of assistance towards the capital cost of the College.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, I am sorry to rise at this stage but I have just observed that although we have adopted these minutes as correct yet I notice that among the members said to be absent yesterday is the Honourable the Second Member for the Eastern Provinces. He was present.

His Excellency :

I am grateful to the Honourable Member for pointing it out.

PAPER LAID**The Hon. the Financial Secretary :**

Your Excellency, I beg to lay on the table the " Report of the Standing Committee on Finance ".

QUESTIONS**The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki) :**

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

(a) Since the formation of the Rivers Province, will Government say how much the Ijaw people have been benefited?

(b) Is Government aware that most Ijaw towns are outside the Rivers Province? Will Government state into how many different Native Administration Treasuries the Ijaw people are made to pay their taxes? What steps are being taken to consolidate their resources and taxes?

(c) What plans are being perpetrated to develop the (i) Western Ijaw Division in the Warri Province and (ii) the Eastern Ijaw Division in the Rivers Province?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The establishment of a separate Rivers Province has made it possible for both administrative and departmental officers to pay closer attention to this area than formerly.

(b) (i) Yes, Sir.

(ii) The areas predominantly Ijaw pay tax to two Treasuries—the Eastern and Western Ijaw Treasuries. In addition, the Gbaramatu and Ogbe Ijaw of Jekri-Sobo Division pay tax to the Itsekiri Native Administration Treasury, the Ofonama Ijaw of Benin Division to the Benin Native Treasury and the Apoi and Arogbo Ijaw of Okitipupa Division to the Okitipupa Divisional Treasury.

(iii) It is considered that the present arrangement is satisfactory.

(c) The Honourable Members' attention is invited to the replies already given to Questions 249 and 256 by the Fourth Member for the Western Provinces. In addition :—

(i) In the Western Ijaw Division of the Warri Province provision has been made in the 1948-49 Native Administration Estimates for the building of a Sub-Treasury at Bomadi; the moving of the Native

Administration Office and District Office from Forcados to either Patani or Bomadi is being considered; the seven Native Administration schools in the Division are being developed in accordance with the Education Development Plan and unsatisfactory temporary buildings are being replaced by those of a more permanent nature; the Burutu channel and Escravos River bar are being dredged; a survey of the Forcados River and the Akassa entrance together with an extensive waterways clearing programme is being undertaken by the Marine Dept.; the Police Barracks at Burutu are being extended; and Marine Artisans quarters and a new welding plant are being erected at Forcados.

(ii) In the Eastern Ijaw Division of the Rivers Province the reconnaissance of a road from Ahoda to Yenagoa is being carried out; a vessel is being adopted for use as a floating ambulance in the creek areas of the Province generally and a more commodious vessel is being ordered; a well-sinking programme has been drawn up and will be implemented as soon as material on order has been received; and improvement of transport facilities is under consideration.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) Can a Nigerian British subject who is a Civil Servant in Nigeria but domiciled in the United Kingdom take his or her furlough, apart from study leave, in the United Kingdom?

(b) If not, what are the reasons?

(c) Is such a person entitled to expatriation pay?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) Does not arise.

(c) Yes, Sir.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) How many Africans have applied to be (i) Magistrates, temporary or permanent, and (ii) Judges, temporary or permanent, in 1946, 1947 and 1948 to date?

(b) Have there been any appointments made?

(c) If not, what are the reasons?

Answer—

The Hon. the Chief Secretary to the Government:

	1946	1947	1948 to date
(a) (i)	3	5	14
(ii)	Nil	Nil	2
(b) (i)	Ten temporary Magistrates have been appointed and two temporary Magistrates (appointed in 1945) have received permanent appointments,		

(ii) None.

(c) (i) Does not arise.

(ii) Neither applicant was considered suitable and both were over age.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

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

(a) How many Justices of the Peace are there in Nigeria?

(b) Where are they located?

(c) How many are (i) Africans, and (ii) Non-Africans?

(d) What are the qualifications of a Justice of the Peace?

(e) What are the conditions justifying the appointment of a Justice of the Peace for a particular locality and is there any reason why no Justice of the Peace is appointed to places like the British Cameroons and the Ogoja Province?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (i) Administrative Officers are *ex-officio* Justices of the Peace (*vide* Section 12 (2) of the Magistrates' Courts Ordinance, No. 24 of 1943.)

(ii) Complete statistics of other appointments are not available. Since 1st June, 1945, when the Magistrates' Courts Ordinance came into force, thirty appointments have been made.

(b) (i) Administrative Officers exercise their functions as Justices of the Peace in the districts to which they have been posted.

(ii) Justices of the Peace other than Administrative Officers are located in the following districts or areas:—

Abakaliki	Ilesha
Aba	Kafanchan
Abeokuta	Lagos
Ado Ekiti	Lokoja
Agbor	Mamfe
Akure	Ondo
Benin	Onitsha
Buea	Oron
Cameroons	Oshogbo
Eket	Owerri
Ibadan	Tiko
Ife	Victoria
	Warri

(c) (i) There are approximately 460 Administrative Officers of whom eleven are Africans.

(ii) Of the thirty appointments referred to at (a) (ii) nine are of Africans and twenty-one of non-Africans.

(d) No qualifications are prescribed, but it may be said that a Justice of the Peace must be one who is qualified by education and character to perform the duties and exercise the powers of the office, which is an honorary one. The duties and powers of the office are set out in section 13 of the Magistrates' Courts Ordinance, 1943,

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

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

(a) How many Africans by virtue of their office or otherwise are now residents in Ikoyi area?

(b) Are there any rest houses or quarters available at Ikoyi for Members of the Legislative Council and other Government Boards from the Northern Provinces where they could be accommodated during their stay in Lagos? If not, will Government consider the provision of such places for them as at Kaduna?

Answer—

The Hon. the Chief Secretary to the Government:

(a) So far as can be ascertained, three houses in Ikoyi are at present occupied by Africans.

(b) There are no special Rest Houses or Quarters provided at Ikoyi for the accommodation of members of Legislative Council or other Government Boards. There is at present a very acute shortage of housing accommodation for Government officers and all available Government Quarters in Lagos Township are fully occupied. I am grateful to the Honourable Member for again inviting attention to the question of accommodation for Honourable Members of this Council when they visit Lagos. We have tried to make better arrangements for this meeting than has been possible in the past but I readily agree that the arrangements are still far from satisfactory. The Honourable Member will realise that, in view of the acute shortage of housing accommodation in Lagos, the problem is a very difficult one but I hope that before long we shall be able to put forward proposals which will meet with Honourable Members' approval.

The Second Member for the Eastern Provinces (The Hon. H. Bowari Brown):

342. To ask the Honourable the Development Secretary:—

In what areas of the Eastern Provinces are Nutrition Officers functioning and what are their findings in regard to the Rivers Province?

Answer—

The Hon. the Development Secretary:

Owing to the resignation of the Nutrition Officer, it has not been possible to undertake any work in connection with nutrition except for routine observation and treatment carried out by Medical Officers in the course of their normal duties. The question of the extension of nutrition work is at present under review, but little can be done until the efforts now being made to secure the services of a Bio-chemist and a new Nutrition Officer are successful.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) How many South African nationals are at present employed in the service of the Nigerian Government?

(b) If there are any, in what Departments are they employed?

Answer—

The Hon. the Chief Secretary to the Government :

(a) and (b) I am sorry that without an examination of the papers of all expatriate staff it is impossible to make a full reply to this question, since no distinction is made in our records between entrants to the Service who come from the various parts of the British Empire. The number of South Africans in the Nigeria Service is however known to be very small and apart from one in the Nigerian Secretariat and three employed on temporary contract in the Geological Survey I have not been able to trace any record of any South African at present in the Service.

Supplementary Question to No. 354 by the First Member for the Eastern Provinces (the Hon. C. D. Onyeama).

Would the information required as to the number of serving South Africans entail much work?

Answer—

The Hon. the Chief Secretary to the Government :

It would involve reference to about 2,500 files to make quite sure of the country of birth of the people concerned.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) What is the minimum qualification for employment as a telephone operator?

(b) If it is the same as that for employment as a clerk, are the scales of salary the same?

(c) If not, why not?

(d) Will the Government give further study to the position with a view to equating the inferior to the higher scale?

Answer—

The Hon. the Chief Secretary to the Government :

(a) There is no prescribed minimum qualification for employment as a telephone operator. The standard aimed at is Middle IV but over fifty per cent of the existing staff have qualifications inferior to this.

(b) Does not arise.

(c) and (d) The salary scales for Senior Telephone Operators and Telephone Operators are in L1, L2 and L3 (£72-£160) as compared with the scale F1 (£84-£170) for Third and Second Class Clerks. It is not considered that a sufficient case for a change has been made out.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

Is Government prepared now to make a statement about the modification of the Petition of Rights Ordinance in view of the Crown Proceedings Act 1947 in England? If not, why not?

Answer—

The Hon. the Chief Secretary to the Government :

The Secretary of State has expressed the view that the main principles of the Crown Proceedings Act, 1947, should be embodied in local legislation. Questions of detail which will arise in the drafting of the legislation are under consideration by the Secretary of State's legal advisers and when their task has been completed the Secretary of State will make proposals as to how best to proceed. The Act itself is a complex piece of legislation and its enactment has involved considerable amendments to the procedural rules of the Supreme Court and the County Courts in England.

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

365. To ask the Honourable the Financial Secretary:—

(a) To give a comparative statement of the costs of the last Legislative Council held at Kaduna and those held in Lagos?

(b) If Government, despite the experience of last March, would persist in making the North a venue of Council Session, will it change the dates of such meetings to a time more congenial to the health of members attending it?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The following are the figures of the comparative cost of the meetings of the Legislative Council held at Lagos in March, 1947, and at Kaduna in March, 1948, respectively:—

	<i>Lagos</i>	<i>Kaduna</i>
	£	£
Allowances	1,648	2,570
Travelling expenses ...	678	2,170
Incidental expenses ...	19	25
	2,345	4,765

Duration of meetings ... 14 days 23 days

(b) It is a feature of the present constitution that the Budget meeting should be held in Lagos and in the three Regional headquarters in rotation. It is my own view that this practice not only marks the important fact that the Council is responsible for legislation covering the whole of Nigeria but also provides most valuable opportunities for Honourable Members to appreciate the special needs of the different Regions. It may be that one or two Honourable Members from the South suffered some discomfort from the hot winds of Kaduna in March this year but I do not think that the health of any Honourable Member was seriously affected. In any event it seemed to me when we were at Kaduna that the health of the Honourable Member who asks this question went from strength to strength and I hope that he will have changed his mind on this question when we again go to Kaduna together for the Budget meeting in 1952.

As to the question of the date of the Budget meeting the Honourable Member will appreciate that the Budget must be passed before the opening of the financial year on the 1st of April and that the

Financial Secretary, in introducing the Budget, has to supply as up-to-date information as possible on the accounts of the financial year just closing. It is for those reasons that the Budget meeting is held in March each year.

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

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

(a) Whether it is a fact that Government is contemplating to form the Electricity Undertakings in Lagos into a Corporation?

(b) Will Government not consider the desirability of handing over the establishment to the Lagos Town Council under the proposed New Constitution as a gesture of wider powers to be assumed by the New Council?

(c) Is Government aware that in other civilised countries Waterworks and Electricity Undertakings are normally run by local County or Municipal Councils?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Government is considering the introduction of legislation for the formation of a public utility Corporation to manage and develop the Government-owned electricity undertakings throughout the country.

(b) It is the Government's view that the operation of electricity undertakings as separate units is uneconomical and renders satisfactory development difficult. It is considered that unified control will lead to greater efficiency and the Government does not therefore propose to hand over the undertaking to the Town Council.

(c) All electricity undertakings in the United Kingdom, including those previously operated by local authorities, have recently been taken over by a public Corporation and are now under central control.

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

375. To ask the Honourable the Development Secretary:—

(a) How many European Development Officers have been recruited within the past two years and at what scales of salary?

(b) How many such appointees have been in the Nigeria Civil Service as pensioners?

(c) What are their present conditions of service?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (i) Eighty-eight European Development Officers (Administrative Auxiliary) have been appointed since the start of the Development Scheme. Of these, the appointments of two have been terminated and a further six have been transferred to posts in other departments.

(ii) Eleven Veterinary Development Officers have been appointed.

(iii) Thirteen Agricultural Development Officers have been appointed. Of these, one resigned and the appointment of another has been terminated.

(b) None.

(c) The salary scale for Development Officers is £450, £510 × 20 to £610, £660 × 30 to £900. Officers are engaged on contract for one tour of service in the first instance, which may be renewed for further periods up to a maximum of ten years. Gratuity is payable on termination of service at the rate of £25 for each completed three months of service. Other conditions are those normally applicable to Senior Service appointments.

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

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

(a) How many Africans possess higher qualifications of the professional standard in the Administrator-General's Office?

(b) Are they not entitled to be promoted to posts for which their qualifications and experience eminently qualify them to assume?

(c) Will Government explain its attitude in this matter?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Two are Barristers-at-Law.

(b) There are at present no vacant posts in the permanent establishment of the Senior Service for which the qualification of Barrister-at-Law is, by itself, a sufficient qualification.

(c) It is, of course, not proposed to create additional posts merely to absorb qualified officers, but qualified candidates will certainly be considered for appointment to senior posts whenever suitable vacancies occur.

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

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

When will Government accede to the insistent demand of the people of Lagos for the closing down of the redundant post of the Commissioner of the Colony?

Answer—

The Hon. the Chief Secretary to the Government:

Government is unaware of any such demand nor does it consider the post to be redundant.

BILLS

(Second and Third Readings)

THE WIDOWS' AND ORPHANS' PENSION (AMENDMENT) ORDINANCE, 1948

The Hon. the Financial Secretary:

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

An Ordinance further to amend the Widows' and Orphans' Pension Ordinance.

The Hon. the Acting Attorney-General:

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill from Committee without amendment. Sir, I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

CUSTOMS (AMENDMENT) ORDINANCE, 1948

The Hon. the Financial Secretary :

Your Excellency, I rise to move the second reading of a Bill entitled.

An Ordinance to amend the Customs Ordinance, 1942.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-15.

Clause 16.

The Hon. the Financial Secretary :

Clause 16, Sir. In the third line the word "Sundays" with a small "s" should be a capital "S".

Clause 16 as amended.

Clause 17.

The Hon. the Financial Secretary :

Sir, I move that Clause 17 of the Bill be deleted and the following substituted:—It is a very small textual alteration and if honourable members will follow the wording they will see the difference:

"17. Section 82 of the principal Ordinance is hereby amended:—

(a) by deleting the words 'section 77 and' where they occur in the first line thereof and substituting the word 'section' therefor;

(b) by deleting the words 'aircraft or' where they occur in the second line thereof."

I should explain, Sir, that the second deletion—"aircraft or"—refers to section 77 of the main Bill, where we have deleted the word "aircraft",—a consequential amendment.

Clause 17 as amended.

Clause 18.

The Hon. the Financial Secretary :

I move the deletion of sub-section (a) of clause 18 of the Bill and substitute the following.

It will read :

“(a) by deleting the expression “or, save with the written permission of the Comptroller, as a private Customs Area” where it occurs after the word “Warehouse” therein; and

Clause 18 as amended.

Clauses 19-35.

Title.

Council resumed.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill from Committee with three amendments. Sir, I beg to move that the Bill be now read a third time and be passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE AGRICULTURE ORDINANCE, 1948

The Hon. the Acting Director of Agriculture :

Sir, I rise to move the second reading of a Bill entitled :

“An Ordinance to make provision for regulating the planting and growing of agricultural crops, for the control of plant diseases and pests, and for the preparation, marketing, storage, transport, shipping and export of agricultural produce, and for purposes incidental to the above”.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

The First Nominated Member (The Hon. P. J. Rogers) :

Your Excellency, I should like to give this Bill my very warm support. I also have one or two suggestions to make for Your Excellency's consideration and for the consideration of this Council.

First of all I must say that I also am not really surprised there has been a little apprehension and perhaps even suspicion regarding this Bill, for at first sight it is indeed a formidable document, more so even than most that come before us here, and I can understand the average man in the street being rather alarmed at it. Seeing these pages of rules—seeing expressions like ‘noxious weed’ and finding clauses starting “To stop and search any person, vehicle, boat, canoe or animal”—is enough to strike consternation into the stoutest heart, and I can well imagine the farmers and dealers thinking they may perhaps be thrust into their own produce bags and handed over body and soul to the controlling board.

Let me hasten to reassure them from the Unofficial side of this Council. I have been very carefully through this Bill and in my opinion it simply means that no one may be allowed to do those things which will prove harmful to the agricultural or marketing future of this country. I am also pleased to note that Government has been quick to appreciate criticism in the House of Chiefs and the Houses of Assembly and that several important amendments have been suggested.

The policy behind this Bill is common to every enlightened country, and at the same time there is hardly one of them which has not bitter reason to regret that their laws governing such matters were often passed too late to save them from the tragic havoc caused by the irresponsible action of a few selfish people.

The record of husbandry is studded with fearful examples of this neglect. Colorado beetle in potatoes, wildfire in tobacco, Panama disease in bananas, and as has already been said, here in our very midst swollen shoot in cocoa, which in the Gold Coast has already destroyed 100,000 acres. In that country five years ago, 5,000,000 trees were being lost every year to swollen shoot. The figure today stands at 15,000,000 trees every year. Unless this devastation is halted, it will in twenty years destroy this great and prosperous industry, destroying at the same time the very livelihood of an entire people.

Here in Nigeria we have been fortunate to escape the worst consequences of agricultural pestilence. We only have 1,200 acres of swollen shoot, and thanks to the energetic and prompt action of the authorities and no less to the good sense in the main of the farmers, already nearly three-quarters of this area has been effectively dealt with.

As to the importance of correct marketing, the motion laid before this House at our last meeting regarding timber showed, I think, only too clearly how essential it is to have some control over exports for the good name of Nigeria.

There is however, Your Excellency, in my opinion, one serious omission in this Bill, and I suggest that it be embodied in it and that the rules be prosecuted with the utmost vigour. I refer to the combat of soil erosion. There is no graver peril in an agricultural country than soil erosion. No greater disaster can overtake society. The "Dust Bowl" of Canada stands before us as a grim example of the consequences of the neglect of those rules which are necessary to conserve the soil against wind and water. In the United States of America, one quarter of the original farm land has been destroyed by soil erosion or damaged probably beyond remedy.

Eighteen years ago I lived in Kenya in East Africa. In 1946 I returned there. The first thing that struck me, as it strikes everybody revisiting that beautiful country, was the terrible evidence of

soil erosion. Where before there had been grass-covered hills, there is now bare rock. Where before there had been herds of cattle and villages there was nothing.

The falling reservoir of soil fertility is said to be the greatest problem facing mankind today. It is our problem too and will become more so as the years pass. Let us fall upon it before it is too late. No magic is necessary to cure it. No highly qualified expensive experts need be imported. As I have already said, the rules governing it are simple and have been obeyed by the peasant farmers of the Awgu district in the Eastern Provinces for many years. Their terraced gardens should be an example to us all.

Your Excellency, I would finally like to refer to the principle of re-examination of produce and warranty. At some time during our meeting in Kaduna the Third Member for the Western Provinces, whose views and judgment I hold in high esteem, raised a point which I thought then to be of great importance. I still think so today. He wished to know who was responsible if, when cocoa for instance had been placed by a Government Inspector in Grade I, it was subsequently found to be a lower grade.

It is possible that certain Honourable Members may not be aware of the procedure followed when cocoa is purchased and, as it is difficult to prove the importance of the point I wish to make without this knowledge, perhaps I may give the briefest outline of it.

There are in the growing area certain Government accredited Buying Agents, firms large and small and co-operative societies. The cocoa is brought from the interior to the Buying Agents' centres. But before it is bought,—and I should like Honourable Members to mark that very well,—before it is bought it is graded by Government, bagged under their supervision and every bag is sealed by the Inspector responsible with his own individual seal. In other words the entire procedure is supervised by Government. It is then paid for by the Buying Agents and evacuated to port.

Your Excellency, I am not disputing for a moment the good sense of all this. As I have already said it is necessary in every way. Nor am I disputing Government's right to re-examine produce. But in practice, if on re-examination or sale to the Cocoa Board, the cocoa is found to be a lower grade than that which is marked on the bag and there are no signs of genuine deterioration, the buying agent is held responsible and has to stand the loss. In a recent case I heard of this amounted to £22 a ton. In this instance the authorities maintained that inferior beans had been substituted for those originally placed in the bags, and yet the seals were intact. I suggest that if the seals cannot be relied upon it is a waste of time to use them.

To my mind, Your Excellency, this whole procedure is rather as if my old friend the Honourable Director of Agriculture said to the Buying Agents, "You must have your produce inspected by us

and you must pay for the inspection. We will decide what grade it goes into, but if on re-examination it is found to be a lower grade, you are responsible and must stand the loss, and furthermore, you wretched fellow, you had better be careful not to do it too often, for if you do under section 20, sub-section 1 (c), we will prosecute, *not* the Inspector who graded the produce, but you—the Buying Agents”.

Your Excellency, I feel quite sure that my Honourable Friend's heart is quite as large as his frame and that in fact he wishes to do none of these really horrible things to the Buying Agents, but I would ask from Government a statement of policy concerning this point, in order to clarify it at any rate in my mind.

Your Excellency, I again say, I recommend this Bill to the greatest of my ability to everybody in this Council and to everybody in Nigeria.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki):

Your Excellency, I must first of all congratulate the Honourable the Director of Agriculture for having taken out of this redrafted Bill much of the sting in the former Bill. Now, we have the Government taking the people into consultation and canvassing their collaboration on an issue and welfare policy vital to the interests and welfare of the country; consequently the former draft Bill never saw the portals of this august House.

We all know that farming is the primary work of our people. We grow to farming, with it, and in it. And so it becomes for us just something to be done or to do.

Though we have certainly inherited a lot of sound ideas and practical methods in farming, we have not succeeded so far in adopting those ideas on a wide and big scale, nor have we steadily improved on them.

As a result when we look for an enterprise, we often search for it outside of farming; because to us it seems the soil and its exploitation could not possibly be developed to an enterprise; nor could it be raised to the status of an industry. Generations after generations treated farming therefore as just ordinary work and continue to get just ordinary results.

With our belittling attitude of mind, little attention was paid to details necessary for major operation. The ravages of insects were looked upon as natural and inevitable and therefore no serious efforts were made to prevent or get rid of them. Our agriculture therefore just keeps marking time.

But now we have got to go forward. If the Bill under debate helps us to march forward, then Sir, it would have served its purpose.

We know that nowhere in progressive countries is farming just allowed to muddle through. The relative importance of farming to the life and progress of the Community has been determined, and the farmers have evolved a code and certain standards that keep every member of the brigade bound to adopt and pursue progress.

We are told that Nations rise and fall as their agriculture rises or fall. This is too true of Europe today. There we find countries with waning agriculture having lost their economic grip and consequently firm grip of world affairs. It is the belief that the present Bill aims to give life to our agriculture that wins us as a staunch advocate of it.

Agricultural laws dictating and controlling agricultural policy and procedure in Nigeria are certainly not new to this country; only such laws have not covered such a wide scope nor gone so deep. But men are as the times. And our time certainly needs broad and far reaching development and progress.

The matter we used to complain of in Nigeria in the past was Official Majority. Since Official majority in the matter of making Agricultural laws has now been eliminated even from the present Bill, I feel we have nothing more to agitate our minds, unless we have no faith in ourselves.

Government has convinced me further by substituting for the Governor, a Board consisting of African Majority to make regulations for ourselves to safeguard our farm products. I could not think of any better proof of Government's sincerity in the matter of equal participation.

Since we are all anxious not to find ourselves again in the plight we were in some ten to fifteen years ago, about the Sumatran Menace, I say we must face the fact that this country must adopt methods which other progressive countries adopted and still adopt.

Now, we know too well that our peasant farmers have not got the ability, due to limitations of illiteracy, to initiate by themselves a lot of development on modern basis and on a large scale. We appeal to the Agricultural Department therefore to assume the responsibility and go all out by words, pictures and demonstrations to show the light that our farmers might find the way.

In closing, we hope nothing shall be done in applying this Bill, if it passes this House, that shall disappoint, restrict and arrest our burning zeal for these reforms.

Sir! in the hope that we have the guarantee that nothing shall be done when applying the law to side-track our farmers from participating fully and largely in the new bright era now dawning on our agriculture, we would pledge the co-operation of our constituency for this Bill.

Your Excellency, I support the Agricultural Bill,

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

Sir, there has been much controversy over this Bill, and although I understand that it has passed through the different Houses of Assembly, I rise to suggest that this Bill should be treated as the Education Bill, that a special committee should be appointed—a little group—and should go carefully—particularly with those amendments suggested before us. It would be far better and we shall have time enough to consider clause by clause instead of Your Excellency saying “Section so and so—Will those in favour say ‘Aye’.....”

His Excellency:

That is the intention, the Bill will be sent to Select Committee if this is agreeable to the House.

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

Thank you, Sir.

His Excellency:

If it is agreeable.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, this Agricultural Bill met very strong opposition at its first appearance in the Northern House of Assembly. At that time, Sir, our main objections were on two points. The first was on the control of food crops for local consumption. Now we opposed such control because at that time there were difficulties which we experienced because of such Government controls, which I think were mainly due to war time conditions. Those difficulties were then fresh in our minds. Our second objection to the Bill, Sir, was the almost unlimited powers given to the Produce Examiners and Inspectors. It was not the powers, Sir, which we opposed but the manner in which they might be exercised. We were afraid, Sir, to see our ignorant but loyal Northern farmers entirely left in the hands of the Produce Examiners and Inspectors and we also saw that in giving those powers, Sir, the Government did not very much consider the local conditions of the Northern Provinces. The provisions in the Bill, Sir, were that those Produce Inspectors were allowed to enter houses and were allowed to arrest people. Now we opposed those powers, as I say, not merely because of the powers but the manner in which they were to be exercised. Now at its second appearance, the Bill received the support of the Northern House of Assembly. That was mainly due to the rider added to the Bill, explanations of what the Bill was about, which I think the Government should continue to do whenever important Bills of this kind are to be introduced. Now when this Bill was introduced into this House a few days ago, Sir, I would say it was

so efficiently introduced that we all feel very contented although, Your Excellency, I don't think we will allow it to walk through the House unchecked. Your Excellency, I support this Agricultural Bill.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown):

Your Excellency, I am speaking on behalf of the Eastern House and I say that the Eastern House has nothing but blessings to pour upon this Agricultural Bill. This Bill has created a lot of misunderstanding and suspicion in the East from the early stages of its introduction, but having been very seriously considered and discussed from the lowest level, in Divisional meetings, Provincial meetings and the House of Assembly, we have come to the inevitable conclusion that the Bill is indeed a blessing to Nigeria. All that I have to add is to congratulate and support the Nominated Member who has spoken so very ably on this Bill and I would only ask permission to mention the question of erosion as far as the Rivers Province is concerned. It is well known that erosion is also our trouble and although the Rivers Province cannot claim as a whole to be an agricultural area yet we have been very much hampered by this erosion question. If anything could be done to assist the Brass and Bonny areas in regard to erosion and the Agricultural Department would do all that lies in its power to introduce some methods by which the Rivers Province could become an agricultural area in Nigeria, we should be grateful. Your Excellency, the Eastern House is solidly in favour of this Bill and we support it.

The Hon. the Acting Attorney-General:

Sir, the Honourable the First Nominated Member raised in his speech a legal point, and I should like to deal with that point before the mover replies to the speeches. I should also like to inform Honourable Members that the Honourable the First Nominated Member was good enough to give me notice that he was going to raise this point, which has enabled me within the limits of my intelligence to look up the law. The point as I understand it is this. Whose responsibility is it when on a re-grading of cocoa it is found to be of a lower grade than it was at the time that it was sold. Now, Sir, at the moment as the law stands it appears to be this. Under Regulation 42 of the Palm Oil, Palm Kernels, Cocoa and Cassava Storage Inspection for Export Regulation, 1936, under that Regulation, it is provided that on sale or in a contract for sale of cocoa the seller shall be deemed to warrant that the produce is not adulterated and also, if the cocoa is sold for export, that it is either Grade I, Grade II or Grade III cocoa as the case may be. The next Regulation, Regulation 43, provides that the inspection and grading shall not be conclusive as to quality or purity. Those two Regulations are closely linked. One gives a statutory warranty

and the other deals with the evidential value of the grading. Now those two Regulations will, if this Bill passes into law, be revoked, but the provisions of the second Regulation, that dealing with the evidential value of the grading of cocoa, is reproduced as Clause 30 of this Bill, and I should like to point out that the marginal note to that Clause is misleading. The marginal note, Sir, reads just —“ Warrantly ”. The Clause deals with nothing of the sort, the Clause reproduces the second Regulation to which I have referred. That is, it deals with the evidential value of a grading of cocoa and all it says is that that shall not be conclusive evidence of the quality. The first Regulation to which I referred, that is the Regulation which gives a statutory warranty, will be revoked if this Bill passes into law. But in my view the legal position is adequately covered by Section 13 of the Sale of Goods Act, 1893. That Section provides that where there is a sale by description—and in my opinion,—I cannot state more than that,—in my opinion the sale of cocoa in the circumstances described by the First Nominated Member is a sale by description—Section 13 provides that where there is such a sale there is an implied condition that the goods shall correspond with the description. It is no doubt on account of that that the draughtsman did not reproduce in the Bill the first Regulation to which I referred. The position under the Sale of Goods Act is, therefore, that there is an implied condition, and if on re-examination the cocoa does not correspond with the grade which it had on its first examination, the buyer would have a right as against the seller either to reject the cocoa, tell him to take it away, or to claim for the difference in price. That, Sir, as I conceive it, is the legal position.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, I am not rising to oppose this Bill because I agree with so many Sections of it. As I see it, the Bill is based on three principles. The first is to make provision for the regulating of planting and growing of agricultural crops. The second is the control of plant diseases and pests. The third is the control of the preparation, marketing, storage, transport, etc., of agricultural produce. So far as the third principle is concerned, that is, the control of the marketing, storage, etc., of produce, I do not think that any Member of this House will be opposed to it because it is very essential that if our produce must find a market in the world market then it should measure up to the highest standards. With the second principle, in respect of the control of plant diseases and pests, I am wholly in agreement. But with the first principle, that is, to regulate the planting and growing of agricultural crops, I am very much in doubt and I hope that the Honourable the Director of Agriculture will not only give an assurance but will explain to me the import of this particular aspect of the Bill,

It is true that when the Bill was first published criticisms were levelled at it as a whole and the Government issued a memorandum explaining certain aspects of it; I notice that the Honourable the Director of Agriculture has consented to make certain amendments which are agreeable, but I notice too that in one of the amendments proposed, this particular issue in which I am interested from a political point of view—that is, Clause 5, Section (b)—the Board may make regulations for the control of diseases, pests or weeds and for prohibiting the growth or cultivation of any plant or crop during any specified period of the year—has been amended and the word “temporarily” has been inserted.

In my humble opinion, that has not changed the position; the Board still has power to make certain prohibitions: (1) to prohibit temporarily the growth or cultivation of any crop during certain periods of the year; (2) to prohibit the sowing or planting of any kind of plant, specifying any particular kind of seed or plant as the only kind permitted to be used; (3) to make regulations to control the distribution of any kind of seed or planting material. To my way of thinking, I think that this is an infringement of the rights of the individual, but I will modify this statement by saying that I appreciate the good intentions at the back of this Bill and I agree with my Honourable Friends, the previous speakers, that it is essential for the agricultural development of this country.

These political aspects of the Bill need to be reconsidered; as the law now stands, if I have my own garden and I choose to plant yam or cassava or maize therein, there is nothing to prevent the Board from making a regulation preventing me from planting that cassava or yam or maize at any specified period of the year. Now, I would like my Honourable Friend the Director of Agriculture to give me an assurance that it is not the intention to make it difficult for individuals to cultivate any plant or crop at any specified period of the year. Outside of that I have nothing to say against the Bill.

I notice that the Agricultural Board has been also amended, or is to be amended, from eleven to thirteen so that there will be nine Unofficial Members. I think this is a step in the right direction. It simply means that on this Board we shall have an unofficial majority. That is consistent, I suppose, with the present policy. When my friend, the Honourable Member from the Northern Provinces spoke and mentioned the fears in the minds of the Northerners, it struck me because I felt the same way, particularly with reference to the powers of the inspectors of produce, but in view of the amendment suggested and the explanation given, I am satisfied that the powers will not be exercised unreasonably. I wish to emphasize that the political aspect of this Bill should be reconsidered and I do hope that the Director of Agriculture will give me the necessary assurance and explanation. Otherwise, I support the Bill.

His Excellency :

If no other Honourable Member wishes to speak I will call upon the mover to reply.

The Hon. the Acting Director of Agriculture :

Your Excellency, first of all I wish to thank the Honourable Members for the kind reception they have given this Bill both in this House and in the Regional Houses of Assembly and the House of Chiefs. It is very gratifying to know that it is supported fully in principle and I feel sure that any small point on which members may be puzzled will be put right in Select Committee if I fail to do so now. The Honourable the First Nominated Member for Lagos contributed very materially to this Bill in bringing to our notice one serious omission and that is the omission of provisions to deal with soil erosion. We are grateful to him and we are taking steps to have this included in the Bill at the committee stage. It was a most serious omission. He—that is the Honourable the First Nominated Member—raised the question of stopping and searching any person. The House will be glad to know that that also is being put right in the committee stage. I am also grateful to this Member for bringing to the attention of the House the true facts concerning swollen shoot, which I don't think have been put before it before, and put in true perspective with that of the Gold Coast. I would like to take the liberty of repeating these figures to this House. Our cocoa survey belonging to my Department has almost completed the survey of the cocoa areas, and it estimates that we had 1,200 acres of contaminated trees—1,200 acres. That compares with the Gold Coast figure of over 100,000. Of those 1,200 we have already cut out 800. We have 400 acres to cut out. If we do not cut out those 400 acres, if through any means the cutting out is held up, we are jeopardizing the complete cocoa crop of the country and that cocoa crop next year will be worth between £10,000,000 and £12,000,000 to Nigeria. Almost as much as the total revenue. My honourable friend the Acting Attorney-General has fully explained the implications of the warranty clause and I do not think I need to touch upon it again, but I am prepared to do so in Select Committee if the matter is raised in detail. The Honourable the Second Member of the Eastern Provinces has raised the question of soil erosion. I can give him an assurance that we fully appreciate the position in the Eastern Provinces and that we will do all we can to post staff to Rivers Province as soon as possible. The staff position, however, is very bad at the moment and we can give no definite promise in that direction. I think the only other point, Sir, that I should like to deal with is that raised by the Honourable the Second Lagos Member in connection with section 5 (1) (b), and I should like to draw the attention of Honourable Members to the fact that this clause starts with the words—which are the operative words of this clause—“for the control of diseases”. That is the reason for this clause, in order to control diseases and for the control

of pests or weeds, and for no other purpose will this clause be applied. He has particularly asked about certain phrases and I might perhaps illustrate what is intended by these phrases. The first is "prohibiting growth or cultivation during specific periods." Now if I might be permitted I should like to give examples of what might happen. A close season is necessary in cotton cultivation in the Northern Provinces in order to permit the removal of the host plant of the pink bollworm. This prohibition is at present in force through the Native Administrations but it might be better to have it under one enactment here. It might also become necessary to enforce a close season for tobacco in certain areas where the crop is grown for export or for processing, because of a leaf virus which is carried over from one year to another by plants remaining in the ground. The next phrase is "prohibiting the sowing or planting of any kind of plant." It might become necessary to prohibit the cultivation of host plants of certain diseases and pests in proximity to specified economic crops, for instance oca is an alternative host plant of certain pests of cotton including the pink bollworm. Silk cotton trees are also hosts of cotton stainers and action might in certain circumstances be necessary against silk cotton trees. I don't say it will be, but it might be. "Specifying any particular kind of seed or plant as the only kind permitted to be imported or used." Now various unfortunate importations have been made in this country in the past. For instance, a very poor type of cocoa was grown in the Cameroons by the Germans and we have got to get rid of it as quickly as possible. Maize seed was imported by a well-intentioned mission into the Northern Provinces. It was quite a good yielding crop but it ripened too late to fill the hunger gap and was therefore worse than useless. It nearly brought on a famine and so we had to stop that one quickly. Those are other instances of unfortunate importations. Now, "specifying the only kind of seed or plant". In the Northern Provinces we have made various selections from American Allen cotton and we have a particularly fine selection at the moment which we are propagating. It is called 26C, which will add immeasurably to our crop. It might be necessary, and indeed it is necessary now, to prohibit the planting of other local varieties in those areas in order to obtain maximum yields. The question of Japanese chillies is another that Honourable Members will be aware of. They have a limited world market and that crop may have to be restricted in order to guarantee quality. I think, Sir, that that is all I need say.

Bill read a second time.

The Hon. the Acting Director of Agriculture :

Sir, I rise to move that this Bill be referred to a Select Committee.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill referred to Select Committee.

His Excellency :

I name the membership of the Select Committee. All honourable unofficial members with the Honourable the Acting Director of Agriculture, the Honourable the Acting Development Secretary and the Honourable the Acting Attorney-General as Chairman.

THE PORT HARCOURT TOWNSHIP ORDINANCE, 1948**His Honour the Chief Commissioner, Eastern Provinces :**

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to make provision for the constitution of and the appointment and election of the members of the Port Harcourt Town Council and to empower the Council to levy rates for township purposes ”.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I rise to move that the Bill be referred to a Select Committee.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill referred to Select Committee.

His Excellency :

I name the members of the select committee. All honourable members, official and unofficial, from the Eastern Provinces together with the First Lagos Member, the Third Member for the Western Provinces and the Honourable the Acting Attorney-General as Chairman.

THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA REGIMENT) (AMENDMENT) ORDINANCE, 1948**The Hon. the Acting Attorney-General :**

Your Excellency, I rise to move the second reading of a Bill intituled :—

“ An Ordinance further to amend the Royal West African Frontier Force (Nigeria Regiment) Ordinance ”.

The Hon. The Commissioner of Labour :

Your Excellency, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I rise to report the Bill from committee without amendment.

Sir, I beg to move that the Bill be now read a third time and passed.

The Hon. The Commissioner of Labour :

Sir, I beg to second.

Bill read a third time and passed.

THE REVISED EDITION OF THE LAWS (AMENDMENT) ORDINANCE, 1948

The Hon. the Acting Attorney-General :

Sir, I rise to move the second moving of a Bill intituled :

“ An Ordinance to amend the Revised Edition of the Laws Ordinance, 1947 ”.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment.

Sir, I rise to move that the Bill be now read a third time and passed.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to second.

Bill read a third time and passed.

MOTIONS

The Hon. the Financial Secretary :

Sir, I beg to move the motion standing in my name which reads :

“ Be it resolved :

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

This report, Sir, covers the meetings of the Finance Committee on the 20th of February, the 30th of April, the 28th of May and the 25th of June. Sir, I beg to move.

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

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the motion standing in my name which reads as follows :

“ Be it resolved :

“ That this Council approves of the proposals for the
“ devolution of formal financial control from His
“ Majesty's Secretary of State for the Colonies to
“ this Government, as set out in the third paragraph
“ of Sessional Paper No. 19/1947-48.”

Honourable Members, Sir, have had an opportunity of considering this Sessional Paper on financial devolution and will have seen that it contains proposals which were put forward by the recent African Governors' Conference and approved by the Secretary of State subject to confirmation by this House. The matters, Sir, which are dealt with in this Paper, do not lend themselves to vivid language, but nevertheless I am sure that Honourable Members will have seen in this paper material no less important and no less noteworthy than that dealt with in other Government publications dealing with constitutional advance. Briefly stated, it may be said that, in view of the constitutional development of Nigeria and the ability of this Council to translate constitutional theory into practice, the Secretary of State proposes to divest himself of the responsibility for much of the control which he has hitherto exercised over the finances of this territory, and to transfer that responsibility to this Council. Honourable Members will, I feel sure, recognize in this proposal a milestone marking a further point of progress along the road of Nigeria's political development. Up to now, the approval of the Secretary of State has been required for the annual budget, for supplementary expenditure, and for proposals for the execution of major public works, and to a number of other financial measures and practice. But I have noticed, Sir, in the last two years, recognition of the increasing competence of this territory to manage its own finances, and already many of the prescribed controls have become almost formalities. But now, Sir, we are to enjoy fuller recognition and to accept, I hope, a fuller responsibility than hitherto. There are two reservations.—The first relates to the practice whereby the Secretary of State exercises a general function of advising His Majesty's Government on the assent to all Colonial legislation, and of course he will continue to do so. In other words, the Appropriation Ordinance will not be treated differently in that respect from other legislation. The second reservation, Sir, is that proposals for the raising of loans will continue to require the agreement of the Secretary of State, and that Colonial loans will, like all other loans on the London market, require the consent of the Capital Issues Committee. The responsibility of the Secretary of State in this matter will, I am sure, be recognised by this Council. I should mention, Sir, that it is also the intention to keep the Secretary of State informed of the broad lines of financial and economic policy here in Nigeria. I am sure that Honourable Members will recognise that it is in our interests to do so. The Colonial Office provides a very valuable clearing house for information for the benefit of the Colonies, and it is obvious that an organisation having direct contacts not only with Colonial territories throughout the world but also with the great commercial centres of Europe and America, is therefore able to give very valuable advice to Colonial Governments. However, Sir, if the proposals put forward in the Sessional Paper are acceptable to

the Council, as I trust they will be, we shall have to make alterations in our local machinery for budgetary authorisations and control, and this is already the subject of enquiry by the Government. For the time being, Sir, it is proposed that the responsibilities hitherto exercised by the Secretary of State should devolve upon the Standing Committee on Finance of this Council. Acceptance of these proposals will bring increased responsibility to the Finance Committee, but the work of the members of that Committee will be increased, I think, rather in importance than in volume, and I am confident that this is an increase which Honourable Members will be very ready to accept. Sir, I beg to move.

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the motion standing in my name which reads as follows:—

“ Be it resolved :

“ That this Council :

“ (a) welcomes the proposal of the Government to provide for the regionalization of local development and

(b) agrees in principle with the proposals made in Sessional Paper No. 20/1948.”

The Sessional Paper, Sir, referred to in the resolution has been in the hands of Honourable Members for some days and they will be aware of the proposals made therein, which can be summarised briefly as directed towards the early regionalization of local development. I do not believe, Sir, it is necessary for me to say much regarding the first principle underlying the proposals, and that is that the planning of local development as defined in the Nigeria Local Development Board Ordinance should be undertaken regionally. When that Ordinance, which provided for a central Board in Lagos, was enacted, the new Constitution had not been approved, whereas now we have Regional Houses with Regional Budgets. I feel certain it will be accepted as legitimate that members of those Houses should be enabled to take a closer interest in the development of their Regions. Not only is it legitimate for them to do so, but it is, I would add, essential in the interests of regional development. That brings me, Sir, to the second principle underlying these proposals, that of financial responsibility and a first step towards regional financial autonomy. As Honourable Members are aware, public debt charges are carried on the Estimates of Nigeria and not on the Regional Estimates, and that principle has been maintained in relation to past loans and to a considerable loan expenditure of eighteen million pounds, which is part of the Development Plan. But, Sir, if we are to develop regional financial

responsibility and ultimately regional autonomy, it is obvious that the recurrent annual charges on loans specifically provided for regional development should be a regional charge. That principle has already been accepted in respect of departmental services which are primarily of Regional benefit. There may be difficulties in the full practical application of the principle, because all of the regions are not yet in the happy position of self sufficiency, but I foresee no insuperable difficulty in the first step now proposed to regionalize loan charges on funds to be provided for regional economic development. One thing, Sir, is certain, that unless ways and means are found to provide for the continued economic development of all regions we shall never attain the objective of regional self sufficiency. To translate the principles I have indicated into practice it is proposed that Regional Houses should determine their requirements over a period, say, of five years, and as the funds are required, to obtain the agreement of the Regional Houses for the necessary loans. The Regional Estimates will cover the annual loan charges and this Council or its Standing Finance Committee will be required to authorize either the necessary borrowing by Government or, as I hope, the investment of some of the Government funds presently invested overseas.

I am convinced, Sir, that these proposals are sound both in principle and in practice, but if, as I hope, they are accepted by this Council, a consequential decision will have to be taken regarding the present approved allocation of £250,000 a year for five years, that is in all one and a quarter million pounds, which has been approved already by the Legislative Council as a free grant to the Nigeria Local Development Board. After full consideration it is suggested to Honourable Members that we should honour the original intention of the Legislative Council and confirm the free grant, but making the amount approved available forthwith on a regional basis. If the Council, Sir, agrees in principle, we shall have to consider what I have been informed is the most contentious part of these proposals, that is, the actual allocation as between the Regions of the one and a quarter million pounds. As stated in the Sessional Paper, I believe that each Region could submit sound reasons for preferential treatment. The allocation proposed is a simple and arbitrary distribution giving the Eastern and Western Regions the same amount of £375,000, while the North would receive thirty-three and a third per cent more in a round figure of half a million pounds. While I would remind Honourable Members that if these funds had remained in the hands of the Nigeria Local Development Board the Board would not have felt itself limited by any question of regional distribution, and therefore the East or the West might have received more than the North, but in spite of that I do make an appeal, Sir, to Honourable Members of each region to consider this question in the spirit of statesmanship and friendship rather than that of regional competition.

In case, Sir, it may be suspected that the adoption of the allocation proposed in this Sessional Paper may prejudice the question of ideal allocations of revenue which comes up annually, I give an assurance on behalf of Government that this matter of the distribution of one and a quarter million pounds, will be treated independently and without prejudice to the major question. I do, Sir, take this opportunity, however, to inform the House of the intentions of Government regarding the problem of "ideal allocations". Honourable Members are aware that it is an object of Government policy to achieve within a period of five years a correct balance as far as is possible between annual regional revenue allocations. Following the recent meeting of the Revenue Allocation Board it has been accepted that a full statistical survey should be undertaken, to be followed by an examination of the problem by a high level expert on federal systems of finance and with the assistance of Mr Phillipson. The necessary financial provision, that is the cost of this enquiry, is being sought within the next few days when the Finance Committee meets, and the appointment of the expert statistician will be expedited. In addition, Sir, the possibility of the adoption of interim measures to draw the ideal and the actual allocation closer is being examined. Sir, I beg to move.

The Hon. the Chief Secretary to the Government :

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the motion standing in my name which reads:

" Be it resolved :

" That this Council accepts in principle the proposals for the future marketing of Nigerian oils, oil seeds and cotton as set out in Sessional Paper No. 18 of 1948 and agrees that legislation should be drafted on the lines proposed for consideration in the Regional Houses and in this Council."

Sir, I do not propose to make a long speech regarding this Sessional Paper. Firstly this Council prefers short speeches and secondly the Sessional Paper was written by Mr Phillipson and therefore requires no clarification. And thirdly, Sir, Your Excellency brought out the main points in the Sessional Paper in your opening address. I would, however, draw attention to one or two major points.

I am sure that Honourable Members realise the paramount importance of agriculture and of agriculturists to Nigeria, and I do not believe that any informed person will question that in the foreseeable future the prosperity of this country will continue to depend to a very large extent on that industry. It is essential, therefore, Sir, that the organisation of the industry

should be determined so that in the future it can withstand, as far as possible, any world or other economic blizzard. Before the war there was no control of marketing of the primary products of Nigeria, and a glance at production and prices then indicates the recurring depressions then which must have caused suffering not only to the agriculturists who suffered most, but to the tens of thousands of others who depend upon agricultural prosperity for their own well-being. At the present time the industry is enjoying a period of artificially high prices for their products, but it is a temporary phase and it is most opportune that efforts should now be made to plan for the future so as to preserve the prosperity of the agricultural community. I would add, Sir, that it is appropriate that these proposals should be presented at the same session as the Agriculture Bill which deals with the crops themselves.

It is not only, Sir, in the affairs of individual men that there is a tide which, taken at the flood, leads on to fortune. That truth applies to Governments and industries. We are at present riding on a flood tide of agricultural prosperity, but we must not drift with it, but should determine our course with energy and decision.

The course proposed in this Sessional Paper is in the main control of the industry by the industry and for the industry. In fact, Sir, self government of the industry with the assistance of experts. It is, I hope, Sir, one form of control which will be very popular in Nigeria. It follows closely the pattern of organisation adopted in relation to the marketing of cocoa, and provides for marketing boards, representative committees, and regional production and development boards, who will determine policy as regards price, purchase, grading, export and marketing of the crops, as well as the development of the different industries for the benefit and prosperity of the producers and areas of production.

It is further, proposed, Sir, that a new Department of Marketing and Exports should be established to act as agents of the proposed three boards and also of the Cocoa Marketing Board, in all matters relating to the inspection, purchase and sale of the crops. At present this executive organisation is part of the Department of Commerce and Industries, while Produce Inspection is a function of the Department of Agriculture. There are obvious advantages in a common executive organisation, and I would only add at this stage that the cost of the Department will be met in the main by the Boards themselves. If the proposals, Sir, are approved in principle by this House, it is the intention to prepare forthwith three draft Bills establishing the Boards and Committees set out in the Sessional Paper and to submit Bills to the Regional Houses at their next meeting for their consideration. Meantime shadow boards and committees will be set up and the Finance Committee will be asked to approve the funds necessary to establish the new Department of Marketing and Exports. Sir, I beg to move,

The Hon. the Acting Development Secretary :

Sir, I beg to second.

The Hon. the Chief Secretary to the Government :

Sir, perhaps you will permit me to add a word to what the Honourable the Financial Secretary has said on this important motion. I only propose to touch on one aspect of the proposal, which I have no doubt is very much in the minds of Honourable Members. Your Excellency, at the beginning of this meeting of the Council, outlined to us many proposals for future action, some of which we have already discussed in this Council. Proposals for constitutional advance, advance in local Government, advance in production, development, agriculture, education. Taken together, Sir, all these proposals are, as you pointed out to us, built to the same pattern of Nigerian participation. They represent a new deal for Nigeria.

I am concerned, Sir, at the moment, only with one aspect of that ambitious policy, and that is the question of machinery for carrying out these many proposals, all of them progressive and all of them constructive. I think that Honourable Members of this Council have very much in mind the strain which modern conditions impose not only upon the Government machine but also upon those people in Nigeria who are prepared to give public service in carrying out agreed policy.

I myself am wholeheartedly in favour of the proposal which the Honourable the Financial Secretary has put to us, which is explained in the Memorandum, for a new Department of Marketing. I am very conscious, almost daily conscious, of the strain which the new policy and increased pace impose on Government and on the Government machine and on Government officers, and I am glad that it has been decided that in this great experiment of public marketing the responsibilities will lie on a Department specially formed for that purpose, manned by officials who can give their whole mind and effort to carrying out that policy successfully. In preparing the proposals which are to go to Finance Committee within the next few days for the formation of that Department, we who have worked on these matters have been anxious that we should not restrict in any way the freedom of that new Department to carry out its task efficiently. I hope that when the time comes for Finance Committee to look at these proposals they will receive the full support of the Committee.

But it is not so much, Sir, in relation to the Government machine that I am concerned. I am concerned, as I am sure all Honourable Members are concerned, about the very great strain which is imposed upon members of the public who are called upon to assist Government in carrying out all the proposals which you have outlined to us. I have not travelled much in this country, but whenever I do travel I am surprised to find how many members of this Council and

of the Houses of Assembly I meet engaged on public work far from their homes. I know that men who have great administrative responsibilities in their home centres are often called from those centres. I know that it is a matter of deep concern that my Honourable friends from the North in particular, who have vast territories with big populations to serve, are called so often to public duties far from their homes. I think we all would wish to pay our tribute to the Members of this Council and of the Houses of Assembly, and the House of Chiefs particularly, who are willing to give their time and their effort, at very great inconvenience, to the public service.

I have just finished working with a Commission on which there was a Nigerian majority and I would not wish to make distinctions between those who worked with me. I was most grateful to all of them who made their contribution in tackling that task. But perhaps I might say that I was particularly struck by the effort made by the representative from the North, my friend, Mallam Mohammadu Ribadu, a member of the House of Assembly of the North, who did not return to his home for two and a half months. The only meeting he missed was when he had to go back to Kaduna to attend the House of Assembly there. When the feast day came I thought that he would then at least seek permission to return to his family. But no, he flew to Enugu with us and only missed the one meeting on that Saturday morning. It is people like that that we shall rely upon and, indeed, shall rely upon increasingly, in the future, and the strain upon those people will be very great. The fields are ripe unto harvest but the labourers are few.

We hope, Sir, that we shall be able to encourage by these progressive schemes an increasing number of people to help us. I should like to say one word about one of the committees which it is proposed to set up under these proposals—the Representative Committee. As you know, under the proposed organisation there will be the small executive bodies responsible for day to day control of the marketing in the industry. There will also be the Development Committees charged with the task of carrying out schemes of benefit for the producing areas and with development work. The duties of these two Committees are clear. I have heard it said, however, that it is not immediately apparent what the purpose and function of the Representative Committees will be, and I think the answer is that that will depend entirely on the producers. I told the House once before that in a territory in which I previously served one of the healthiest factors was that the producers of the principal crops had banded together into strong associations to protect their own interest and were fully prepared to represent the needs of the producers who had elected them. It may be, Sir, in this country, that it will be a long time, owing to the disadvantages of distance and numbers and the scattered character of the crops, before we can achieve any state of affairs of that kind.

But I myself very much hope that in the years to come the producers of this country will not be content to see the Boards which are to exercise these enormous responsibilities and to decide how these vast sums are to be spent, will not be content to see the appointment to those Boards rest with the Houses of Assembly, although I certainly agree that there are no better bodies to make the appointments at this time. I hope that we shall see the producers of this country associating together in their common interests, and I hope that they will insist that, in course of time, the Representative Committees become a sort of producers' Parliament where their representatives can speak for small groups in the villages as well as the larger communities in the main centres and can watch and protect the interests of the producers as a whole. Provision is made in the proposals which are before you for the Representative Committees to be nominated. It is proposed, you will see, that in the first place nomination should be by the Houses of Assembly. But it is also provided that the Houses of Assembly may in the future devise some different system of selecting the representatives of the producers, and I am quite sure, Sir, that the members of the Houses of Assembly would be the first, if there were strong and representative organisations speaking for the producers themselves, to be glad to hand over that power of nomination to the producers' organization or to act upon their recommendations. I hope, Sir, that what the Honourable the Financial Secretary said about self-government in these agricultural industries will become a fact. It will not be a fact at the outset of the scheme which is here described. It is still necessary that producers' representatives should be nominated by someone else. I very much hope that, with the encouragement of the Boards to be established, with the backing of the Marketing Department—the new single Marketing Department when it is established—with the support too, I am sure, of the Houses of Assembly, we shall in future years be able to move to a position when the producers will be able to speak through their own representatives and their own organisations. I believe that of the three bodies to be set up it may well be that in future years the most important body of all will be the Representative Committee. On that Committee there will be, as you know, men who are also serving on the Marketing Board. They will also have men whom they will send to the Development Boards. And so standing in the middle is this Representative Committee, speaking for each industry as a whole. I hope that that Committee in a few years will become maybe the most powerful of the three, and I should expect that we should reach a state of affairs when neither of the other Boards would wish, or indeed would dare, to act without the full support of the Representative Committee.

We are making another call on the public spirit of the people of this country. I hope that we shall not have to call always on the same people. I hope that in the future the farmers themselves—

the people who are most interested in matters of crops, grading, marketing—perhaps we have not enough such in this Council—that they themselves will come forward to take an increasing part in the self-government of agriculture.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the motion standing in my name which reads as follows :

“ Be it resolved

“ That the schedule to the Stamp Duties Ordinance, 1939 (No. 5 of 1939) shall be varied by deleting “ the item ‘ Passport . . . 7s 6d ’ and that the “ resolution shall come into force on the 1st day “ of September, 1948.”

This is a very simple resolution, Sir. A fee for a passport is a payment for services rendered; it is not a tax, and therefore it is inappropriate that it should be in the Stamp Duties Ordinance. This resolution proposes to delete it. I would only add, Sir, that as it is a charge for services rendered, the present charge of 7s 6d is inadequate, and it is the intention to increase it to 15s as in the other West African Colonies and in the United Kingdom. Sir, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, on a point of information—what happens on the 2nd of September, 1948? Does an applicant for a passport get it free of charge?

The Hon. the Financial Secretary :

I understand the answer to that question, Sir, is “ No ”.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the motion standing in my name which reads as follows :

“ Be it resolved :

“ That this Council approves of the award to Lady “ M. F. Graham, widow of the late Sir Aubrey “ Graham, former Chief Construction Engineer, “ Nigerian Railway, of an *ex-gratia* allowance of “ £30 per annum, payment to be made with effect “ from the 12th of February, 1948, for a period of “ two years; the continuance of payment thereafter “ to be made subject to production by Lady Graham “ of evidence of continued financial need, on or “ about the 1st of January, 1950.”

Sir Aubrey Graham was first appointed to Nigeria in the year 1900, that is, forty-eight years ago, but it is still possible to see the results of his work in this country, for he was the Chief Constructional Engineer of the Nigerian Railway. He had a very distinguished career which covered a period of twenty-nine years here, and he was knighted by His Majesty the King in the year 1927. Subsequent to his retirement he became a very sick man, and for many years he was compelled to live in a nursing home at great expense, so that at the time of his death last year his widow was left in very difficult financial circumstances. Lady Graham, Sir, is over sixty-five years of age and has an annuity of £96 a year with a little capital which is insufficient for even a modest livelihood in the United Kingdom. The proposal in this resolution is that the Government of Nigeria should make an *ex-gratia* grant of £30 a year, which will bring her income up roughly to £10 a month. I submit this resolution for the sympathetic and generous consideration of Honourable Members.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

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

Your Excellency, with your permission I rise to express surprise that this motion should come to this House at all. I don't know what Ordinance has brought it before us. I should have thought, Sir, that for such a small amount, for the wife of a knight, either the Secretary of State or Your Excellency in Council or the Finance Committee could have voted the money without reference to this Council at all. We don't like it, talking from the standpoint of the mentality of my people, we do not want a motion like this to come before us in such an Assembly where the Press could report it. It should be abolished, we should not have a lady, the wife of a knight, coming to beg for £30. I agree it should be given, but it should be by Your Excellency in Council or in camera through the Finance Committee. I hope we shall not have it again. I agree to it, Your Excellency.

The Hon. the Financial Secretary :

If I may reply to that point, Sir, it would be possible if there were an amount of money, as in the United Kingdom, placed in the Estimates of Nigeria for *ex-gratia* payments. It would not then be necessary to come to this Council. I propose, Sir, therefore to discuss the matter further in Finance Committee within the next few days.

Motion adopted.

The Hon. the Commissioner of Labour :

Sir, I rise to move the motion standing in my name which reads as follows:—

“ Be it resolved :

“ That this Council approves the draft agreement which is the subject of negotiation between the Nigerian Government and the Government of French Equatorial Africa whereby the recruitment in Nigeria of Nigerian adult workers for employment in the Gabon is proposed to be facilitated and controlled ”.

Sir, recruitment of Nigerian labour for service outside Nigeria is no new thing. For several years now labour has been recruited in the Eastern Provinces and contracted to work in the Spanish territories of the Gulf of Guinea, Fernando Po and Rio Muni. Honourable Unofficial Members, particularly those of the Eastern Provinces have always evinced a very keen interest in the conditions of employment of this labour and it is for this reason that I propose to make a fairly detailed statement regarding the arrangements which are being proposed in connection with the recruitment of labour for the Gabon. These arrangements have been very carefully considered and have resulted in the draft agreement which is now laid on the table of this House. When the agreement was first being considered a preliminary discussion was held in Lagos with officers of the Government of the Gabon and after these discussions Your Excellency directed that a Labour Officer with considerable experience of labour matters in general and with particular experience of conditions under which labour recruited for foreign territories was employed should investigate and report on the conditions obtaining in the Gabon. Sir, this report was made and it was so very fully carried out that it earned not only the commendation of Your Excellency but the commendation of the Secretary of State. The recommendations in that report reveal the very great and urgent need there is for labour in the Gabon, and a second point was revealed, the disparity there was between the conditions of employment in the different areas and in the different occupations in that Colony. Thus from the very beginning Government was placed in the most advantageous position of being able to choose the areas and occupations for which it was proposed to recruit labour. So after an examination of the different industries and the different areas, Government has restricted the employment of Nigerian labour to agriculture—palm products, forestry, timber including sawmilling—and to port construction operations and dock labour in the neighbourhood of the ports, particularly Port Gentil and the Libreville-Kanga regions. The areas covered are easily accessible and thus control and supervision are facilitated. Here is an instance. Conditions in the mining industry in the Gabon were not considered sufficiently attractive by Government and therefore it has been laid down that no labour shall be recruited for the mines. As to the actual conditions of recruitment, I wish to emphasize that all recruitment is on an entirely voluntary basis. A man may offer to work in the

French Gabon, but if he does so he acts entirely and absolutely of his own free will. These can be and there never has been in connection with the Gabon or the Spanish territories any question of compulsion. The conditions regarding the actual recruitment in this country are, of course, laid down in the Nigerian Labour Code which provides all the safeguards that are necessary. It is not these conditions, which are both adequate and well-known to us all, which will be of interest to Honourable Members, but rather the conditions which will obtain when the worker arrives in the Gabon. I should perhaps explain here that in drawing up the agreement and the contract which has to be executed in the case of each labourer, the Government has, of course, been bound by the conditions of our own Nigerian Labour Code. No doubt the actual articles of the agreement have been the subject of close scrutiny by Honourable Members, but perhaps I may not be considered too tedious if I enumerate some of the more important provisions. In Article 5 we get medical examination of labour; Article 6—recruitment of adults only, or rather persons of eighteen years and over; Article 7—permission for wives and children to accompany the worker; Article 8—transport facilities to the place of employment together with subsistence; Article 13—freedom of religion—the exercise and practice of it; Article 14 to 17—contracts and their authentication by an officer of the Nigerian Government before the worker leaves Nigeria and by the consular agent in the Gabon; Articles 19 and 36 and 37—the duration of the contracts, their renewal for a second tour and the prohibition of a third contract of service in certain circumstances; Articles 20 and 21—payment of wages, one portion locally in the Gabon and one portion to be remitted to the worker in Nigeria; Article 24—adequate food supplies to be ensured; Article 25—adequate and hygienic quarters for the worker and his family; Article 26—medical aid and hospitalization free of charge; and Article 27—regulation of hours and work and overtime. In connection with this last Article, I would inform Honourable Members that the working hours agreed to are the same as those which operate in this country and that generally speaking the overtime rate is the same, being twenty-five per cent of the daily rate. There are various other safeguards and prohibitions in the interests of Nigerian labour but I will confine myself to a few more general observations. The first contract between the employer and the worker shall be for a period of not more than two years and the worker may enter into a new contract for a period of eighteen months. Contracted workers have the right of repatriation, after either the first contract or the second contract, to their own country at their employers' expense, together with their wives and such children as may be with them. Should the employer fail to repatriate, the onus of repatriation falls on the Government of the Gabon. An important restriction in this connection is that no worker is permitted to enter into a third contract of service until

he has returned to Nigeria. This is regarded as important as it preserves the link with his family and with his village. In respect of wages arrangements, Honourable Members will see that part of the wage, amounting to some sixteen guineas for a full two year contract, is deposited each month in Nigeria for the labourer on his return, and this amount is not subject to any variation in the rate of exchange, which is expressed in sterling. In the actual country itself—in the Gabon—the labourer will receive 300 francs a month as a minimum wage and this will be increased proportionately to any rise in the minimum wage among other French workers living and working in the Gabon. The cost of living in that Colony is much lower than in Nigeria, and despite recent exchange fluctuations, consumer goods, especially textiles, are also very much cheaper and likely to remain cheaper for some considerable time to come. It is for this reason that we have expressed the wage in francs and at a local minimum subject to increase, rather than as a sterling figure which would have to be varied as the rate of exchange fluctuated. Taxation—that is always a sore point, I think, with all of us, but in this matter the Government is negotiating with the Government of the Gabon and the Government of French Equatorial Africa so as to ensure that Nigerian labour pays no local taxation except that required to secure the customary identity card, in the same way that the identity card is purchased in the Spanish Territories. Well, I think those are the most important matters and I think Honourable Members will agree that they cover most of the aspects of employment, but there are two points at any rate of considerable importance which I think I must mention here, because I know that they are exercising the minds of my friends the Honourable Members from the Eastern Provinces. When the Nigerian labourers arrive in the Gabon they will of course be subject to French law and that law covers their employment. There are two points which I would mention. One is that they would be subject to the French law regarding the payment of compensation for injury. They would not come under the provisions of our own Workmen's Compensation Ordinance. Secondly, although Article 25 provides for adequate and hygienic quarters, there is nothing said of the number and size of those quarters and ventilation or other amenities. I would assure Honourable Members, however, that these matters have not been lost sight of. The fact is that they must be governed by the relevant French regulations. We have no copies available of French regulations but we have asked the Government to supply us with copies at an early date. In the meantime the representatives of French Equatorial Africa have assured us that our Labour Code is no more humane than their own, which is fully in accord with present and modern practice and with all the International Labour Conventions. As soon as copies of these laws have been received, every point on which we have not been able to satisfy ourselves fully will be considered by this Government and gone into so as to

ensure the best possible treatment for our labour. Perhaps Honourable Members would like to hear something about the question of corporal punishment. I know it is always raised in connection with labour going to a foreign territory. I would like to assure them that all forms of corporal punishment are expressly forbidden in the French labour code and I hope that this statement will re-assure Honourable Members on that point. Secondly, Government is naturally anxious to ensure that all our stipulations regarding labour conditions are fully met and it is accordingly proposed to select an officer with experience of Nigerian labour conditions and to ask His Majesty's Government to invest him with consular powers so that he will be able to exercise proper supervision and care of our labour in the Gabon. In addition and as a further safeguard we propose sending a Labour Officer to the Gabon before any labour is recruited in order to ensure that proper housing and feeding arrangements have been made before the labour leaves this country. With these precautions, Sir, and with the supervision and control which the Articles of the agreement will provide there will, I think, be opened up valuable opportunities of employment for Nigerian workers, particularly those from the Eastern Provinces, where there is always a need for employment, and possibly also for some of the surplus dock workers of Lagos. Sir, I beg to move the adoption of the resolution standing in my name.

The Hon. Secretary, Eastern Provinces :

Sir, I beg to second.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, on this resolution there has been some discussion in the Eastern Provinces. The first difficulty which we are up against is this—that there is no information as to what the French labour law on this issue is. It is referred to, I think, Sir, in Article 45—“Workers recruited in Nigeria under this Agreement and employed in the Gabon shall enjoy all guarantees, rights and privileges already enjoyed by natives of French Equatorial Africa by virtue of general legislation and the Labour Code of that territory”. Before we can properly adopt this resolution I think it is necessary that we know expressly what the legislation of the Labour Code of that territory is. Otherwise we might find that we have committed ourselves to certain laws which might turn out afterwards to be unacceptable. The second point is, Sir, that under Article 12 there is the statement that “Workers shall not pay customs dues on entering French Territory in respect of their personal effects and tools and those of their families, neither shall they be liable to any direct taxation in such territory. They shall pay for their Identity-Card in the form and manner laid down for workers in the Gabon”. Well, Sir, we have no information as to the relationship between the price of these identity cards and the

average taxation payable by a labourer. It might turn out to be that there is not much difference between the two. Again, Sir, we have reason to believe—or rather we have information that the room space of a labourer in the Gabon is 20 cubic feet. Well, it might be an error but it strikes us to be very small because 20 cubic feet is really not much more than the size of an outside cupboard than of a room. That, Sir, is under Article 25. There is Article 18 dealing with the nature of the work of the labourers—“The nature of the work on which the workers shall be employed shall be agricultural, silvicultural, industrial, commercial or domestic”. I think, Sir, under industrial and commercial come dock labour and factory labour. Again, Sir, on that issue, we have no information as to the nature of the legislation on Workmen’s Compensation in the Gabon. It might be better than the provision in our law or worse but whatever it might be, Sir, I think it is only proper that before advising people to accept employment in the Gabon we should be able to place before them all the facts as to their conditions of labour. We have been assured, Sir, that this information will be forthcoming, but I do not see that there is any particular hurry in the matter of this resolution. It will eventually mean that people will be taken out of Nigeria into the French territories and I think that this is something which should receive the most serious study. It is not a thing over which we would wish to reach conclusions at a leap and therefore, Sir, I am humbly suggesting that when we have all the information available we would then be in a better position to say whether we accept the resolution or not, but in the meantime Government should direct its efforts to receiving the relevant information in its English translation. Furthermore, we notice that this agreement might possibly be concluded informally by exchange of letters instead of by treaty. If that is the case, Sir, I should like to have information as to why it has been considered necessary to adopt this method of reaching agreement. That is to say, why informal exchange of letters should be adopted in preference to a treaty. Therefore, I am humbly suggesting that the consideration of this resolution be deferred until such a time as we have more detailed information as to the legislation on labour in the Gabon.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Your Excellency, I rise to support the last speaker in opposing this resolution. I do not wish, Sir, to discuss the Articles of this document, but in my experience of the labour in Fernando Po and the fact that labour is lost to Nigeria, because of a similar agreement to recruit the inhabitants of this country for labour outside, this resolution meets the opposition of my people. Therefore, Sir, I do not support it. Even if the French Labour Code be sent to us

for study, I feel that an agreement of this nature is an instrument of exile to our people. Therefore, to encourage this kind of periodical exodus of our men is a loss to our revenue.

Land in Nigeria is so vast that our population is not big enough to cultivate and inhabit it. Population is getting poorer and poorer every year. I do not feel that we are doing the proper thing to enter into this kind of business with any other nation. We should open fields of labour in Nigeria for employment of our people who would thereby earn their living and be happier than they are today. So, Sir, we should no longer indulge in training and producing any more hewers of wood and the drawers of water in our own fatherland for the benefit of other people. Sir, I beg to oppose the resolution.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

Your Excellency, in the draft agreement, clause 1, it is expressly stated that the idea is to recruit male workers for work in the Gabon, and perhaps the Honourable the Commissioner of Labour will accept my suggestion that word "male" be added after the word "adult" in the fifth line of the resolution.

The Hon. the Commissioner of Labour:

I will certainly accept that suggestion.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

A second point I should like to make, Your Excellency, is to request that if it be decided after discussion that agreement should be concluded by exchange of correspondence rather than by formal treaty, the correspondence in its English translation should be laid on the table of this House.

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

Your Excellency, much as I am in sympathy with the Honourable the Commissioner of Labour for bringing this motion before us, I am against it entirely and I hope this House won't pass it. As far back as the year 1880 we have known that people going to the Belgian Congo and the Gabon and all these places—that they were either made slaves or they did not come back to us to benefit the land again. Now I know, looking at the map and after travelling a good deal that it seems to me that the French people have got larger territories than English territories in Africa. I went as far as Maidugari and I found Fort Lamy so near, extensive area there. Then I went to Birnin Kebbi. I understand French territory is not very far, and here we are very near Porto Novo. All these places, have they not got people to recruit from and to their own places? Let them take them there, Sir. Don't let us bother ourselves. Leave the people here to work for us. If the Honourable the Commissioner of Labour would convince our people that they should go back to the farms, as we have been discussing

under the Agricultural Bill, well we would be very grateful. We don't want them to go outside and work for the French people. I appeal to this House that we do not pass this motion.

The Second Lagos Member (Dr the Hon.-N. Azikiwe):

Your Excellency, I appreciate that in certain parts of this country we have a density of population making it necessary for the people to invade other parts of the country. I realized this when last I visited Fort Lamy, passing through Dikwa and Maiduguri. So I do not quite agree with my honourable friends who say that we should conserve our great population, because I know that in some parts of the country the density of the population and the smallness of the area where this population is concentrated have created a great problem.

But I am looking at this motion from another angle. I would like the Honourable the Commissioner of Labour to give us information as to how many workers will be involved in this venture so as to appreciate whether the number is such as to create embarrassment to our country. And I would also like him to secure for us a copy of the Gabon Labour Code translated from French into English to enable us to compare same with our Labour Code Ordinance, although I appreciate that he has already explained that the French Labour Code has been prepared in accordance with international standards.

With reference to the proposed treaty, I would like Article 9, which deals with the question of long journeys on foot, to be more specific. Some people can travel six miles and not be tired; others not more than four miles. In connection with Article 20 I would like to know how the wages in French Gabon compare with those in Nigeria and the cost of living and the standard of living there. Article 28 refers to work on Sundays. In this country I think that according to our Labour Code Ordinance those who work on Sundays are paid a certain sum beyond the regular agreed wage, so I would like to see that incorporated in the treaty as well. I would like to know whether we have a consular agent there at present or whether it is intended to appoint one after the treaty had been negotiated.

I am glad to hear the Commissioner of Labour say that corporal punishment will not be inflicted there, particularly in view of the fact that we in this part of the world are opposed to it and don't like it as a punitive measure. If these questions could be answered and they are satisfactory to us, I think that the House would be in a position to discuss the resolution more intelligently and so I am supporting the view that it be deferred until we have all the material facts.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Sir, I rise to oppose this motion. My reason for that is exactly as has been stated by the Member for the Colony. Article 18 states that "The nature of the work on which the workers shall be

Your Excellency, arising from this discussion I beg to make a motion that the Commissioner of Labour be requested to look into the conditions of labour in the farming and agricultural industry in the Western Provinces.

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employed shall be agricultural, silvicultural, industrial, commercial or domestic. No worker shall be employed in the mining industry". Well, I should say we need people today to do all these kinds of work in some parts of Nigeria and I very much doubt whether the Honourable the Commissioner of Labour has listened in this House some time ago to the complaint of the farmers through the Honourable Gentleman, the Member for the Western Provinces, that the farmers are suffering from dearth of labour. I see no reason why we should be starving at home and then getting sufficient food to feed other people outside, and that is my reason why, in addition to the reasons given by the Honourable Member for the Colony, I strongly oppose our people being sent to other places when they can get work to do in Nigeria.

The Hon. the Chief Secretary to the Government :

Sir, I should like to make some general comment on the question we have been considering. First of all I should like to mention the question of procedure. There is no constitutional necessity to bring to this Council the draft agreement nor is it necessary under the constitution to refer it to the Eastern House of Assembly, but when the preliminary negotiations had been carried out, you directed, Sir, that the draft agreement should first be considered by Members of the Eastern House and then should be referred to this Council. I am sure that all Members of this Council and particularly the Eastern Members will welcome that departure in practice. I think it is the first time that such an agreement has been referred in this way to the legislative bodies. The first step taken when the preliminary negotiations had been completed was for informal discussion to take place in Enugu attended by, I think, most of the Unofficial Members of that House at which a representative of my office who had dealt with the negotiations was present and at which, at a lengthy meeting, the proposals were discussed in detail. The next step was to refer the agreement to this Council as has been done this morning. We hoped that all relevant documents would be here with us before our discussion today and we regret that that has not been possible. I certainly am of the opinion that without these documents we cannot reach a conclusion.

But I would explain to you a little more, if I may, of the background of these negotiations. The Gabon, I gather, is an area which is very sparsely populated and in which considerable new enterprises are to be started. It is in the general interest that that work should be carried out. It is possible, I suppose, that whether we sign an agreement or a treaty or not, labour from Nigeria might find its way to that area. It is the case, I believe, in Fernando Po that whatever we stipulate, the labour from the Eastern Provinces will find its way to Fernando Po, and I think it is certainly desirable, and I expect that every Member of this Council will agree that it is desirable, indeed it is of the utmost importance, that if Nigerian labour is to be employed outside the confines of Nigeria,

The Hon. the Chief Secretary to the Government :

Your Excellency, if I may just put one or two suggestions to the Council about the arrangement of our business. We have a good deal of work to do in Select Committee and I think it was previously arranged that the Select Committee on the Education Bill should meet this afternoon. I suggest that that arrangement should stand. I suggest also that tomorrow morning at 9.30 we should resume the Select Committee on the Standing Orders. Honourable Members will remember that we did propose to take the remaining sections of the Standing Orders before Finance Committee next week. But I think it will be better, in view of the progress we have made, if we meet tomorrow, subject to your agreement, Sir, at 9.30, in the Select Committee on Standing Orders. As Honourable Members will remember, we only had a few sections left to deal with. That will not take us very long and we can complete our work there, and then immediately after that I suggest that the Select Committee on the Agriculture Bill should sit.

Have I made those proposals clear?

Various Unofficial Members :

No, Sir.

The Hon. the Chief Secretary to the Government :

I suggest that this afternoon at 3 o'clock the Select Committee on the Education Bill should sit.

Tomorrow morning at 9.30 the Select Committee on Standing Orders. Immediately thereafter the Select Committee on the Agriculture Bill, and then at 3 in the afternoon the Select Committee on the Port Harcourt Township Bill.

If the Select Committees could complete their work in that time it would enable us on Saturday morning to resume the full meeting of Council to take the third readings of the outstanding Bills. We could also then deal with the remainder of the Government motions and perhaps make a start on private members' motions. That will be on Saturday and it will enable us on Monday, maybe, to complete our discussion. If necessary, we shall of course continue on Tuesday. There is one other change which the Honourable the Financial Secretary has asked me to mention. He suggests, in view of the progress made, that the Finance Committee previously fixed for Tuesday next should take place at 3 o'clock on Monday next. If we finish our business in Council on Monday morning that will enable Members to leave on Tuesday if they wish. If those proposals are acceptable to Council, Sir, it would mean resuming Council on Saturday morning.

His Excellency :

If these suggestions are agreeable, as they apparently are, Council will now adjourn until 9.30 a.m. on Saturday the 21st.

Council adjourned at 12.15 p.m.

Debates in the Legislative Council of Nigeria

Saturday, 21st August, 1948

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 9.30 a.m. on Saturday, 21st of August, 1948.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

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

- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- Temporary Nominated Member,
Major the Honourable H. E. Wilson, E.D.

ABSENT

- The Second Member for the Western Provinces,
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Oni of Ife,
The Honourable Aderemi I, C.M.G.

The Oba of Benin,
The Honourable Akenzua II, C.M.G.
The Second Nominated Member,
Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 19th day of August, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

QUESTIONS

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) How many elementary schools (as distinct from Muslim schools) are there in Nigeria, as follows: (i) Northern Provinces, (ii) Eastern Provinces; (iii) Western Provinces, (iv) Cameroons and (v) the Colony?

(b) How many of the above are under (i) Government auspices, (ii) missionary organisations, (iii) private enterprise, regionally?

Answer—

The Hon. the Director of Education:

On the assumption that the Honourable Member's use of the term "Muslim Schools" is intended to connote Koranic Schools which, as places of religious instruction, are outside the ordinary school system, the figures are as follows:—

(a)	(i)	1,122			
	(ii)	2,903			
	(iii)	2,200			
	(iv)	222			
	(v)	200.			
(b)	(i)	Government auspices			
	(ii)	Missionary organizations			
	(iii)	Private enterprise			
		Northern Provinces ...	(i) 3	(ii) 710	(iii) 12
		Eastern Provinces ...	(i) 11	(ii) 2,631	(iii) 236
		Western Provinces ...	(i) 11	(ii) 1,842	(iii) 256
		Cameroons ...	(i) 5	(ii) 188	(iii) Nil
		Colony ...	(i) 1	(ii) 140	(iii) 48

The difference between the total figures given in (a) and (b) is accounted for by the fact that a number of schools are conducted by Native Authorities and/or local communities.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

(a) What is approximately the percentage of literacy in (i) Nigeria and (ii) Cameroons?

(b) What are the approximate figures on a regional basis: (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, and (iv) the Colony?

Answer—

The Hon. the Director of Education :

(a) and (b) The Honourable Member is referred to the reply which has been given to the first part of Question 112. No reliable statistics of literacy will be available until a census of the population has been carried out.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the population of children of school age in (i) Nigeria and (ii) the Caméroons, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

The Honourable Member is referred to the answer given to Question Nos. 112 and 283. It is regretted that for the reasons given in those answers reliable statistics are not available on a year to year basis, nor can they be given accurately for any particular year.

On the assumption that the total population of Nigeria and the Cameroons was of the order of 25,000,000 in 1947, it is estimated that the child population of ages from five to fourteen years inclusive would be between 4,000,000 and 5,000,000. The figures for a four-year age group (covering the junior primary phase of education) would be of the order of 1,750,000 of whom approximately 600,000 were under instruction during the year in question. The latter figure includes some 20,000 children under instruction in the Cameroons.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

285: To ask the Honourable the Director of Education :—

What is the school enrolment in proportion to population of school age in (i) Nigeria and (ii) the Cameroons, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

The Honourable Member is referred to the reply which has been given to Questions Nos. 284 and 286.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the number of children enrolled respectively in elementary (including primary) and secondary schools and institutions of higher learning, for Nigeria and the Cameroons, for 1927-1947, year by year?

Answer—

The Hon. the Director of Education :

The Honourable Member is referred to the Departmental Annual Reports for the years 1927 to 1938.

The compilation of statistical data was abandoned during the war years but it is hoped shortly to inaugurate a statistical survey which the needs of the present time demand.

The figures asked for in respect of the year 1947 are:—

Primary	661,649
Secondary	9,908
Post-secondary	108

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Of the children enrolled in elementary (including primary) schools, how many of these were in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, and (e) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

The Honourable Member is referred to the first and second parts of the reply which has been given to Question No. 286.

The figures asked for in respect of the year 1947 are:—

(a) Northern Provinces	70,940
(b) Eastern Provinces	332,055
(c) Western Provinces	214,144
(d) Cameroons	19,841
(e) The Colony	24,669

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

Of the children enrolled in elementary (including primary) schools, how many of these were in schools under (a) Government auspices, (b) missionary organisations, and (c) private enterprise, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

The Honourable Member is referred to the first and second parts of the reply which has been given to Question No. 286.

The figures asked for in respect of the year 1947 are:—

Northern Provinces:

(a)	298
(b)	45,840
(c)	1,175

Eastern Provinces:

(a)	2,295
(b)	305,380
(c)	19,678

Western Provinces:

(a)	2,642
(b)	177,259
(c)	24,863

Cameroons:

(a)	1,334
(b)	14,708
(c)	—

Colony:

(a)*	560
(b)	15,004
(c)	7,727

The difference between the total of these figures and the total of those given in the answer to Question 287 is accounted for by the fact that a number of schools are conducted by Native Authorities and/or local communities.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the total number of teachers (local and imported) in the elementary and secondary schools of the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, and (e) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

It is regretted that the information is not available for the areas mentioned or for the country as a whole in respect of the years prior to 1947.

For the year 1947 the approximate figures are:—

	Expatriate Teachers	Non-Expatriate Teachers
Northern Provinces ...	120	2,790
Eastern Provinces ...	107	13,040
Western Provinces ...	92	9,580
Cameroons ...	23	980*
The Colony ...	40	1,020

* not including Vernacular Teachers

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the ratio of pupil and teacher in the elementary and secondary schools of the (i) Northern Provinces, (ii) Eastern Provinces, (iii) Western Provinces, (iv) Cameroons, and (v) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

The ratio of pupils to teacher has remained relatively stable over the areas and during the period mentioned.

In the case of secondary schools it is of the order of twenty to twenty-five pupils to one teacher.

In primary schools the equivalent figure is twenty-five to thirty-five pupils to one teacher, though in Infant classes the number may be as high as forty-five pupils to one teacher provided that the latter is certificated.

The Honourable Member's attention is invited to the present Education Code in which maxima are prescribed for each type of school and teacher.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

What is the *per capita* expenditure on education in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, and (e) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

As stated in the reply which has been given to Question 286 the compilation of statistical data was abandoned during the war years.

The figures asked for in respect of the year 1947 are:—

- (a) £1 12 0
- (b) and (d) £1 15 0
- (c) £1 4 3
- (e) £1 14 9

As regards the years 1927-38 the Honourable Member will appreciate that the Department was not then administered on the present Regional basis. The general picture, however, is that in the Northern Region, where the number of children under instruction has increased eightfold since 1927, the *per capita* expenditure has fallen sharply. In the other Regions where the rate of increase has been less rapid, though the numbers involved are much greater than in the Northern Region, the *per capita* expenditure has fallen less sharply.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

How many warrants have been issued to lorry owners and drivers for the following offences during the following periods:—

- | | | | | | |
|------------------------------------|-----|-----|-----|-----|-----------|
| (a) Licence offence | ... | ... | ... | ... | 1939-1948 |
| (b) Stage Carriage Licence offence | ... | ... | ... | ... | 1939-1948 |
| (c) Route Permit Renewal offence | ... | ... | ... | ... | 1941-1948 |
| (d) Overloading offence | ... | ... | ... | ... | 1941-1948 |
| (e) Motor Brake offence | ... | ... | ... | ... | 1941-1948 |

Answer—

The Hon. the Chief Secretary to the Government :

The usual practice is for a summons to issue for any offence against the Motor Traffic Ordinance or Regulations, but in cases where persons fail to appear before the Court in response to a summons, the Magistrate may issue a bench warrant.

To obtain the statistics required by the Honourable Member would throw a considerable additional burden on an already over-worked staff in the Magistrates' Courts throughout the country and this course has not been taken.

The Atta of Igbirra (Alhaji the Hon. Ibrahim):

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

(a) Is Government aware that there are persons who after being given permits to buy new lorries have sold those permits during the following period:—

1941-1948?

(b) If so what is the need for giving them permits at all?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Government has received reports from time to time alleging the sale of permits to purchase lorries, but on investigation no informant has been able to produce sufficient evidence to warrant official action or prosecution.

(b) Does not arise.

The Atta of Igbirra (Alhaji the Hon. Ibrahim) :

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

Is it lawful for a policeman, having examined the licence of a driver, to ask the owner of the car as to what kind of work he does?

Answer—

The Hon. the Chief Secretary to the Government :

Yes, Sir. If such information is necessary in the lawful execution of his duty.

The Atta of Igbirra (Alhaji the Hon. Ibrahim) :

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

Is it lawful for a policeman to ask a driver of a pleasure car as to how many passengers he is having on the car?

If not, is it not advisable that the police be warned against asking such questions?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) Does not arise.

The Third Member for the Western Provinces (The Hon. T. A. Oduola, O.B.E.) :

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

What steps are being taken by Government to meet the recommendations contained in the report of the Parliamentary Committee which recently visited this country to investigate the criticism of Development work in Nigeria?

Answer—

The Hon. the Chief Secretary to the Government :

Copies of the Fifth Report from the Select Committee on Estimates have only recently been received by Government and the examination of the recommendations contained in it has not yet been completed. I regret that I am therefore not in a position to make an immediate announcement regarding action on the recommendations but they are being urgently considered.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki) :

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

In view of the need to conserve Nigerian Revenue as much as possible, and the need to ensure as much as possible that a reasonable share of Income earned in and derived from Nigeria shall be spent in the country; would Government not consider encouraging British Pensioners to settle in the country?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir. It is not the policy of this Government to encourage European settlement in Nigeria.

The Fourth Member for the Western Provinces (The Hon. Gaius I. Obaseki) :

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

- (a) For a declaration of the basis on which quota on Petrol are given to each locality and to each distributing dealer or firm.
- (b) For extension of quota direct to Business Men and Business Houses who use petrol for their work.
- (c) If Government is aware of the stricture on road transport service—particularly of foodstuffs in Benin, consequent on non-supply of petrol to motor transport owners.
- (d) If Government is aware of the perforced famine thus brought on the people.
- (e) What is responsible for the acute shortage of petrol in Benin as from June 1948?
- (f) What arrangements Government proposes to make to ensure, in future, judicious allocation to the locality and every consumer in the area?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The quota for the supply of petrol in-bulk to any particular centre was calculated from records of previous sales. This form of control was introduced as an emergency measure early this year but it has recently been removed.

(b) Does not arise, but the Honourable Member is reminded that retail sales are subject to the rationing system and each consumer should now be able to obtain the quantity authorised by his permit.

(c)-(f) It is known that shortages created difficulties in some areas during the past three months. During that period distribution was impeded owing to an overall shortage of petrol, but following a recent improvement in the supply position I am advised that it should now be possible for all consumers to obtain their minimum essential requirements.

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

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

Assuming twelve beds to be the minimum registrable accommodation recognised for any private Hospital under the Private Hospitals Ordinance, 1945, will the Honourable the Director please give the following data for the information of the Medical Profession in Nigeria and the Public generally.

(a) How much would it cost such an institution to erect and equip?

(b) How many Nurses, Dispensers, Ward Servants, Cooks, Clerks, Messengers, Washermen, Labourers and Doctors would normally be required to run such an institution at a fairly high standard of efficiency under the said Ordinance?

(c) How much would it cost annually to maintain?

Answer—

The Hon. the Director of Medical Services :

(a) Costs of construction and equipment need not exceed £5,000.

(b) 1 Doctor (part-time)

1 Dispensary Attendant or Dispenser (part-time)

4 Nurses and/or Midwives

1 Ward Servant

1 Cook

1 Clerk (part-time and optional)

1 Messenger-Labourer

1 Washerman.

(c) £1,200 approximately.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I rise to move the motion standing in my name which reads as follows:

“Whereas on the 19th of May, 1936, a Reserve Fund was established by resolution of the Legislative Council with a first contribution of £500,000:

“And whereas this Fund was augmented by two further contributions of £500,000 each, approved by resolutions of the Legislative Council on the 23rd of March, 1944, and the 5th of March, 1945, respectively:

“And whereas a Revenue Equalisation Fund has been established in the current financial year 1948-49 by the appropriation under the 1948-49 Appropriation Ordinance, 1948, of the sum of £750,000:

“Now therefore, Be it resolved: That this Council approves the transfer of the total sum of £1,500,000 standing to the credit of the Reserve Fund to the Revenue Equalisation Fund, and the closing of the Reserve Fund”.

This, Sir, is merely a formal motion carrying out the intention stated at the Budget Session in March by combining the Reserve Fund of this territory with the Revenue Equalisation Fund. The Reserve Fund was started, as stated in the resolution, a few years ago and the intention at the time was that the money should be used in the future to meet any emergency. It is, Sir, part of Government's policy that we should endeavour during these next few years to build up a Revenue Equalisation Fund to be used if and when a depression sets in whereby the revenues of this territory

led into self-government without being taught the art of self-government? I believe we should go stage by stage. We have been discussing since 1923. We want to be able to do something now. We don't want just to talk and finish there, we want to do things;

Sir, I beg to move the Resolution.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Motion adopted.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Sir, I rise to move the Resolution standing in my name which reads as follows :

“ Be it resolved :

“ That this Honourable House recommends that the
 “ Executive Council of Nigeria should include
 “ Members elected from the African Unofficial
 “ Members of the Legislative Council and that such
 “ Members assisted by Technical Experts should be
 “ responsible to the said Legislative Council for
 “ Government Policy in matters affecting Land,
 “ Agriculture, Education, Transport, Health and
 “ Social Services with a view to affording Nigerians
 “ opportunity of participating in the management of
 “ their own affairs and thereby according them a
 “ measure of Political Responsibility in fulfilment
 “ of the oft declared British Colonial Policy of
 “ training the Colonies for Self-Government ”.

This motion was before this Council sometimes ago at Kaduna and, with the permission of Your Excellency, I will just refer to page 273 of Legislative Council debates of the second Session, Volume I. Instead of repeating myself, I had better read what actually happened there:—

“ In applying for the introduction of this Motion—in making this Motion—I would first of all make it known perfectly well in view of the speech of the President a few days ago in his opening speech, that some people were opposed to the New Constitution, under which we are working now, due to some misunderstanding, that is all. With due deference I would say this, that I am one of those who opposed the Constitution for certain reasons, and one of the reasons is that which I am putting before the Council today, and that is that Nigeria is one of the dependencies in the British Colonial Empire, and is not a small dependency for that matter. Before the war we know the position of Nigeria. After the war we know the position of Nigeria. The New Constitution under which we are working now places Nigeria on the same pedestal as it was before the war, except that it makes it more feasible for the whole regions of Nigeria to come together to deliberate. We are a Crown Colony of a certain type and that Crown Colony still

the Heads of Departments. They know everything about the working of the various departments of which they are the heads and it is with their advice that the person who is always referred to in some other country as a minister would take advice concerning the smooth working of that particular department, so that there would be no misunderstanding or wrong notion in the minds of some people that the heads of departments, as they are at present, are going to be ousted and cut off their jurisdiction. Such members that are elected into the Executive Council from the Legislative Council would be responsible to the Legislative Council so that the acts of the Government appertaining to their own particular branches of the Government service would be brought to the Legislative Council here, and they would be queried if anything goes amiss, because they are supposed to be representing the people and when they are there (in the Executive Council) they should see that the interests of the people are uppermost in whatever they do in their various departments. This is called responsible government. It has been the clear policy of the British Imperial Government that the dependencies are being taught to be able to govern themselves and that is what I mean when I say that we would like not only to discuss the doings, misdoings and non-doings of the Government; we want to participate in the government in a small measure, because the departments that are referred to here are really the departments which would be left in the hands of the members who would be elected for that purpose for those particular departments. For instance, Land, Agriculture, Education, Transport, Health and Social Services. As for Land, we have an officer in charge of the Lands Department. He does not know anything about the native land and custom governing land tenure in the different areas of Nigeria and the only thing he knows is that there is Crown Land somewhere and he is only interested in that Crown Land. We would like someone who is interested not only in Crown Land but also in land of individual persons when these lands are being invaded either by the Government or by private individuals, should speak with authority. Agriculture—it does not necessarily mean that a person who has qualified in the science of agriculture, can just come out to Nigeria and be able to understand the complicated problems of agriculture in Nigeria, because these are also very closely attached to land tenure in this area in this particular part of the world, and so a person who is a representative of the people will be in a position to formulate or join Government in formulating a policy for that particular department. Education is another matter which is so important and we cannot just leave alone at this time. The kind of education we want and how we want it are things which should be decided by the people themselves—and the technical expert who is the head of the department at present should go into the problems and find ways and means of getting that particular policy to work smoothly. The same thing applies to Health and Social Services and Transport. Happily since this motion was tabled at Kaduna in March this year we have heard from

by Africans in discussion of their own affairs—it is greater participation in the discussion of our own affairs—we don't want to discuss our affairs, we want to manage it as well. Are we being

our sister Colony of the Gold Coast, and we were really very happy at that, that the Governor of the Gold Coast had evidently intended to give responsibility to Members of the Executive Council of that country before the Commission of Enquiry that went there recently recommended such a move, and the Governor over there is not waiting until the time that has been scheduled in the constitution that is working at the moment for revision (of the constitution) before he makes that move and that has been stated in the Summary of the Report of the Commission of Enquiry into Disturbances in the Gold Coast, 1948, and of the Statement by His Majesty's Government on the Report. It is a Government publication. It reads at page 6 as follows:—

“ His Majesty's Government observe that the discussion of the new constitutional arrangements and the subsequent drafting of the constitution will necessarily take time, and that the re-organization of the central administrative machine of Government will be complicated. In order that there may be no delay in the latter process the Governor of the Gold Coast has suggested that, subject to the approval of the Legislative Council, the member system should be introduced at once and two African Members given responsibility on the Executive Council for groups of departments without awaiting the discussion of the constitution generally, subject to local agreement, His Majesty's Government would be prepared cordially to accept this proposal ”.

So that it does not necessarily mean that we have to wait until the day that we have stipulated in the New Constitution under which we are working now before any change for the better is made. It would be quite a different matter if this motion were brought only this time into this House. It might mean that one is making a carbon copy of the recommendations of the Commission of Enquiry that went into the matter in the Gold Coast, but happily this motion has been before this House since March and it is very wonderful that it contains what that Commission of Enquiry recommended for the Gold Coast. With due deference to what Your Excellency said at the opening of this meeting some days ago, on Tuesday, you made it clear that about the beginning of 1950 we shall be entering into a new era as regards the constitution. I would say, Sir, with due deference that something could be done earlier than that. We could take a leaf from our brothers in the Gold Coast and if His Excellency the Governor over there has thought it fit to allow some measure of responsibility be given to the people of the Gold Coast in formulating the policy and in the management of their own affairs, I respectfully submit that the same measure ought to be applied in Nigeria. With these few words I beg to move the motion which stands in my name.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Sir, I beg to second.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, in rising to support this motion I do not know how far it is consistent with the statement made by Your Excellency on Tuesday about the proposed changes in the Constitution, but I feel I should support it for four reasons. Firstly, it involves a fundamental change in the Constitution of this country so far as the exercise of executive power is concerned. Secondly, it seeks to introduce a system of ministerial responsibility. Thirdly, it accords with the submissions which were made to the Secretary of State last year by a political mission of which I was a member. Lastly, it represents an advance towards self-government.

If self-government is the declared policy of His Majesty's Government, I feel that we could travel towards it by considering the merits of this motion and thus accelerate our travel to that goal. I think, Sir, that this is a progressive motion in certain respects, that is, when we compare it with the present Constitution, but whilst I support it, yet there are certain points with which I am in disagreement, but not fundamentally.

I feel that although it is necessary for us to have ministries of Land, Agriculture, Education, Transport, Health and Social Services, yet we could go further. There is no reason why we should not also have ministries of Labour, Works, Communication, Finance and other ministries which are well known to those who have studied the ministerial system of government. Secondly, the granting of political responsibility should not be done on a piecemeal basis. The people of Ceylon, after giving the Donoughmore Constitution a trial for many years, decided, after the Soulsbury Commission, to abandon this system and introduce real self-government. Personally, I feel that if our Constitution is to be changed so that we should have ministerial responsibility rather than go through the stages of Crown Colony Government, Representative Government, and Responsible Government, why not go straight to Self-Government? If the people of this country should discuss and manage their own affairs, why, if they are found fit and they feel that they are fit, should not they assume full ministerial responsibility with guidance since, according to the motion, technical experts are envisaged. Lastly, I feel that the question of the time element is also vital. Your Excellency indicated that in 1950 there would be a change in the Constitution but, according to this motion, the changes envisaged are not intended to be made now. Personally I feel that if it can be made now and if it accords with the wishes of the House, it should be made now, and if it is possible for it to be made next year, then it should be made next year. But to leave it indefinitely, I should not support that. So far as the motion is concerned, I am supporting it, the only disagreement I have is that more ministries should be added, ministerial responsibility should not be done on a piecemeal basis, and the time-factor should be definite. I support the motion, Sir.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, in speaking to this motion I wish to point out that although we hope that a change will be made in the very near future regarding the present Constitution, it is well for the Government to know that we do wish that such a change should be made as soon as possible. I should like to support this motion. I support it, Sir, because in getting into the Executive Council of Nigeria you are giving us a chance to learn. We are all aspiring to the position of final responsible government. We cannot have responsible government unless the people of this country shall have learned first how to govern. We have got to know the inside administration of this country before we are able to lead our own people. Therefore, Sir, in keeping with the present Constitution which has given us the privilege of sitting with the Government and listening and formulating and helping to carry out the policy of Government, we also hope that we would go up to the higher level, where we should be able to know what is going on. Criticisms are levelled against Government. These criticisms are sometimes unjust, and sometimes just. They are unjust because we criticize in the dark. We really do not understand the situation and therefore our criticisms go amiss. When a person is in the game, so to speak, he should certainly know what he is talking about, and he, as an African like myself—if he knew what was going on in the administration of Government he should certainly be in a position to explain both sides to his people. I should be able to direct them knowing what was the truth. That is why, Sir, I am in agreement with the mover of this motion. We hope, Sir, when this Constitution is changed, and I really thought that nine years was too far to wait, because at present we ought to know the present position of this New Constitution, we should be able to put down on paper our agreement and our dissatisfaction, and therefore, Sir, I wish to support this motion. Thank you, Sir.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

Your Excellency, my own headache arises not from the motion as such but from my fear as to whether we show ourselves fit for political responsibility. I think, Sir, that we are well advised to show more evidence of that responsibility before asking for more powers and no right thinking man will say that in the last two years we have shown evidence of that responsibility. I think it is in the sphere of local government that we do our schooling in politics and while I am in sympathy with the motion, I am inclined to think it is like paying attention to the roof of a house and neglecting its foundations. I think the pace of our political advance is in a large measure in our own hands, and I note that fortunately the mover of the motion does not say when. If he had said now, I would say that it is a little premature. As I said at the beginning, I am in sympathy with the motion and the principle underlying it, but I think it is all largely in our hands as I have said before. I would

like to see, Sir, a great devolution in the sphere of local government and that will be apprenticeship, which if we serve well more powers will be given us. I should like to remind members that really efficient Executive Council work will require full time unofficial members. That may be a matter of detail, but when the time comes it might be necessary to relieve such of our members as are appointed from all other duties, because if I am not mistaken, Your Excellency, the Executive Council meets about fortnightly, or perhaps more often, and if members are to come from the North and from the East it does not require much imagination to see that the private work of members from these Regions will be shattered if they are going to give anything like efficient service. As I said, Sir, I do not oppose the motion as such but I just say a few words to warn my friends the unofficials that this is a question of asking for more responsibility and asking for a privilege, and we should make certain and make sure in the interest of Nigeria that we have shown fitness for political responsibility. I should like to recommend, Your Excellency, if I may, that you turn the matter over in your mind at the revision of the constitution which you promised at the opening of this session, but I want to leave no doubt at all in the minds of members, officials and unofficials, that I have my fears that if you give us political responsibility prematurely it might postpone the day of our autonomy. If we do it badly we show to the whole world that we are not fit to do it and our tutelage will be prolonged. If we do it well we shall become a dominion in a short time. Thank you, Your Excellency.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Your Excellency, when I seconded this motion I did not speak. I feel, Sir, that the wisdom of the saying I am going to refer Your Excellency to is not confined only to the religious field. It is extended universally to the political field, the social field, as well as to the economic field. I am not giving that reference verbatim but in a paraphrased form. It runs thus: "Prepare ye the way of the Lord; make his path straight; raise up the valleys; level the hills". Your Excellency, I feel that whatever organization might be established by mankind, that organization or government must have a preparation made for its beginning. The system of government we are having now, as I am made to understand, serves as a bedrock and a corner-stone for self-government in our country. If it is such, the Government has made promises and put us up to aim at and direct our movements towards that goal. I feel, therefore, Sir, that we have to make practical preparations for self-government. Promises fan the flame of hope; hope breeds expectation; and manifestation of expectation is preparation. There is no offence committed in making preparation for realisation of a noble ambition, and for achievement of a desired end. "Native" Administration and the central Government point their fingers to self-government in Nigeria. Promises made to us time and again

must be implemented; and Your Excellency has adopted the right and proper method and policy of knitting your high personality with Nigeria by means of friendliness, order and peace. So, Sir, I feel that the appointment of African unofficials or Nigerian un-officials to higher posts is preparation towards self-government. There is wisdom for Your Excellency and all the Honourable Members of this House to support this motion. Our unfitness or greenness for self-government is a qualification for us to make preparation for the beginning of that most desired end. It has been truly said that many politicians of our time are in the habit of laying it down as a self-evident proposition that no people ought to be free until they are fit to use their freedom. That maxim, Sir, is worthy of the fool in the old story, who resolved that none should go into the water until he learns to swim.—If men are to wait for liberty until they become wise and good in slavery, they may indeed wait for ever. I feel, Sir, that it is gratifying to make preparation for the beginning of self-government.

“ God is our Guide! No swords we draw,
 We kindle not war's battle fires,
 By reason, union, justice, law,
 We claim the birthright of our sires;
 We raise the watchword ' Liberty.'
 We will, we will, we will be free.”

I thank you, Sir, for giving me the chance to support this motion so vehemently.

The Hon. the Chief Secretary to the Government :

On a point of order, Sir, may I point out that it is not in order for strangers to express either approval or disapproval.

His Excellency :

In case the members of the public here are not aware of the fact, applause and noise are not allowed.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown) :

Your Excellency, while I do not rise to oppose this motion in principle, I think there is nothing much that should move us at this stage to be so very anxious to have immediate self-government or anything more than you have definitely stated in your address, which unfortunately I was not here to listen to, but I have carefully read Your Excellency's address and I should like to quote an extract which, I think, answers the position very well :

“ As Honourable Members are aware it was originally proposed that the new constitution should remain in force for nine years and should be reviewed at the end of that period, though limited changes might be made at the end of the third and sixth years. Nine years, as Lord Milverton, said, is not a long time in the history of a country, and we are now little more than half way through the first period of three years. The progress already made however, has been, in my considered view, so rapid and so sound that I suggest that we might be

justified in reviewing our timetable, and that we might consider together what changes should be made, and whether they should be made earlier than originally intended. I accordingly propose that if it is the wish of this Council and of the country that earlier changes should be made they should be introduced not at the end of nine years but in the second three-year period which will start at the beginning of 1950."

I think, Your Excellency, that was sufficient in my opinion for anybody who really wishes Nigeria to progress on the right lines towards our aim of self-government. I would have supported the motion wholeheartedly if since the beginning of this Constitution, and particularly since our last meeting at Kaduna, we had seen some signs of responsibility amongst our leaders who would have us believe that we are sufficiently ripe at this stage to assume self-government, and I am referring, Your Excellency, to my appeal, though it has fallen on deaf ears, it has not been heeded at all. I read from my speech which is published in the Hansard, Sir. Part of it reads thus:—

"Sir, I would very solemnly and seriously appeal to the Nigerian Press Association, newspaper proprietors, editors and reporters to alter their courses of action if they truly desire to see Nigeria march on towards the ultimate goal of self-government. It is said that you shall know truth and the truth shall make you free. Truth is not a matter of book learning or subtle reasoning or disputation or controversial skill. It consists of right-thinking and right-doing and nothing can transcend the right. The truth about whatever may be said or done by Government, heads of the various departments, Members of this Honourable House, Members of the House of Chiefs and Houses of Assembly can, I believe, be always and invariably verified without much difficulty, from the right sources to obviate distortions, misrepresentations and misinterpretations, etc., which now cause endless trouble, misunderstandings, suspicion, hatred and ill-will in our country. We need a United States of Nigeria or one Nigeria with a truly united front and this cannot be achieved while we continue to make needless disparaging attacks in the press or certain sections of it. The mass of our people are still illiterate and a class of our young people go about misinterpreting newspaper articles to agitate their minds and term this propaganda or diplomacy. I beg to appeal very strongly to those responsible for our newspaper that a change of mind, outlook, attitude and approach be adopted in the interest of Nigeria's progress towards self-government."

Your Excellency, in view of what we have been reading recently in the newspapers of Lagos—certain Lagos newspapers,—I fear very much, and I lay very strong emphasis on that, I fear very much that it would be too premature for us to proceed in the way suggested in the motion, and that we should depend upon what Your Excellency has stated in his speech and wait until that time.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, in rising to speak on this motion I think I should remind Honourable Members of the fate of those members of the old Legislative Council who supported the Richards Constitution. The charge levelled against them was that they had not consulted the country before committing the country to the New Constitution. This morning we are confronted with two motions of fundamental importance. The first one deals with the Executive Council, the second one will deal with the whole future of the constitution of Nigeria. Now, Sir, I can say without fear of contradiction that this motion or its purpose has never been discussed in the Eastern House of Assembly. Nor have we—or rather nor have I—ever had opportunity of sounding the views of the people of the Eastern Provinces. I think, Sir, that I would rather prefer to wait until such a time as I can come here with a declared mandate from my people to say we are agreeable to this motion, this constitutional change, or that we are not, before committing myself to accept the motion or not to accept it. We have been told several times that we are here merely as the record of our constituency's voice. Can we say in all honesty that in supporting the motion or opposing it we are expressing the views of our people? As I said, Sir, I certainly cannot say that I am expressing the views of the people of the Eastern Provinces, but speaking for myself I would associate myself with those members who have expressed the view that until the final reconsideration of the Constitution which is envisaged in Your Excellency's speech, no matter dealing with any constitutional problem can properly be raised, and I think, Sir, that it would be premature to commit ourselves at this stage to any decision either on Executive Council or on the question of federal government. When the time comes it may be that matters will change so rapidly that all our views might be modified, or we might still be of the same opinion, but nobody, Sir, can see into the future, and I would rather that we wait until we come to reconsider the constitution before making any definite suggestions as to what changes should occur. Thank you.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, I find myself in a very difficult situation on this motion. I think there may be some misunderstanding, probably on my part or on the part of the mover of this motion, to think that the Executive Council has more power than the Legislative Council. The Executive Council, Sir, as I understand it, is just an advisory body, and I am not expressing the views of the Northern Provinces, but my own view, and I am inclined to agree with what the Honourable the Third and First Members for the Eastern Provinces have just said, that is, that it is too early, Sir, to commit ourselves to this very important thing, and also, as said by the Honourable the Second Member for the Eastern Provinces, the conditions in the country now do not show that the people of Nigeria have reached a

stage in which they should participate in this manner in the management of their own affairs. I am also referring to my appeal in this Council in Kaduna in March during the Budget session. I appealed, Sir, that we should co-operate to educate young Nigeria to respect authority, to respect the home and to respect tradition and their elders. But unfortunately, Sir, this was not the case. Well, as I say, I find myself in a very difficult situation. Whenever such important things are being discussed about Nigeria, Sir, I feel very uneasy thinking of our very unfortunate position, I mean the position of the Northern Provinces. Now looking at the modern developments, Sir, the Northern Provinces cannot keep equal pace with the other regions, and we feel that whenever we come to this Council to discuss such very important things, that it is not possible for the Northern Provinces at this stage to derive any real benefit from such things, and, Sir, some people accuse us for opposing such things, but in reality we are right. We cannot keep pace with the other Regions and the other Regions are not willing to wait for us. And so, Your Excellency, we also find ourselves in a very difficult position. I think that it is too early to introduce such a motion. We from the Northern Provinces, Sir, are opposing the motion.

The Hon. the Chief Secretary to the Government :

Sir, I should have preferred, like the Honourable the First Member for the Eastern Provinces, to defer any general comment on constitutional issues until the next motion on the Order Paper is taken, for it is perfectly clear that the two subjects raised in these motions are so closely bound up together that it is almost impossible to discuss the first without discussing the second. But I feel that it is necessary, nevertheless, to make the view of Government clear before the Honourable Member who proposed this motion replies, and therefore, Sir, I will, if I may, make one or two brief comments, not on the question of principle but on the question of procedure. I shall not say a single word about the question of principle involved. I am not at the moment concerned with the question of the aims of our constitutional policy, although I believe that there is a very wide measure of agreement in this country upon these aims. I am concerned only with the method of achieving them. Now, Sir, you have already told us that within a matter of months, not years, we shall select a committee of this Legislative Council to review the constitution of this country. You have proposed to us that after an interval for public consultation this Council shall carry out a full review of our constitutional position and the progress which we should make in the future. I suggest to you, Sir, and I suggest to this House, that it would be the gravest mistake if, after an hour's debate in this Council without, as the Honourable the First Member for the Eastern Provinces has pointed out, consultation with the Houses of Assembly, if we were to proceed to commit ourselves on two of the great issues which are to be discussed next year. I remember that it was said of another administration elsewhere that it was the accumulated patchwork of occasional accommodation.

We do not wish to have that criticism levelled at our administration. We do not wish to deal with these great issues one by one in motions raised in this Council without prior public consultation.

I believe that every one of us feels the great weight of responsibility which will rest upon us next year when we meet together in Select Committee to carry out the full review which you have invited us to undertake. Therefore, Sir, for two very strong reasons I would urge the mover of this motion that he should not proceed with it at this stage.

The first is that constitutional matters cannot be dealt with piecemeal. The question of the composition of the Executive Council and the powers of the Executive Council is, of course, Sir, closely related to the question of what power is to be exercised in the Regions. We have heard reference in Your Excellency's speech to an announcement which was made by His Honour the Chief Commissioner for the Western Provinces only a month or so ago regarding an arrangement already in force for members of the Western House of Assembly to co-operate with the Regional Heads of Departments not only on questions affecting legislation, but on questions affecting policy and on questions affecting the executive actions of Government. My honourable friends from the North know that a system on the same lines has already been introduced in the Northern Provinces, and I know that it has also been introduced in the Eastern Provinces. Those are moves which I am sure the Honourable Mover of this motion will welcome. But it would be impossible, or certainly it would be wrong, to attempt to decide on the composition of the central body before we have considered the composition and functions of any executive authority on which unofficials are to sit in the Regions.

The second point is one which I need not labour, because it was mentioned by my Honourable Friend the First Member for the Eastern Provinces when he pointed out that in these matters of constitutional advance, public consultation is of first consequence. There was criticism when our present Constitution was introduced—that it was too hurried, that there was insufficient opportunity for the people generally to comment. I am sure that we must make perfectly certain that the same criticism is not made next time. It is of the utmost importance that full time should be allowed for public consultation. That is the policy on which Your Excellency has insisted. That is the policy which, I believe, is welcomed in every part of the country. I believe that if we were to proceed to conclusions on the two motions which we have before us this morning, we should be doing a grave disservice to the progress which we wish to achieve. We must examine, as the Third Member for the Eastern Provinces said, we must examine not only the roof but the foundations. We must examine the whole house and decide what kind of house we are to live in, may be for a generation to come. I strongly urge upon the mover of this motion;

Sir, that he should withdraw this motion, but that he should withdraw it on this assurance—that the matters which he raised will of course be for consideration by the Select Committee of this House, to be formed next year. With that assurance I hope he will agree to withdraw, because I believe that it would be the wish of this House that he should do so. It would be unfortunate if now that, as I believe, a new era in the history of Nigeria has been opened up following the speech which Your Excellency made to us at the beginning of this Council, we were to disagree on what is, after all, a matter not of principle—not of policy—but only of procedure. If the Honourable Member were to press his motion to a division, then, on behalf of the Government, we should oppose that motion. I think that it would be the greatest pity if, when we are setting out on a new course, we should appear to have a division of opinion which, in fact, I do not believe exists.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, before I give my answer in reply to the question raised by the Honourable the Chief Secretary to the Government, I should like to point out one or two things in the discussion we have had this morning on the motion. In the first place it is very much amusing that some members of this House have not appreciated the point that, already, there are members—unofficial African members—on the Executive Council. One is a member from the North and another from the southern part of Nigeria. So that to say that taking anybody into the Executive Council at this time will be of no use is really very misleading. Another point I would like to bring before the Council now is that one or two members mentioned that because there has been some dispute among some so called leaders in Lagos therefore the whole of Nigeria must suffer. I doubt very much if that is very much in keeping with what should be the policy of an august assembly like this. If anybody goes wrong, kick him out and put somebody else in his place, unless you feel that that person is absolutely indispensable. Again, this motion was tabled at Kaduna in March. There has been a lot of opportunity for everybody to take it to either the Houses of Assembly or the House of Chiefs. Representatives of these Houses were present at the meeting at Kaduna so I am really very much surprised to hear that the motion is before us for the first time, or that some people got a big bag of surprise when the motion came before them. I am very much amused at such a thing. Now the question that has been raised by the Honourable the Chief Secretary to the Government is really very important and it weighs very strongly in my mind, and I agree with him entirely, especially when he put the rider that the points raised in these motions—in these two motions, I believe—would be considered in this House in due course when the Constitution is to be revised, and I sincerely hope that as Your Excellency has pointed out in your speech, that a Committee will be set up at no distant date to consider the revision of the Constitution, such Committee would be set up early. But I would like it to be

accelerated, and with that assurance from the Honourable the Chief Secretary to the Government, and from your Excellency, I shall withdraw.

Motion withdrawn by leave of Council.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, what has applied to the first motion I would like to apply to the second one which reads as follows:—

“ Be it resolved :

“ That this Honourable House approves of the unity of
 “ Nigeria by federation of the various regions which
 “ should become autonomous in due course, and that
 “ the whole country be developed towards self-
 “ government on this federal basis.”

Motion withdrawn by leave of Council.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, I beg to move the following motion, standing in my name, which reads as follows:—

“ Be it resolved :

“ That for purposes of records and history and with
 “ the consent of this Council one copy each of all
 “ books, periodicals, magazines, and gazettes
 “ printed and published in Nigeria shall be placed
 “ in the Library of the University College, Ibadan.”

Sir, the establishment of a seat of learning and culture like the University College at Ibadan is history made, and is something that should arouse not only our keenest interest but also our pride and our applause. I wish to deal, Sir, with only one aspect of the College, and that is, its library. A College library is one of its landmarks, and it forms an important part in the life of the College, if I may say so. In many well ordered and regulated library one at once experiences a sense of quietness, of peace and restfulness. There comes the unpoken urge to read and to think and, naturally, to acquire useful knowledge. We hope, Sir, that the library of the University College, Ibadan will not only serve its immediate owners, who are the students and the teaching staff, but will also be of great benefit to Nigeria as a whole. Nigeria is a young and growing country. She is making history here and there, and her aspirations in the realms of politics, of education and of general advancement are well known to the rest of the world. I would like to take this opportunity, Your Excellency, of sounding a warning note, and to appeal to all Nigerians to see to it that we make history which shall give to our coming generations and posterity a pride of place among the nations of the world and a heritage untarnished and unique. In the past we have made no records of any kind appertaining to our customs and culture and the like. Even now we are still far behind, and we are not very enterprising in this most necessary item in the programme of our march to progress, but I am happy

to say, Sir, that a start is in evidence everywhere. There is a fever of unrest to identify ourselves not only with the Commonwealth of the British Empire but also with the world in general. We have budding authors, both in the vernacular and in the English language. We have men and women trained to practise medicine scientifically in all its forms. Our legal representatives are doing us the greatest service in their different spheres of work. The teaching profession is attracting, or will soon be drawing, men and women of the highest calibre to its fold. Everybody is beginning to realise that we need engineers of the highest grade, not only in academic qualifications but also in experience and skill. All these people, Your Excellency, are bound at some future date to wish to record their experiences in book form for the benefit primarily of Nigeria and secondly of the world. Already the Press of this country is bringing its influence to bear upon the minds and thoughts of the people, though, alas, I regret to say, Sir, that personal security and self interest have at times blinded its sponsors, to the detriment of its readers. Nevertheless we hope, Sir, that in due course we shall learn, both by our mistakes and from our experience. It is well for us, therefore, Your Excellency, to see to it that records of such books and periodicals are placed and preserved somewhere for future reference and guidance for the generations to come. The library of the University College, Ibadan, seems to me to be the most suitable place. As an institution of learning its library will surely grow and will certainly house the records and books from and of other countries. I should feel happy to know that its library will also have a place for books and magazines, etc., produced and published in Nigeria. I believe, Sir, that in other more advanced countries the Press always reserves copies of their newspapers and other periodicals in their own archives. Some people may say that the Press in Nigeria should do the same. That may be so, Sir, but I do not think that this should in any way prevent us from taking official action. For I also believe, and I am open to correction, Sir, that not only the library of the British Museum, but also those of the Colleges and Universities of Britain, keep records and copies of such periodicals and publications. It is true that in Nigeria we have other libraries like those of Tom Jones and the late Doctor Carr, which might serve the same purpose. That may be so, Sir, but it would be in consonance with progress to start fresh or in tune with the library of our new College, and resolve, Sir, that for purposes of records and history, one copy each of all books and periodicals and gazettes printed and published in Nigeria, should be placed in the library of this University College. This should not normally involve the College in any fantastic expense. The expense should be the minimum necessary. Authors and newspaper owners should count it a privilege to offer complimentary copies of their books and periodicals to the University College.—Even if this motion had never been made, one would naturally suppose that this would be the case. Therefore, in the light of this resolution I appeal through

you, Sir, to all Honourable Members of this Council, to the Nigerian public, to the Press and successful authors, and finally, but not least, to the Government Press. I look forward to a spate of response and enthusiasm which would demonstrate all too clearly how very much we appreciate and welcome the establishment of this much longed for institution in Nigeria. Sir, I beg to move.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Sir, I beg to second.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien) :

Your Excellency, in supporting this motion, Sir, this much have I got to say. That the beauty of a picture depends upon its background. An educated man without a library, however few it might be, is like a carpenter without tools. I feel, Sir, that any institution such as Colleges, Universities or other ordinary schools without libraries would not make headway in attaining their end. I am very much pleased to see, and to know, that such a motion has come to this House, so as to encourage not only institutions, but also individuals: in order that when we speak in this House or elsewhere for the noble and laudable cause of humanity, or for promotion of any constructive and constitutional enterprise, we may do so with authority and succeed.

Sir, I support the motion.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku) :

Your Excellency, with the permission of the mover of this motion, I beg to move an amendment. The second line of the motion in the printed Order of the Day. Between the words "one" and "copy", that the word "complimentary" be inserted.

The Hon. the Financial Secretary :

I second the motion, Sir.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

On a point of information, would it not require legislation to compel publishers to give a complimentary copy? Suppose they choose not to do that?

The Hon. the Chief Secretary to the Government :

I will ask the Honourable the Director of Education to mention that point when he has some comment to make presently.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

Your Excellency, in rising to support this Motion I only wish to state that at the last Budget Session permission was granted me by this House to introduce a Bill intituled "Periodicals and Book Ordinance". I might say, Sir, that what has been indicated by the Honourable the Fourth Member for the Eastern Provinces is already incorporated in the Bill, only that Ibadan University College was not specifically mentioned. I was happy, when I

received a copy of the Motion, to observe that he was introducing this Motion to this House. With reference to complimentary copies, under the present Newspaper Ordinance they are sent to the Government, and I take it that when my Bill comes before this House this motion will also be taken into consideration.

The Hon. the Director of Education :

Your Excellency, I rise merely to say that Government is in sympathy with the objects outlined by the Honourable the Mover of this motion and with his exposition of library needs. I should add that the carrying out of the resolution will, as the Honourable the First Member for the Eastern Provinces suggested, require legislation. The Honourable Member who moved the motion led the Council to suppose that he had in mind a "copyright" library or, in effect, a local Bodleian library. If that is so, Sir, certain legislation will be required; but may I suggest to my Honourable friend that the first move should be with the University College and that since he is one of the two members elected by the Honourable Unofficial Members of this Council to serve on the Provisional Council of this College it will be open to him to raise the matter at the next meeting of that Council so that the views of the College authorities may be represented to Government.

I repeat, Sir, that the terms of the motion are acceptable in principle to Government, though it will be clear to my Honourable friend that the College Librarian will have to be consulted on such mundane matters as storage accommodation, and, that done, the question of legislation will have to be considered.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam) :

Your Excellency, I wish to thank the Honourable Members who have spoken in favour of this motion. The Third Honourable Member for the Eastern Provinces suggested an amendment by inserting the word "complimentary" between "one" and "copy". I would agree with this amendment in due course, but I propose to suggest now, taking the advice of the Honourable the Director of Education, to invite the attention of the University College authorities to this motion, and I may mention, Sir, that I had already done so. I sent a copy of this motion to the Principal of the College, and although I have not had a reply from him I take it that he is willing that this motion should come before this House. The question of legislation had really never occurred to me, though I did think that you would have to do something to make authors realise the necessity for supporting this motion. And, therefore, Sir, with your permission, I would like this motion to be postponed for six months from today, and after I have consulted the authorities of the College, with your permission I would like to bring it up again.

His Excellency:

Is that agreeable to the mover of the amendment?

The Third Member for the Eastern Provinces (The Hon. A. Ikoku):

Sir, I beg to second.

Consideration of the motion accordingly deferred upon this day six months.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, I beg to move the motion standing in my name on the order of the day which reads as follows:—

“ Be it resolved :

“ That this Council approves the deletion of the word
 “ NATIVE from the statute books, official records and
 “ documents, and other kindred and relevant papers
 “ pertaining to the business and administration of
 “ the Government of Nigeria, and that the words
 “ AFRICAN or NIGERIAN be substituted therefor where
 “ appropriate.

“ And further, be it resolved :

“ That the word NATIVE be no longer used in the statute
 “ books, official records and documents, and other
 “ kindred and relevant papers pertaining to the
 “ business and administration of the Government of
 “ Nigeria, and that the peoples of Nigeria be
 “ correctly designated NIGERIANS or AFRICANS, and
 “ such other proper nomenclatures which do not
 “ savour of or imply degradation.”

Sir, in proposing this motion, I am not in any way trying to lay down rules and regulations for the use of words, nor am I trying to effect a change which would deprive people of their rights of freedom of speech. But, Your Excellency, the word “ native ” has been for generations applied solely to Africans and other non-European peoples, and has, unfortunately, come to be synonymous with these people. In other words, this word “ native ” has been so abused that it has lost its real meaning and significance. After all, Sir, the word is of Latin origin. It is not, Sir, of African origin at all and it means belonging to or originating from. It is applicable to every individual in the whole world. Why, then, should it be a monopoly or a special peculiarity of those born in places other than Europe or America. I suppose, Sir, that the black man got the title “ native ” conferred on him because he was primitive, uneducated and savage. And so the word degenerated into abuse and degradation in so far as it is applicable to him. But other peoples of the world have also passed through the primitive stage and they were once uneducated, uncivilized and very savage indeed. History says so. In spite of all that, this word “ native ”

has not been tied permanently and eternally round their necks as is the case with the African. People may have been right to call us "natives" or "native races" because of our backwardness only in so far as we have not acquired European civilization. Undoubtedly we had our own civilization, though it may not have been of the first grade. Surely Europe did not teach us our own way of farming, nor taught us how to build our own houses. Our people navigated their own rivers in their own made canoes. They may not be like the R.M.M.S. *Apapa* or the *Accra*, but they served their needs all the same. The works of art of Benin and Awka smithies, the potteries of the Ogoja Province, the highly organized people of Yorubaland and the kingdoms of the Hausa people are all evidence of our peculiar civilization and culture and that the African was not as primitive and backward as he was made to appear. And even if it were so, which nation or people was never primitive. I ask this question, Your Excellency, with all the words in the sentence in block or capital letters. I think that the African is coming into his own and he objects to the degrading manner in which this word "native" is applied to him. We hate it, Sir, and we refuse to accept this discrimination of nomenclature. It is the duty of this Government, Your Excellency, to look into this matter most sympathetically and put a stop to it. We cannot stop anybody using this word in a derogatory sense, but we seek for a ruling to stop its use in the official records of this country. Why not the Egba Local Administration instead of the Egba Native Administration? Why Native Law and Custom instead of Yoruba Law and Custom, or Ibo Law and Custom as the case may be? Why not Kano Local Administration instead of Kano Native Administration? Why native races as applied to us, why not African races? So long as the Government of Nigeria persists in using this word in official documents, so long will the outside world continue to insult us with this hurtful appellation. I have had the indignity of being called a native while I was temporarily domiciled in Britain. The person who addressed me as such showed crass ignorance, of course, and I forgave him. But it stands to reason, Your Excellency, that the black man must forever be a native no matter whether, dead or alive. Coming through Ibadan some time ago I stopped to admire the War Memorial to those gallant men who gave their lives for King and Country. One side of the Memorial had the following inscription "In memory of the officers, British N.C.O.s, Native N.C.O.s and men of the Fourth Battalion, Nigeria Regiment, who fell in the Cameroons Campaign, 1914-16 and the East African Campaign, 1916-18". I ask, Sir, why "Native N.C.O.s"? why not "African" or "Nigerian" N.C.O.s as against British N.C.O.s? After all the bravery and courage displayed by our men, they must go down for ever on a war memorial as natives, even when they made the same supreme sacrifice as their British comrades-in-arms. I believe, Sir, that I am speaking for and on behalf of all Nigerians and

Africans. We do not object to the correct usage of this word. For an example, I *am* a native of UNWANA. There is no quarrel about that whatsoever. A species of plant is native to a place, meaning that it originates from that place and can only grow there naturally. Sir, I am not here to make a mountain of a molehill but sometimes small things do matter very much and this one is of great import to us. It is a question, a delicate question, which touches the heart and dignity of our people and race, and I submit, Your Excellency, that it is incumbent upon this Council to do something positive about it.

I realize, Sir, that if this motion is adopted it would involve much time and expense in carrying out the terms of the first part of my motion, but the time and money expended would be worth while if the Government has, as no doubt it has, the interests of the people of Nigeria at heart; and if Government respects, as no doubt it respects, our wishes and rights and aspirations. The peoples of India are designated Indians; the peoples of China, Chinese; those of Italy, Italians. We have the Japanese, the French, the Americans, the English, the Scottish and so on. We of Africa and Nigeria claim to be called Africans or Nigerians and I think our claim is right and legitimate. I ask, therefore, Your Excellency, that this Honourable House and Council approves that the word native be deleted from the statute books, official records and documents, and other kindred and relevant papers pertaining to the business and administration of the Government of Nigeria, and that the word African or Nigerian be substituted therefor where appropriate; and I further request that this word be no longer used in the statute books, official records and documents, and other kindred and relevant papers pertaining to the business and administration of the Government of Nigeria, and that the peoples of Nigeria be correctly designated Nigerians or Africans, and such other proper nomenclatures which do not savour of or imply degradation. Sir, I beg to move.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Sir, I beg to second the motion. The motion, Your Excellency, carries with it the wish of Nigeria, yea of Africans as a whole. It is the ultimate wish of our people, not only the literate sections, but also the mass of illiterate ones, represented by the literate sections of this House. I refer Your Excellency briefly to what obtained in the last budget session at Kaduna. I am referring to page 361 of Volume I of the debates of the last Council. At the foot of that page it was stated by the speaker now on the floor thus:—

“ Your Excellency, in order to avail ourselves of the good wishes and best intentions of our Government, I am inviting your attention to the system of Government we now have in

Nigeria, namely, the 'Native Authority'. Money has been expended in that direction. I dare say, Sir, that under that system of government we shall never be able, as the Government wishes, to bring about self-government in Nigeria. 'Native' authority or 'Native' administration cannot march up in a straight line to 'self-government', because the word 'Native' helps very much to set back the hand of the clock of governmental advancement and progress of Nigeria. That word 'Native' has as its original meaning 'born-serfs', 'hewers of wood', 'drawers of water'. If, therefore, the term 'Native' means 'born-serfs', that is quite contrary to the system of Government which intends Nigeria to be free, independent and self-governing, which is supposed to be the ultimate goal of and desideratum for the 'Native' Authority".

And the last reference reads thus:—

"Some time ago, Sir, in the old Constitution in my maiden speech I did express—that was in 1938-39—that all Nigerians and the Cameroonians be brought together into this one family for unity and co-operation. In that speech I referred, Sir, to the Britishness of the policy of our Government by giving us appointment to the Legislature and granting us the franchise though so limited. Having given us appointments to come to this House, freedom of speech without fear or favour is uncompromising. Nevertheless, consideration for the laws, rules, bye-laws, orders, orders in council, Ordinances governing this House do hold good. Therefore, Your Excellency, under the term 'Native' Authority I beg leave to suggest that the name 'Native' be altered to the word 'Local', 'Local Government', 'Local Authority' instead of 'Native', because 'Native' carries with it the meaning, policy practice, and the life of 'born-serfs'".

Your Excellency, that was what obtained in the House during the last budget session of this House. I support this motion, Sir. As I said before, it is the wish of our people that we should advance in every possible way. We should not let our old terminologies and colonial practices set back the hand of the clock of our progress and advancement towards the goal of human attainments.

I will not do my duty if I fail to pay tribute of thanks to the Honourable Mover of this motion, for the able and expedient manner in which he has thus co-operated with me to get that insulting and degrading term "Native" expunged from official dictionary and popular parlance of this country. This is the kind of co-operation this Council needs. It is very encouraging. Therefore, I sincerely thank the learned Doctor for the unqualified support he has given me in this motion of his.

With the same coins I am making repayment of that co-operation by giving my support, on all fours, to the motion.

The Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa):

Your Excellency, I sympathise with the mover of this motion, Sir: Now this may be that we don't experience such things in the Northern Provinces because of lack of education. Many of our people do not understand English. Although I don't see why we should argue on an English word, which is a foreign word, but still the Northern Provinces are willing to let the Eastern Provinces and the other Regions go their own way and we are supporting this motion. But, Sir, we are afraid what the legal implication will be concerning the motion. That is, if this change, which is to come, will mean that we shall lose the status, we shall lose the control of our Native Administrations or our Native Courts, or people from the other Regions, the East and the West, will be equal partners in the running of our Native Administrations and our Native Courts, we would like this motion to be amended. It should affect the Eastern Provinces, Sir, or the Western Provinces. We support it, but if that implication which I have in mind is going to come because of that change we would like it to be inserted that the word "native" should remain in the Northern Provinces. We are really afraid, Sir, in committing ourselves to such changes. It will be a very serious thing, Sir, if this change will bring about what we fear—one day probably to find an Eastern man or a Western man becoming the Emir of Kano. Well, this change, if that is what is going to come, we propose, Sir, that there should be that amendment, but we would like the Eastern Provinces or the people from the West to go their own way.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

Your Excellency, I support the motion because I am convinced that what the Honourable the Fourth Member for the Eastern Provinces has presented to us is based on the connotation of the term, not necessarily its denotation. I think that he has eloquently stated the case quite clearly, that it connotes something derogatory. He has also made it plain that it is not because we suffer from any inferiority complex, because we do know that people born in other parts of the world are natives of the area, but it is a fact that, historically, the term is being misused.

I am in sympathy with the motion although I do not agree with the Honourable the Second Member for the Northern Provinces that the intention is to enable any particular section of the country to dominate any other section or to interfere in the administration of the North. I did not hear my Honourable Friend from the East make any statement to that effect, and I am sure that he will allay the fears of my Honourable Friend from the North. During his speech, there was no indication whatever that a change of terminology necessarily implies domination or interference. This may be irrelevant to the motion, Sir, but I hope that we would think of

Nigeria in terms of oneness instead of always being afraid that one group intends to interfere or to dominate. After all, we are all Nigerians. Southerners should be welcome to the North and *vice versa*. A change of terminology—the word “native” to read “Nigerian”—I don't see how it could affect our relations other than to make us realize that the denotation of the word “native” and its connotation do not lend to outsiders the prerogative to classify us in derogatory terms, because we do know that science itself does not support this. I support the motion, Sir.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, the use of this word “native”. The time has come when the whole world looks on this term as referring particularly to Africans or to people who are backward in civilization. A few examples, Sir, might help to explain what I mean. I was reading a book written by an Indian two weeks ago and in it he said “In 1919 the British went native in the Punjab”. There was no indication there that the local administration of the Punjab had changed hands. Again, Sir, it was stated that in 1939 the Germans went native, as did the Japs in 1941. These two expressions at least will show that in the context the word “native” meant that these people had lost the bearing of a civilized people and had degenerated into a pack of barbarians. If that is the meaning, Sir, and I am certain it is, then the time has come when we should revise our whole conception of the word “native”, are we right now in talking of “native reservations”, “native location”, “native races of mankind”? If we should have the term “native reservation”, then we should have the term “foreign reservation” because they are contrasting the native with the non-native. But if we are going on continental or racial descriptions, then it is obvious that if you are going to talk of “European reservation”, then the contrary is “African reservation” and as far as I understand the law there is no question of a change in name of Native Administration into Kano Administration or Northern Administration or Nigerian Administration meaning that an Easterner has any right to interfere in the administration of the North. I can assure my friends from the North, Sir, that nothing is further from our minds than to interfere in their affairs, especially when their affairs are such as appertain to themselves particularly and have no bearing on the general issues concerning the country as a whole. I think, Sir, the time has come, as history will agree, that the term should be exorcised from all our official documents.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin):

Your Excellency, in supporting the motion I feel that the word “native” is an inferior term which applies only to the African. We talk of “natives of South Africa”, “natives of Nigeria”.

Why "natives"? In England we have the term "local Government". We talk of "Oxford local Government", "Cambridge local Government". We do not talk of "Oxford Native Government". The word "native" here applies to Nigeria and not to any particular area whenever you are discussing matters with a foreigner—say an Asiatic or an Englishman—immediately he hears the word "native" he takes that particular word to mean inferiority which applies only to Nigerians who are backward. I feel that the word "Nigerian" should be substituted for the word "native". It sounds better, it sounds more civilized and more respectful to the people of Nigeria. When we say "Kano local Government", it is understood, it applies only to Kano. I am suggesting that the word "Nigerian" be substituted for "local". I mean Kano Local Government, Sokoto Local Government, because all over the world, wherever the word "local" applies, people are met on equal terms. I feel that we are becoming more conscious that we are being raised up to a certain standard where we shall be able to compete with other more civilized countries, and we must not try to derogate ourselves.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown):

Your Excellency, I rise to support this motion with all my heart, and the very fact that Government is contemplating at this stage to change the nomenclature of our present administration, Native Administrations, into Local Government in the near future makes me feel as if Government has itself realized that the term "native" is quite inappropriate and rather derogatory to the dignity of Africans or Nigerians. Another point, Sir, is this, whereas you have the Supreme Court, the Magistrates Court, our courts are termed "Native" Courts and the Native Courts are not considered courts of justice. So it may be Sir, that it is the term "native" that render these courts not courts of justice and therefore I submit, Your Excellency, with all the evidence before us, though I am a member of a Native Authority, that this term be changed. If it is not possible, or if it is going to cost us enormous expense to go back and revise all our law books and other official documents, etc., I submit that it cease now and henceforth we have "Africans" or "Nigerians" in its place.

The First Member for the Western Provinces (The Hon. A. Obisesan, O.B.E.):

Your Excellency, I rise to support the motion moved by the Fourth Member for the Eastern Provinces. I was not a member of this Honourable House in the years 1941 and 1942 but I remember, Your Excellency, that in those two years this question came prominently before this House. So much so that when the Right Honourable Lord Swinton came to Nigeria to discuss the question of transport with the people here His Honour Mr Justice Rhodes, who thought that there was a sense of frustration

in Nigeria over this nomenclature "native" put the question before his lordship. "My Lord" he said "How will you combat the word 'native'. When you are referring to African pilots you will not use the word 'native' pilots." I think, Your Excellency, since that time the Government has been kind enough to make some change. That change, Sir, we hope will be statutory so that the complaint now before this Honourable House may be removed. Your Excellency I support the motion.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Sir, in rising to support this motion I would like to point out that in South Africa today you have white men South Africans and you have black men South Africans. The white men South Africans are never referred to as natives although they were born and bred in South Africa. They are never termed natives, but those who are black men, similarly born and bred in that area, and I should say the owners of the land historically speaking, are just termed "natives". And so the term "native" is really very derogatory as far as its use in such circumstances are concerned. I will go further to say that the apprehensions of our friends from the North that if the word "native" were to be changed to something like "local" it might mean a sort of invasion or domination of the Southerners over the North. I dare say, Sir, that Native Administrations or Native Authorities have been generally applied to the whole of Nigeria and there has never been anything like the coming of the Easterners or the Westerners to dominate the North, and *vice versa*, and I dare say that if we change the word "native" to "local" in such circumstances the North has nothing to fear from the South. I support the motion, Sir.

His Honour the Acting Chief Commissioner, Northern Provinces:

Sir, as one who has served a few years in a territory adjacent to the Union of South Africa, I am fully aware of and I can sympathize with the feeling against the use of the word "native" on the part of a great many of the inhabitants of the African continent. I only rise to confirm what the Honourable the Second Member for the Northern Provinces said, that so far as the greater part at any rate of the Northern Provinces is concerned it has never been considered that there was anything derogatory in the use of the term "native" in such expressions as "Native Authority" or "Native Court".

At the time mentioned by the Honourable the First Member for the Western Provinces, which was, I think, some five or six years ago, there was a certain amount of consultation in the Northern Provinces between Residents and some of the Emirs and their Councils and also with a number of younger men who had been college educated, and the reports from those Residents at that time indicated that, as the Honourable the Second Member for the

Northern Provinces said, they none of them considered that this term in such expressions as are used in Nigerian legislation was in any way regarded as being derogatory.

The Hon. the Chief Secretary to the Government :

Sir, in rising to comment on what has been said this morning, I first of all must ask for the sympathy of the House. The Honourable the Attorney-General was to have replied on behalf of the Government, but a few minutes before we came into Council this morning, he pointed out to me that it was of first importance for the work of this Council that he should complete the drafting of the Native Courts law. It is necessary for him to devote the morning to that purpose and I am very acutely conscious of the difficulty of my position—now that he has thrust a bundle of legal papers into my hands and fled. In the course of a long and often ill-spent life I have, I regret to say, on many occasions referred slightly to the legal profession. I was brought up in a largely legal family and I regard my escape from that baleful legal influence as one of the few completely satisfactory achievements of my career. I have always chafed as an official under the restrictions which the lawyers impose upon us. I have always been impatient of legal arguments but never, Sir, until today, have I so badly felt the need of a lawyer at my left hand.

There are two questions before us. First there is the question of sentiment and then there is the question of law. On the first perhaps I may comment but on the second I am afraid I shall be lacking. I am most interested in the motion put down by my honourable friend the mover of this motion, and I might say that there is no person in this country of any race for whom I have a greater respect. His motion seems to me to open up great new possibilities. He is in effect proposing that a word should be banned in Nigeria. I think that there are one or two other words that we might consider banning now that that possibility has been suggested to us. I myself strongly dislike the word "European" as it is used in this country. I do not feel myself to be a European. I am a native of the City of Plymouth in the county of Devon and I do not know of any prouder title than that. I have never regarded myself as being a European and indeed I think I should not be surprised to find that I disagree on many matters with the great majority of the people of Europe. I do not like the term European, and if it were possible, as the honourable the mover of this motion has suggested, to strike out any one word in our laws and in our documents, I would prefer to start with that. But there are, as he knows, difficulties and I shall come in a moment to explain those difficulties. Another word that has been mentioned this morning which I always dislike—I was surprised to hear that it came from the mouth of the Second Member for the Northern Provinces—is the word "backward". In this Council and elsewhere the North is sometimes called backward. I was surprised to hear the word

come from the Honourable Member himself, because as we know very well the North is not backward. The social life of the North is based on a civilization much more than a thousand years old. In many ways indeed the North is ahead of the South—in its ancient traditions and institutions and its ordered system of society and its religious life. It is backward, if we must use the word, only in the number of schools and method of teaching. That is another word I should like to see eliminated from our political vocabulary.

Now we come to the question of the word "native". I have the greatest sympathy for everything that has been said about that. I do not and never have regarded the word as necessarily derogatory but it has been so used and to the extent that it is so used, I too hate the word.

The difficulties arise when we come to consider how it could be eliminated and it is particularly on this point that I wish that the Honourable the Attorney-General were with me. If you are to strike out the word "native" you have to find some new word by which it can be replaced. It was suggested in relation to native law and custom that one might say Yoruba or Hausa or Ibo or Ibibio. I don't know how many races there are in this country but I think that it will be appreciated that if instead of the phrase "native law and custom" you had to make reference to every race in Nigeria, certainly the volumes of our laws would be very considerably expanded. It has been suggested that we might use the word "African" or "Nigerian". I myself very much prefer the use of the word "Nigerian" as I hope—I believe that we have a new sense of patriotism here in Nigeria. But even that presents enormous difficulties. During the sittings of the Nigerianization Commission I remember with great pleasure the many happy hours that I have spent listening to the Honourable the First Member for the Eastern Provinces discussing the use and the definition of the word "Nigerian". We in that Commission spent, I think, as much time on that point as on any other. In the end I think it was the only point on which we had to take a vote. I mention that to show that the question of definition is one of very great difficulty. We used in our Report the word "Nigerian" and then the question arose "Who is a Nigerian?" After long discussion we hit on the solution that we might use the definition of "native of Nigeria" included in the Interpretation Ordinance. I will read you the definition; "Native of Nigeria means any person whose parents were members of any tribe or tribes indigenous to Nigeria and the descendants of such persons; and includes any person one of whose parents was a member of such a tribe".

Now when you come to think whether you could substitute the word "Nigerian" for the words "native of Nigeria" in our legislation, I think that it will not take very long to realize that there may very well be serious complications. There are people in

this country whom we regard as Nigerians but who in fact would not qualify under the test which I have read and if you are to exclude them from the privileges of our laws then you might be creating a most serious situation. It may well be that we can do something to meet the wishes of Honourable Members but I am sure that once you start discussions with the lawyers about the use of the word "African" and the word "Nigerian" and the word "Native" or the use of any other of our racial and tribal titles you will be getting into very deep water. In any event I should prefer that the discussion on that point should be left to the lawyers themselves. My learned friend the Attorney-General did not leave papers to enable me to tell you, nor, I believe, would himself be able to tell you, without long research, what could be done to meet the wish of the honourable mover of this motion regarding documents and laws which are already in existence. With regard to documents the proposal is quite obviously physically impossible. One could not take every document, every register of births and deaths for instance, and ensure that the word "native" was struck out. The term is also used throughout Nigeria in the expressions "Native Authorities" and "Native Courts". As to legislation, in the short time that has been available to the Attorney-General since he knew that this motion was to be raised, he has prepared a long list of Ordinances in this country which would require amendment.

But I suggest to you, Sir, that we are not mainly concerned with any legal point today. We are concerned with a question of sentiment and self-respect and national dignity. The honourable mover said that small things matter. Of course they do. He has also said that the people of this country do not like this word. And what matters, of course, are the wishes of the people of this country. Therefore I would suggest to you two things. I would not vote against this motion, although it may well be impossible to meet all the wishes of the honourable mover. I would indeed, support the motion with the qualification that I can give no undertaking in regard to legislation. It would be quite wrong for me to hold out any hope that in respect of past legislation we can carry out the reform which the Honourable Member wishes. I would only say that we will carry out an investigation to see exactly what the difficulties are. I think we are all much more concerned with the future than with the past. In relation to the future, I should much prefer to avoid the word "native" wherever we possibly can. Sometimes it is necessary to refer back, as you well know, to the existing laws, and we cannot entirely eliminate the use of the word "native"—"Native Administration" for instance. I would prefer to adopt this course—that wherever possible, and wherever we are advised that it can be done, we should abandon the word "native" and use another word—preferably "Nigerian"—I know that some people maintain that it should be "African" and not "Nigerian". My own personal preference is for "Nigerian".

That is the reply I would make. I cannot claim that it is satisfactory, I can only claim that the purpose of the motion, the feeling behind it, has our full support and sympathy.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam):

Your Excellency, I wish to express my thanks and appreciation for the comments made by Honourable Members of this House on my motion. I want to assure the Second Northern Member that he is quite wrong in his assumptions when he was speaking to this motion. If he would remember, I did mention in my speech that we had a culture before the advent of other people into Nigeria, and I specifically mentioned about the great kingdoms of the Hausa people. That should assure him that I was thinking in the interests of the people of Nigeria and not just of a Nigerian. A change of name does not necessarily mean that you are going to change all other ideas. I never implied that the Southerner, or Westerner or Easterner would automatically go up to the North and assume power there. With regard to the comment of His Honour the Acting Chief Commissioner of the Northern Provinces in agreeing to the statement of the Second Northern Member, I would like to say, Sir, that it is not just because a person is illiterate (with due apologies to the Honourable the Chief Secretary) or backward, that you should insult him. It is not because someone does not hear what you are saying, therefore you can insult him, and it is not because he cannot think and cannot help himself that you should down him. On the contrary that is the time when you should be very chivalrous. With regard to the comments of the Honourable the Chief Secretary to the Government, I fully appreciate his difficulties and I think I mentioned in my speech that I do realize that it would involve much time and expense to carry out the terms of the first part of my motion, that is, to delete this word from our official records. I will accept his assurance that every effort will be made, perhaps not to delete this word from all records and documents, but that in future this word shall not be used in official records or shall be used advisedly. As I said before, we do not quarrel with the proper use of this word. We quarrel when we hear it used in a derogatory sense and no more, and I should be very grateful if in future this word, in the compilation of legislation and books and so on, the people who are responsible would remember that we object to this word "native" used in an improper way. Thank you, Sir.

Motion adopted.

The Hon. the Chief Secretary to the Government:

Sir, the Honourable the First Lagos Member is not in his place today for reasons that we well know. I suggest that the motions which follow should be deferred until Monday in case he should be present then.

His Excellency:

In that case the Council will now adjourn until 9.30 on Monday morning.

Council adjourned at 11.50 a.m.

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Debates in the Legislative Council Nigeria

Monday, 23rd August, 1948

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 9.30 a.m. on Monday, the 23rd of August, 1948.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. C. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Third Member for the Western Provinces,
The Honourable T. A. Odotola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- Temporary Nominated Member,
Major the Honourable H. E. Wilson, E.D.

ABSENT

UNOFFICIAL MEMBERS

The Second Member for the Western Provinces,

The Oni of Ife,
 The Honourable Aderemi I, C.M.G.

The Oba of Benin,
 The Honourable Akenzua II, C.M.G.

The Second Nominated Member,
 Major the Honourable J. West, M.C.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 21st day of August, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

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

Your Excellency, I have two announcements to make. First of all I should like to take this opportunity to thank Members of this Honourable House for the kind sentiments expressed in a letter which I received on the 19th of this month on the occasion of the death of my father. When I have fully recovered my power of concentration I shall send an appropriate reply. I am indeed very grateful to the Members of this House for sending it. Secondly, Sir, I should like to indicate, now that the Chieftaincy Dispute Bill has become law, that I am going to lodge an appeal through this House to the Secretary of State for the Colonies, the ground of appeal being one of irregular procedure by this House. When the Bill came to the Legislative Council last March, Sir, I raised the question why the Official Members would not vote as they voted in the Western House of Assembly.

His Excellency:

I am not sure that the Honourable Member is in order going at great length into this subject. Do you wish to give notice on this subject of future action? I am sure all the other Honourable Members are very glad to see the First Lagos Member with us again.

PAPERS LAID

The Hon. the Acting Attorney-General:

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

Reports of the Select Committees of the Legislative Council appointed to consider the following Bills:—

An Ordinance to make better provision with regard to Education in Nigeria.

An Ordinance to make provision for regulating the planting and growing of agricultural crops, for the control of plant diseases and pests, and for the preparation, marketing, storage, transport, shipping and export of agricultural produce, and for purposes incidental to the above.

An Ordinance to make provision for the constitution of and the appointment and election of the members of the Port Harcourt Town Council and to empower the Council to levy rates for township purposes.

The Hon. the Chief Secretary to the Government :

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

Certificate of Urgency in respect of a Bill entitled " An Ordinance to amend the Nigeria Cocoa Marketing Board Ordinance, 1947. "

Report of the Select Committee of the Legislative Council appointed to consider the draft Standing Rules and Orders of this Council and to make recommendations to this Council.

QUESTIONS

The Hon. the Chief Secretary to the Government :

Perhaps you will permit me to apologize to Honourable Members of this Council for the fact that several of the replies to questions asked shortly before this meeting of Council have not been included in the Orders of the Day so far printed and distributed. The work of this Council has proceeded on this occasion faster than many of us expected. We thought that there might well be another day or two in which we could print answers to questions while the House was meeting. It may be that we shall conclude our business today and if that is the case it will, I am afraid, be impossible for us to circulate printed answers to all the questions made. It was difficult over the week-end, as Honourable Members will appreciate, to arrange for all the printing necessary to be done and as a result these are a number of questions outstanding. I express regret on the part of the Government for that fact. The answers will, of course, be circulated at the first opportunity and if the Standing Orders are amended as proposed by the Select Committee the replies will be printed when we meet on the next occasion.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam) :

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

- (a) How many Justices of the Peace are there in Nigeria?
- (b) Where are they located?
- (c) How many are (i) Africans, and (ii) Non-Africans?
- (d) What are the qualifications of a Justice of the Peace?

(e) What are the conditions justifying the appointment of a Justice of the Peace for a particular locality and is there any reason why no Justice of the Peace is appointed to places like the British Cameroons and the Ogoja Province?

Answer—

The Hon. the Chief Secretary to the Government :

(a) (i) Administrative Officers are *ex-officio* Justices of the Peace (*vide* Section 12 (2) of the Magistrates' Courts Ordinance, No. 24 of 1943).

(ii) Complete statistics of other appointments are not available. Since 1st June, 1945, when the Magistrates' Courts Ordinance came into force, thirty appointments have been made.

(b) (i) Administrative Officers exercise their functions as Justices of the Peace in the districts to which they have been posted.

(ii) Justices of the Peace other than Administrative Officers are located in the following districts or areas:—

Aba	Ilesha
Abakaliki	Kafanchan
Abeokuta	Lagos
Ado Ekiti	Lokoja
Agbor	Mamfe
Akure	Ondo
Benin	Onitsha
Buea	Oron
Cameroons	Oshogbo
Eket	Owerri
Ibadan	Tiko
Ife	Victoria
	Warri

(c) (i) There are approximately 460 Administrative Officers of whom eleven are Africans.

(ii) Of the thirty appointments referred to at (a) (ii) nine are of Africans and twenty-one of non-Africans.

(d) No qualifications are prescribed, but it may be said that a Justice of the Peace must be one who is qualified by education and character to perform the duties and exercise the powers of the office, which is an honorary one. The duties and powers of the office are set out in section 13 of the Magistrates' Courts Ordinance, 1943.

(e) (i) Justices of the Peace are appointed in those localities where no Magistrate is readily available to perform the functions set out in section 13 of the Magistrates' Courts Ordinance or where it is considered desirable to relieve a Magistrate of some of those functions because of the pressure of other duties.

(ii) The Honourable Member is referred to part (b) of the reply.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown) :

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

(a) Cannot a better and more reliable Wireless Telegraph Installation be obtained to replace the troublesome one at Bonny considering it is very essential and important for regular communication to be maintained between Bonny and Port Harcourt for many good reasons?

(b) Is he aware of the fact that the newly installed Wireless Telegraph at Brass has already begun to give trouble and is therefore not working satisfactorily?

(c) Can arrangements be effected, as soon as possible to have a Wireless Telegraph installed at Bori, the Ogoni Divisional Headquarters, pending extension of Telecommunication services from Port Harcourt to the Ogoni Division?

Answer—

The Hon. the Chief Secretary to the Government :

(a) New equipment to replace the existing wireless telegraph installations at Port Harcourt and Bonny has been on order from the United Kingdom for some time, and advice has now been received that this equipment is ready for shipment.

(b) Government is aware that the Brass wireless telegraphy service has not been altogether satisfactory. The installation was, however, undertaken at short notice, and it was necessary to use second-hand Royal Air Force equipment, all that was available at the time; which was not in first class condition. It is proposed to order new equipment as soon as the necessary funds have been authorised, but in the meantime it is hoped that it will be possible to maintain a service with the existing installation.

(c) His Honour the Chief Commissioner, Eastern Provinces, has already recommended a high priority for a radio-telegraphic link to Bori (Yeghe) in the Ogoni Division and the project is now under consideration.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

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

(a) Is Government aware that there are no clear provisions for the award of compensation and costs against the Crown to persons who have been in custody for some time and are eventually acquitted on the merits of the case against them?

(b) If so, will Government consider remedying the situation?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The Crown is not as a general rule compellable at law to compensate a person who has been prosecuted for a criminal offence and has been acquitted on the merits of the case.

The powers of arrest are governed by statute and any transgressor of the statutory provisions may have to face an action at law; and any one who launches a prosecution without reasonable and probable cause is liable to be sued.

The reason for this state of the law is obvious: if it were otherwise, no one would ever dare to report, for example, a case of theft to the police, let alone prosecute it himself. It is in the public interest that any case where there are reasonable grounds to suppose that an offence has been committed should be the subject of judicial enquiry: it is equally in the public interest that the prosecutor should not be penalised *save where he has acted unreasonably*.

Attention is invited, however, to section 256 of the Criminal Procedure Ordinance, 1945, whereby a court is empowered to award compensation not exceeding £10 to an accused person against the person upon whose complaint the accused was charged where the court is of opinion that the charge was false and either frivolous or vexatious.

(b) In view of the foregoing considerations, No, Sir.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

(a) How many tons of coal were exported to each of the British West African Colonies each year for the past five years (1942-1946 inclusive)?

(b) What was the annual value of such export?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The following are the tonnages of coal exported to each of the British West African Colonies during each of the years 1942-1946 inclusive:—

Colony	1942	1943	1944	1945	1946
Gold Coast	56,906	66,026	81,830	87,343	95,534
Gambia	—	—	—	1,102	1,802
Sierra Leone	—	—	10,294	34,331	30,380

(b) The total annual values of the above exports were:—

	£
1942	51,980
1943	77,030
1944	121,140
1945	150,784
1946	168,686

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

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

Will Government not consider the advisability of reducing the cost of the Nigeria Gazette so as to bring it within the reach of every Nigerian citizen, it being understood that the present price is beyond the means of the average citizen?

Answer—

The Hon. the Chief Secretary to the Government:

I should like to see the cost to the public reduced but the Honourable Member is reminded that the annual subscription is only £2 covering an average of over sixty issues a year and I am afraid that it is not possible to make a reduction in cost at present.

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

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

How many people, Europeans and Africans, are now holding the posts of Senior Accountant in the Civil Service including the Nigerian Railway?

Answer—

The Hon. the Chief Secretary to the Government:

In the Railway there are five European and no African Senior Accountants. In other Departments there are ten European Senior Accountants and one African.

Since the Salary Revision of 1947 the distinction between Senior Accountants and Accountants has however ceased to exist except in the case of officers already promoted to the senior grade before the end of 1945. Altogether there are now eighty-five Senior Accountants and Accountants in the Civil Service, of whom twenty-one are Africans.

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

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

(a) What are the names, qualifications and experience of the present Railway Labour Officers?

(b) Are they engaged on a permanent or temporary basis: give details of conditions of employment?

(c) How long have they been in the employment of the Nigerian Railway?

(d) Is it true that the officer at present serving as a Labour Officer in the Nigerian Railway is being forced to resign his post? If so, what are the circumstances leading to such a decision on the part of the Railway Authorities?

Answer—

The Hon. the Chief Secretary to the Government:

(a) William Arthur Powell. Associate Member of the Institute of Transport. Thirty-six years Railway service (including twenty years Colonial Service). United Kingdom Railway Union official.

(b) Permanent. Scale A.

(c) Five years.

(d) Certainly not. Having reached the age of voluntary retirement under the Pensions Ordinance. Mr Powell has intimated that he proposes to retire after his next leave.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

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

What action is Government proposing to take on the two Reports submitted by Mr T. M. Cowan on "Methods of Negotiation between Government and Government Servants"?

Answer—

The Hon. the Chief Secretary to the Government :

As Honourable Members are aware, Mr T. M. Cowan of the Ministry of Labour in the United Kingdom was invited by the Government earlier in the year to visit Nigeria to enquire into the methods of negotiation in use between the Government and Government servants and to advise to what extent a system of negotiation based on the principles of Whitleyism might be introduced in Nigeria. This invitation was made because of Government's anxiety to ensure the greatest possible efficiency in the Public Service by securing the fullest co-operation between Government as an employer and the Civil Service generally in all matters affecting the work and general conditions of service of Government servants.

2. Mr Cowan has submitted two separate Reports which have both been published and accepted by Government. The first deals with the Senior and Junior Services, the second with Industrial workers in Government employment.

3. Good progress has already been made with the establishment of a Senior Whitley Council. The former Association of European Civil Servants has now been reconstituted as the Association of Senior Civil Servants in Nigeria and is open to all officers of the Senior Service, expatriate and non-expatriate. The Constitution of the Council has been approved by His Excellency the Governor and the first Ordinary Meeting of the Council to discuss an agreed Agenda will take place on the 1st of September next. The Council is composed of eight members representing the Staff Side and eight members representing the Official Side: under its constitution it has the power to reach decisions subject to the approval of His Excellency the Governor and, subject also, where expenditure of Government funds is involved, to the approval of this Council.

4. It has not been possible to make quite such rapid progress with the establishment of the Junior and Industrial Councils because there is some difficulty in deciding which categories of Government servants shall be represented in the Junior Council and which categories in the Industrial Council. The unions of Associations concerned are however discussing this problem amongst themselves; it is hoped that agreement will soon be reached and that Industrial Councils will shortly be established.

5. The Government attaches the greatest importance to these Councils and is anxious that they should be given every opportunity to succeed. It believes that their establishment will achieve an important advance in the ordering of good relations between Government and Government servants generally and that they will make a valuable contribution both to the efficiency and to the contentment of the Service.

The Second Lagos Member (Dr the Hon. N. Azikiwe) :

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

Will the Government make a statement regarding the action to be taken on the report of the Nigerianisation Commission?

Answer—

The Hon. the Chief Secretary to the Government :

I am authorised by His Excellency the Governor to say that he warmly welcomes the proposals in the report of the Commission set up to make recommendations about the recruitment and training of Nigerians for Senior posts in the Government Service. There are still certain points of detail and organisation to be settled but His Excellency has approved all the main proposals in the report including the policy recommended and the machinery suggested for carrying out that policy. His Excellency has also approved, subject to the necessary funds being voted year by year by this Council, the scheme of scholarship and training courses which the Commission proposed. On His Excellency's directions action to put the recommendations in the report into effect has accordingly already been put in hand.

Supplementary Question to No. 393 by the Second Member for the Northern Provinces (The Hon. Abubakar Tafawa Balewa).

Does it mean, Sir, that the report is not going to be debated in this House?

Answer—

The Hon. the Chief Secretary to the Government :

The report was laid on the table of the House. If the Honourable Member or any other Honourable Member wishes to raise a motion upon it, he is, of course, at liberty to do so.

BILLS

THE EDUCATION ORDINANCE, 1948

The Hon. the Director of Education :

Your Excellency, I rise to report a Bill entitled:—

“ An Ordinance to make better provisions in regard to education in Nigeria ”

from Select Committee with several amendments. I beg to move that the Bill be re-committed to a Committee of the whole Council.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Director of Education :

Clause 2, Sir. I beg to move that clause 2 be amended as recommended in the report of the Select Committee.

Amendment.

In the definition of “ education officer ” *delete* the word “ control ” and *substitute* therefor the word “ promotion ”.

After the definition of “ education officer ”—*insert* the following new definition—

“ functions ” includes powers and duties ; ’

Clause 2 as amended.

Clause 3.

The Hon. the Director of Education :

Clause 3, Sir. I beg to move that clause 3 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 3 (2) (i)—

Delete the words " the powers and duties placed upon him " and substitute therefor the words " his functions ".

Clause 3 (2) (ii)—

Delete the words " power or duty " and substitute therefor the word " function ".

Clause 3 (2) (iii)—

Delete the words " of any power or duty by the Director " and substitute therefor the words " by the Director of any of his functions ".

Clause 3 as amended.

Clause 4.

Clause 5.

The Hon. the Director of Education :

Clause 5, Sir. I beg to move that clause 5 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 5 (1) (n)—

Delete this paragraph and substitute therefor the following paragraph—

" (n) four members, one to be appointed by the Unofficial Members of each House of Assembly and of the House of Chiefs; and "

After 5 (1) (n)—

Add the following new paragraph—

" (o) one teacher employed by a Native Authority to be appointed by the Chief Commissioner, Northern Provinces; "

Clause 5 as amended.

Clause 6.

Clause 7.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Clause 7, Sir. As regards clause 7 I beg to move that the words " to which appointment is made by the Secretary of State " be deleted. My reason for that is that it would mean that all Government officials shall be in a position to sit on the central board and deal with the business thereof and I do not think that that is the intention of the Ordinance. It says the Chairman and six other members of whom not less than four shall be members not holding any office to which appointment is made by the Secretary of State shall form a quorum. In other words, two Government officials holding an appointment through the approval of the Secretary of

State can sit and not only that, four other Government Officials not holding an appointment through the Secretary of State can sit, and the six will be Government Officials. I do not think that that is the intention of the Ordinance and that is why I am moving this amendment.

The Hon. the Director of Education :

Sir, on the point raised by the Honourable Member, the intention of the clause was that it should be biased in favour of the local inhabitants and it was intentionally drafted to that effect.

His Excellency :

The Honourable Member understands the point? As drafted the intention is to weigh the matter in favour of local appointments rather than the reverse, limiting the number of members who are appointed by the Secretary of State.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

Your Excellency, it is not the intention of those who drafted this Bill that is more important, it is the Bill itself. His intention goes away with him whenever he leaves the office and the Bill will still remain on the statute book and then it will be interpreted as it is in the statute book. That is the position. We do not agree to have all Government Officials as the case may be here. It is very unlikely but it is not impossible. It has to be clear that it is not all Government Officials who will form that quorum.

His Excellency :

I wonder if the Honourable Member will read the clause as it will read after his amendment is adopted, then I will quite understand it.

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

If the amendment suggested by me were adopted, it would read as follows :—

“ The Chairman and six other members of whom not less than four shall be members not holding any office under Government shall form a quorum ”.

The Hon. the Chief Secretary to the Government :

May I enquire, Sir (I was not a Member of the Select Committee) whether the point was raised in Select Committee?

The Hon. the Acting Attorney-General :

The point was raised in Select Committee and was put to the vote and the Honourable Member's amendment was defeated in Select Committee: that was the position.

The Hon. the Chief Secretary to the Government :

I only raised the point, Sir, because it seems that a matter of this kind should be dealt with in Select Committee.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

With due deference to the Honourable the Chief Secretary, I do not agree with him when he says that because it has been raised in Select Committee it should not be raised here.

The Hon. the Chief Secretary to the Government:

I agree. The Honourable Member is of course perfectly at liberty to raise the point here. I only wanted to know whether it had also been raised in Select Committee.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Yes, it was; and the voting was 12 to 14, so you can see what actually happened there.

His Excellency:

If no other Honourable Member wishes to speak, I will put the matter to the vote. The question is that the amendment proposed by the Honourable the Third Lagos Member be adopted. Will those in favour say "Aye", those to the contrary "No". The "Noes" have it.

Amendment rejected.

Clauses 8-10.

Clause 11.

The Hon. the Director of Education:

Clause 11, Sir. I beg to move that clause 11 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 11 (1) (c)—

Delete the expression "Chief Education Officer" and substitute therefor the expression "Chief Woman Education Officer".

Clause 11 (1) (i)—

Delete this paragraph and substitute therefor the following paragraph—

"(i) Six members, to be appointed by the Unofficial Members of the House of Assembly, of whom three shall be members of Native Authorities and of whom one shall be appointed to represent the interests of the proprietors of private schools; and"

Clause 11 (2) (c)—

Delete the expression "Chief Education Officer" and substitute therefor the expression "Chief Woman Education Officer".

Clause 11 (2) (h)—

Delete this paragraph and substitute therefor the following paragraph—

"(h) Six members, to be appointed by the Unofficial Members of the House of Assembly, of whom two shall

be members of Native Authorities and of whom one shall be appointed to represent the interests of the proprietors of private schools; and "

Clause 11 (3) (c)—

Delete the expression "Chief Education Officer" and substitute therefor the expression "Chief Woman Education Officer".

Clause 11 (3) (f)—

After the word "Teachers" insert the words "or his representative".

Clause 11 (3) (g)—

Delete the word "three" and substitute therefor the word "two".

Clause 11 (3) (h)—

Delete the word "four" and substitute therefor the word "three".

Clause 11 (3) (j)—

Delete the word "two" and substitute therefor the word "three".

Clause 11 (3) (k)—

Delete the words "one member" and substitute therefor the words "two members".

Clause 11 (4) (g)—

Delete this paragraph and substitute therefor the following paragraph—

"(g) four members, to be appointed by the Unofficial Members of the Lagos Town Council, of whom one shall be a woman and of whom one shall be appointed to represent the interests of the proprietors of private schools;"

Clause 11 (4) (h)—

Delete this paragraph and substitute therefor the following paragraph—

"(h) three members, of whom one shall be appointed by each of the Divisional Educational Committees in the Colony;"

Clause 11 as amended.

Clause 12.

Clause 13.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, I am also raising the same point here—that the words "to which appointment is made by the Secretary of State" be deleted from this law.

His Excellency :

The question is that the amendment proposed by the Honourable the Third Lagos Member be adopted. Will those in favour say "Aye", those to the contrary "No". The "Noes" have it.

Amendment rejected.

Clauses 13-17.

Clause 18.

The Hon. the Director of Education :

Clause 18. I beg to move that clause 18 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 18 (2)—

Delete the words " with the consent of the relevant Regional Board ".

Clause 18 as amended.

Clause 19.

Clause 20.

The Hon. the Director of Education :

Clause 20. I beg to move that clause 20 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 20 (1)—

Insert after the words " no new school " in the first line thereof the words " other than a Government School ".

Clause 20 (1) (a) (vii)—

Delete this paragraph and substitute therefor the following paragraph—

" (vii) such further information on the foregoing matters as the Director may require; and "

Clause 20 as amended.

Clauses 21 and 22.

Clause 23.

The Hon. the Director of Education :

Clause 23. I beg to move that clause 23 be amended as recommended in the report of the Select Committee.

Amendment.

Clause 23 (1)—

Insert the word " reasonable " between the word " any " and the word " time " in the third line.

Clause 23 as amended.

Clause 24.

The Hon. the Director of Education :

Clause 24. I beg to move that clause 24 be amended as recommended in the report of the Select Committee.

*Amendment.**Clause 24 (1)—*

Insert the word " or " after the semi-colon at the end of paragraph (a) and at the end of paragraph (c) and at the end of paragraph (d) and at the end of paragraph (f).

*Clause 24 as amended.**Clause 25.***The Hon. the Director of Education :**

Clause 25, Sir. I beg to move that clause 25 be amended as recommended in the report of the Select Committee.

Amendment.

Delete this clause and substitute therefor the following clause—

" 25. The proprietor of any school closed under the provisions of section 24 may appeal to the Central Board in writing, and the Board shall consider such appeal at its next meeting and shall give any such proprietor an opportunity of representing his case at such appeal."

*Clause 25 as amended.**Clause 26.**Clause 27.***The Hon. the Director of Education :**

Clause 27, Sir. I beg to move that clause 27 be amended as recommended in the report of the Select Committee.

*Amendment.**Clause 27 (2)—*

Delete this sub-clause and substitute therefor the following sub-clause—

" (2) The Governor in Council may by regulation add to, vary, amend or revoke the regulations in Schedule A and any regulations so made shall be laid first on the respective tables of the House of Chiefs and Houses of Assembly and then on the table of the Legislative Council at the next meeting thereof and such regulations shall thereupon come into force unless disapproved by a resolution of the Legislative Council."

*Clause 27 as amended.**Clauses 28 and 29.**Clause 30.***The Hon. the Director of Education :**

Clause 30, Sir. I beg to move that clause 30 be amended as recommended in the report of the Select Committee.

*Amendment.**Clause 30 (a)—*

Delete the words " and duties ",

Clause 30 (b)—

After the word " functions " *delete* the comma and the word " duties ".

Clause 30 as amended.

<i>No.</i>	<i>Regulation</i>	<i>Amendment</i>
1	1	In the definition " Middle School " after the words " Northern Provinces " <i>insert</i> the words " mainly for pupils who have attained the age of twelve years but have not attained the age of eighteen years " and in the definition " Secondary School " after the words " full time education " <i>insert</i> the word " mainly ".
2	4	In section 1 (a) <i>delete</i> the word " Lands " and <i>substitute</i> the word " Land ", and in (d) <i>delete</i> the words " Voluntary Agencies working in that area " and <i>substitute</i> the words " the Regional Board concerned ".
3	5	<i>Delete</i> the word " provision " in the first line and <i>substitute</i> therefor the word " provisions ". In section (iii) <i>delete</i> the words " or Teacher-Training Institution except upon reasonable grounds " and <i>substitute</i> therefor the words " on religious grounds ". <i>Add</i> section (iv) to <i>read</i> " that no pupil has been refused admission to the school or Teacher-Training Institution except on reasonable grounds "; <i>re-number</i> the remaining sections.
4	7	In section (d) after the words " infectious disease " <i>insert</i> the words " or other unavoidable cause ".
5	8	In the proviso, after the word " certificated " <i>add</i> the words " or Trained Uncertificated or Specially Approved ".
6	9	In section (a) after the word " Director " <i>add</i> the words " in consultation with Local Education Committees or, where they do not exist, in consultation with Voluntary Agencies conducting schools in the area ".
7	10	In section (d) <i>delete</i> the words " whole time ".
8	14	In the proviso (ii) for " twenty " <i>read</i> by thirty-five " and <i>replace</i> the words " multiplied by thirty-five in urban areas and by twenty-five in non-urban areas ".
		In the proviso (ii) for " twenty " <i>read</i> " fifteen ".
9	15	In paragraph (1) <i>delete</i> the words " both ", and " and as providing education for pupils drawn from a wide area ".

No. Regulation

Amendment

Re-number sub-paragraph (2) sub-paragraph (3).

Insert new sub-paragraph (2) as follows:—

“ If a grant-aided Senior Primary School providing a full senior primary course is recognised by the Director as providing education for pupils drawn from a wide area an additional grant not exceeding fifteen per cent of the grant payable under the normal method of assessment may be paid ”.

10 16

In paragraph (1) re-word as follows:—

“ The rates prescribed by Tables III and IV in respect of recognised expenses other than salaries and of assumed local contributions respectively, and the multiples prescribed by Regulation 14, shall remain unaltered for the year 1949, during which year the rates in Tables III and IV and the multiples shall be revised by the Director in consultation with the Central and Regional Boards and, after approval by the Governor in Council, the rates and multiples so revised and approved will remain unaltered for a period of three years ”.

In paragraph (2) after the word “ rates ” in the first and second lines, insert the words “ and multiples ”.

11 18

Re-word as follows:—

“ Grants may be made to an approved Voluntary Agency or Native Authority or Local Authority in respect of allowances to certificated headmasters of certain primary schools as prescribed by Table VI ”.

12 24

In section (b), after the words “ infectious disease ” insert the words “ or other unavoidable cause ”.

In section (c) after the semi-colon, add the proviso:—

“ Provided that, in the case of a school established before the 1st of January, 1948, if the Director is satisfied that the proprietor is unable to provide the minimum number of graduate teachers required by the said Table, he may, at his discretion, for a period not exceeding three years, approve a grant in respect of the school ”.

In section (e) (iii), delete the words “ and that the proprietor of the school is approved by the Director ”.

<i>No.</i>	<i>Regulation</i>	<i>Amendment</i>
13	26	In section (d), <i>delete</i> the words from and including "reckoned at the rate of £3" down to and including the words "assessment of such grant", and <i>insert</i> in their place the words "equal to £3 multiplied by 25 for each class of the school".
14	32	In paragraph (1) in the fourth line after the word "probationary" <i>add</i> the words "or vocational". In paragraph (2) after section (b) <i>add</i> another section as follows:— " (c) a headmaster's allowance of £25 per annum".
15	34	After the words "Modern School" <i>add</i> "Girls Primary Boarding School", and after the word "for" <i>insert</i> the words "any of".
16	Table I	In the scales of salaries for particular categories of teachers, <i>omit</i> the words "in Northern Provinces" and in the heading of the fourth column <i>delete</i> the word "suggested" and <i>replace</i> it by the word "approved". Alter note (ii) of the special conditions under the grade Teachers Senior Certificate to <i>read</i> as follows:— " Holders of First and Second Class Certificates under the 1916 Code may be placed on the Senior Certificate scale, but holders of the Second Class B Certificate may not proceed beyond a maximum salary of £230 per annum". <i>Amend</i> three headings in Table I to <i>read</i> :— (i) " Scales of salary for teachers employed by Voluntary Agencies". (ii) " Scales of salary for particular categories of teachers employed by Voluntary Agencies". (iii) " Scales of salary for vocational teachers employed by Voluntary Agencies". <i>Insert</i> fourth heading in Table I as follows:— " Scales of salary for teachers employed by Native Authorities and Local Authorities". " The scales approved for the purposes of these regulations are those approved for teachers in Native Administration service by the Chief Commissioners of the Regions in which the teachers are employed".
17	Table III	In the Notes, <i>delete</i> the words "multiply" down to and including "or Elementary School" and <i>insert</i> as follows:—

No. Regulation

Amendment

- “ Multiply the relative rate by thirty-five for each class teacher in a Junior Primary Department or School or Elementary School in an urban area; by twenty-five for each class teacher in a junior Primary Department or School or Elementary School in a non-urban area ”.
- 18 Table IV In the Notes *delete* from the words “ the rate ” in the fifth line down to and including the words “ Junior Primary Department ” and *insert* as follows:—
 “ The rate of assumed local contribution should be multiplied by thirty-five in the case of a teacher in a Junior Primary Department or School or Elementary School in an urban area, by twenty-five in the case of a teacher in a Junior Primary Department or School or Elementary School in a non-urban area ”.
 In column 2, Western Provinces, *delete* “ Burutu ” and “ Forcados ”.
- 19 Table VI *Delete* the second and third groups and *re-word* the description of the type of school as follows:—
 “ School or Department of school separately organised, providing full Junior or Elementary course or full Senior Primary or Middle course or combined Junior and Senior Primary course ”.
- 20 Table VIII *Alter* the heading in the first column to read “ Number of pupils on the roll on 30th September of the year preceding the year of assessment ”.
 In the first column *for* “ 180-358 ” *substitute* “ 180-239 ”; *for* “ 360-599 ” *substitute* “ 240-479 ”; and *for* “ 600 and above ” *substitute* “ 480 and above ”.
- 21 Table IX In column 5, third special condition, *insert* a full stop after the word “ staff ” in the seventh line and *delete* the following words from and including “ for distribution ” to the end.
 In column 6, after the figure “ 4 ” *add* “ and 5 ”.
- 22 Table X In column 2 for “ 20 ” *substitute* “ 25 ”.

*Schedule A.***The Hon. the Director of Education :**

Schedule A. I beg to move that Schedule A be amended as recommended in the report of the Select Committee.

*Schedule A as amended.**Title.*

The Hon. the Director of Education :

Sir, I beg to move that the Title be amended as recommended in the report of the Select Committee.

Amendment.

The Title—

Delete the word "provisions" and substitute therefor the word "provision".

Title as amended.

Council resumed.

The Hon. the Director of Education :

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

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE AGRICULTURE ORDINANCE, 1948

The Hon. the Acting Director of Agriculture :

Your Excellency, I rise to report a Bill entitled "An Ordinance to make provision for regulating the planting and growing of agricultural crops, for the control of plant diseases and pests, and for the preparation, marketing, storage, transport, shipping and export of agricultural produce, and for purposes incidental to the above" from Select Committee with several amendments, and to move that the Bill be re-committed to a committee of the whole House.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Director of Agriculture :

Clause 2, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Delete the definition of "inspector" and insert after the definition of "produce" the following:—

" "produce officer" means an officer of the Produce Inspection Branch of the Agricultural Department not below the rank of produce officer; "

Clause 2 as amended.

Clause 3.

Clause 4.

The Hon. the Acting Director of Agriculture :

Clause 4, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Clause 4 (1)—

Delete all the words after "The Registrar of Co-operative Societies;" and *insert* the following:—

"Two Members nominated by the Unofficial Members of the House of Chiefs;

Two Members nominated by the Unofficial Members of the Northern House of Assembly;

Two Members nominated by the Unofficial Members of the Western House of Assembly;

Two Members nominated by the Unofficial Members of the Eastern House of Assembly;

One Member (not being a public officer) nominated by the Governor to represent the Colony."

*Clause 4 as amended.**Clause 5.***The Hon. the Acting Director of Agriculture:**

Clause 5, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Clause 5 (1)—

Paragraph (b)—(a) *Insert* a comma after "weeds".

(b) *Insert* after "prohibiting" in the first line the word "temporarily".

Paragraph (c)—*Insert* after "disease" the words "or pest infestation".

Paragraph (d)—*Insert* after sub-paragraph (c) the following new sub-paragraph (d), and re-letter subsequent sub-paragraphs in alphabetical order accordingly:—

"(d) prescribing the measures to be taken for conserving the soil and combating soil erosion;"

Paragraph (e)—(as re-lettered)—

Delete "insect" and *substitute* "pest".

Paragraph (n)—(as re-lettered)—

Insert after "form" the words "and place".

Paragraph (p)—(as re-lettered)—

(a) *Delete* "inspectors" and *substitute* "produce officers, assistant produce officers".

(b) *Delete* the word "of" in last line and *substitute* "or".

Paragraph (q)—(as re-lettered)—

Delete "inspectors" and *substitute* "assistant produce officers".

Paragraph (s)—(as re-lettered)—

Delete "inspectors" and *substitute* "assistant produce officers".

*Clause 5 as amended.**Clauses 6 and 7.**Clause 8.*

The Hon. the Acting Director of Agriculture :

Clause 8, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Clause 8 (1)—

Delete " inspector " and substitute " produce officer, assistant produce officer ".

Clause 8 (2)—

Delete " inspector " and substitute " produce officer, assistant produce officer ".

Clause 8 (3)—

Delete " An inspector " and substitute " A produce officer, assistant produce officer ".

Clause 8 as amended.

Clause 9.

The Hon. the Acting Director of Agriculture :

Clause 9, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

(a) *Insert after paragraph (c) the following new paragraph (d), and re-letter paragraphs (d) and (e) as (e) and (f) :—*

" (d) employs any person who is so disqualified to do or assist in doing anything for which a licence is required knowing that such person is disqualified (the onus of disproving which shall be on him); "

(b) *Delete " not exceeding " and substitute " of ".*

(c) *Delete " a period not exceeding ".*

Clause 9 as amended.

Clauses 10 and 11.

Clause 12.

The Hon. the Acting Director of Agriculture :

Clause 12, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Clause 12 (2)—

Delete " an inspector " and substitute " a produce officer, assistant produce officer ".

Clauses 12 as amended.

Clause 13.

The Hon. the Acting Director of Agriculture :

Clause 13, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Clause 13 (1)—

Delete " An inspector " and substitute " A produce officer, assistant produce officer ".

Clause 13 as amended.

Clauses 14-17.

Clause 18.

The Hon. the Acting Director of Agriculture :

Clause 18, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

*Amendment.**Clause 18 (1)—*

- (a) *Delete* " inspector " in the second line and *substitute* " a produce officer, an assistant produce officer ".
- (b) Paragraph (a)—*Insert* after " produce " in the second line the words " which is subject to regulations made under the provisions of this Ordinance ".
- (c) Paragraph (b)—*Delete* paragraph (b) and *substitute* the following:—
 - " (b) to stop any person carrying or believed to be carrying any such produce and to examine such produce, and to stop and search any vehicle, boat, canoe or animal carrying or believed to be carrying such produce and to call upon the person in charge of such vehicle, boat, canoe, or animal or, if he cannot be ascertained, the person appearing to be in charge of such vehicle, boat, canoe or animal, and the person or persons in charge of such produce to unload any such produce for examination; "
- (d) Paragraph (c)—*Re-letter* this paragraph (d) and *insert* after the word " any " the word " such ".
- (e) Paragraph (d)—*Delete* this paragraph and *insert* between paragraphs (b) and (d) the following as paragraph (c)
 - " (c) to direct the person in charge of the vehicle, boat, canoe, or animal, and the person or persons in charge of any produce seized under the provisions of paragraph (d) to proceed in or with the particular conveyance employed to the nearest suitable place for the purpose of depositing therein the seized produce and containers thereof; "
- (f) Paragraph (e)—*Delete* the words " paragraph (c) " in the third line and *substitute* the words " paragraph (d) ".

Clause 18 (2)—

Insert a comma in the third line between " Ordinance " and " disclose ".

Clause 18 (3)—

Insert a comma in the first line between " (1) " and " any ".

Clause 18 (4)—

Delete " an inspector " and *substitute* " a produce officer, assistant produce officer ".

Clause 18 (5)—

Insert the following as clause 18 (5)—

- " (5) For the purpose of paragraph (a) of sub-section (1), " reasonable " means reasonable having regard among

other things to the religious beliefs and social customs prevailing in the area in question ”.

Clause 18 as amended.

Clause 19.

The Hon. the Acting Director of Agriculture :

Clause 19, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Clause 19 (1)—

Delete “ an inspector ” and substitute “ a produce officer, assistant produce officer ”.

Clauses 19 (2) 19 (3) and 19 (4)—

Delete “ inspector ” where it occurs and substitute “ produce officer, assistant produce officer ”.

Insert the following after clause 19 (4) as clause 19 (5)—

“ (5) The owner of any produce re-examined under the provisions of this section may appeal to the Assistant Director (Produce Inspection) against the decision made on either the examination or the re-examination, and if dissatisfied with the decision of the Assistant Director (Produce Inspection) may appeal therefrom to the Board of Agriculture ”.

Clause 19 as amended.

Clause 20.

The Hon. the Acting Director of Agriculture :

Clause 20, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Clause 20 (1)—(a) Paragraph (a)—

Delete “ inspector ” and substitute “ produce officer, assistant produce officer ”.

Paragraphs (c) and (d)—Delete “ an inspector ” where they occur and substitute “ a produce officer, assistant produce officer ”.

(b) (i) Delete the words “ not exceeding ” and substitute “ of ”;

(ii) Delete the words “ a period not exceeding ”.

Clause 20 as amended.

Clause 21.

The Hon. the Acting Director of Agriculture :

Clause 21, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Clause 21 (1)—

Delete “ an inspector ” and substitute “ a produce officer, assistant produce officer ”.

Clause 21 as amended.

Clause 22.

The Hon. the Acting Director of Agriculture :

Clause 22, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Delete "an inspector" and substitute "a produce officer, assistant produce officer".

Clause 22 as amended.

Clauses 23 and 24.

Clause 25.

The Hon. the Acting Director of Agriculture :

Clause 25, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Clause 25 (1)—

Delete "inspector" and substitute "produce officer".

Clause 25 (2)—

Delete "an inspector or sub-inspector" and substitute "a produce officer or assistant produce officer".

Clause 25 as amended.

Clause 26.

The Hon. the Acting Director of Agriculture :

Clause 26, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Delete the word "committing" and substitute the words "guilty of".

Clause 26 as amended.

Clause 27.

The Hon. the Acting Director of Agriculture :

Clause 27, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Delete this clause and substitute the following as clause 27—
 "Defence in 27. Where any proceedings, whether civil or
 civil and criminal, are brought against any public officer in respect
 criminal of any act done in pursuance of any of the provisions of
 proceedings. this Ordinance or of any regulations made hereunder,
 it shall be a good defence to show that there was reasonable
 and probable cause for the act in respect of which
 such proceedings are brought".

Clause 27 as amended.

Clauses 28 and 29.

Clause 30.

The Hon. the Acting Director of Agriculture :

Clause 30, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

Delete the marginal note and substitute the following:—

"Inspection, passing or grading not to be conclusive evidence of quality, etc."

Clause 30 as amended.

Clause 31.

The Hon. the Acting Director of Agriculture :

Clause 31, Sir. I beg to move that this clause be amended as recommended in the report of the Select Committee.

Amendment.

- (a) Delete " inspectors " in marginal note and substitute " produce officers ".
- (b) Delete " an inspector " and substitute " a produce officer, assistant produce officer ".

Clause 31 as amended.

Title.

Council resumed.

The Hon. the Acting Director of Agriculture :

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

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE PORT HARCOURT TOWNSHIP ORDINANCE, 1948

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I rise to report from Select Committee a Bill entitled :—

" An Ordinance to make provision for the Constitution of and the Appointment and election of the Members of the Port Harcourt Town Council and to empower the Council to levy Rates for Township Purposes "

and to move that it be re-committed to a Committee of the whole House.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 2, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 2 (1)—

Delete " term " in the last line and substitute " terms ".

Clause 2 (2)—

- (a) Delete the words " and his wife " at the end of the definition of " family " and substitute therefor the words " living in Port Harcourt ".
- (b) Delete the words " or of any part of such tenement " from the definition of " occupier "; and
- (c) Insert after the definition of " Township " the following definition:
 " wife " in relation to a polygamous marriage contracted in accordance with native law and custom, means one wife declared (in the manner prescribed in Form A (3))

by the husband to be his wife for the purpose of registration as a voter under the provisions of this Ordinance."

Clause 2 as amended.

Clause 3.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 3, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete from the third line the expression " provision of the " and *substitute* therefor the expression " provisions of this ".

Clause 3 as amended.

Clause 4.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 4, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 4 (2) (a)—

Delete and *substitute* the following—

" (a) has been sentenced to death or to imprisonment (by whatever name called) for a term exceeding six months, and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or "

Clause 4 as amended.

Clause 5.

Clause 6.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 6, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 6 (1) paragraph (c)—

Delete the word " the " in the last line and *substitute* therefor the word " this ".

Clause 6 (2)—

Delete the word " the " at the end of the fourth line and *substitute* therefor the word " this ".

Clause 6 as amended.

Clauses 7-9.

Clause 10.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 10, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 10 (2)—

Delete this sub-clause (2).

Clause 10 as amended.

Clause 11.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 11, Sir. I beg to move that this clause be amended as recommended by the Select Committee.

Amendment.

Clause 11 (2)—

(a) *Delete* the words " and where no appointment of another person has been made under section 10 " ;

(b) *Delete* the word " may " in the third line and *substitute* therefor the word " shall " .

Clause 11 as amended.

Clause 12.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 12, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Substitute a comma for the full stop after the word " seal " and *add* the words " and may sue and be sued " .

Clause 12 as amended.

Clause 13.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 13, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

(a) *Re-number* the clause as sub-clause (1) ;

(b) *Delete* the word " Townships " in the second line and *substitute* the word " Township " ;

(c) *Insert* after the word " and " in the fourth line the words " save where it is otherwise expressly provided by this Ordinance " ;

(d) *Add* the following as sub-clauses (2) and (3)—

" Cap. 57, Schedule B. (2) For the purposes of this Ordinance and in relation to Port Harcourt, the Townships Ordinance shall be read subject to the modifications set out in Schedule B.

No. 4 of 1940. (3) Notwithstanding the provisions of the Direct Taxation Ordinance, 1940, the Resident may in writing appoint the Port Harcourt Town Council to be the tax collection authority for the Township for the purposes of that Ordinance."

Clause 13 as amended.

Clauses 14 and 15.

Clause 16,

His Honour the Chief Commissioner, Eastern Provinces :

Clause 16, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

*Amendment.**Clause 16 (1)—Paragraph (a)—*

Substitute a comma for the semi-colon after the word " be " at the end of the paragraph and *add* the words " and the adult members of his family if living in the tenement in respect of which the rates are paid; "

Paragraph (b)—

Insert after the word " tenement " in the fourth line the words " or any part of a tenement "

Paragraph (c)—

Insert after the word " Ordinance " in the sixth line the words " and who pays in respect of such occupancy rent at the rate of not less than eight pounds per annum ".

Clause 16 as amended.

Clause 17.

Clause 18.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 18, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

(a) *Delete* from the marginal note the expression " Forms A and B Schedule " and *substitute* the expression " Forms A (1), A (2), B (1) and B (2) of Schedule A ";

(b) *Delete* from the third line the expression " Forms A and B in the Schedule " and *substitute* the expression " Forms A (1), A (2), B (1) and B (2) in Schedule A ".

Clause 18 as amended.

Clause 19.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 19, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

*Amendment.**Clause 19 (1)—*

Delete from the second line the expression " in the Schedule " and *substitute* therefor the expression " in Schedule A ".

Clause 19 as amended.

Clauses 20-23.

Clause 24.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 24, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

*Amendment.**Clause 24 (1)—*

- (a) *Delete* the words " the Schedule " and *substitute* the expression " Schedule A ";
- (b) *Delete* the expression " Form C Schedule " in the marginal note and *substitute* " Form C of Schedule A ".

Clause 24 (2)—

- (a) *Delete* the expression " the Schedule " wherever it occurs and *substitute* the expression " Schedule A ";
- (b) *Delete* from the marginal note wherever it occurs the word " Schedule " and *substitute* the expression " of Schedule A ".

*Clause 24 as amended.**Clause 25.***His Honour the Chief Commissioner, Eastern Provinces :**

Clause 25, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

*Amendment.**Clause 25 (4)—*

Delete from the sixth line the word " qualified " and *substitute* the word " authorised ".

Clause 25 (5)—

Delete the word " qualified " in the second line and *substitute* the word " authorised ".

Clause 25 (6)—

Delete the word " qualification " in the third line and *substitute* the word " application ".

*Clause 25 as amended.**Clauses 26-29.**Clause 30.***His Honour the Chief Commissioner, Eastern Provinces :**

Clause 30, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

*Amendment.**Clause 30 (3)—*

Delete the words " or to both such fine and imprisonment ".

*Clause 30 as amended.**Clause 31.**Clause 32.***His Honour the Chief Commissioner, Eastern Provinces :**

Clause 32, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

- (a) *Delete* the word " regulating " in the first line and *substitute* the word " for ";

(b) Paragraph (a)—

Delete the words "of each" and *substitute* the word "thereof".

Clause 32 as amended.

Clause 33.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 33, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete this clause and *substitute* the following—

"Nomination by Governor if only one or no person is nominated. 33. (1) If for an election to be held for any ward only one candidate or no candidate is nominated by the last day fixed for the receipt of nominations, the Governor shall nominate one or two persons, as the case may be, entitled to vote for a candidate for such ward;

Provided that no person shall be nominated except with the consent of such person.

(2) Upon the day appointed for the election, the person or persons so nominated under the provisions of sub-section (1) of this section shall be deemed to be elected and the officer charged with the conduct of the election shall publish the name or names of the person or persons as having been elected to represent such ward."

Clause 33 as amended.

Clause 34.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 34, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete from the third line the word "disqualification" and *substitute* the word "qualification".

Clause 34 as amended.

Clauses 35-39.

Clause 40.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 40, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 40 (1)—

Delete the expressions "fifty pounds" and "six months" and *substitute* respectively the expressions "one hundred pounds" and "two years".

Clause 40 as amended.

Clause 41.

Clause 42.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 42, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete from the twelfth line the words " not exceeding " and substitute the word " of ".

Clause 42 as amended.

Clauses 43 and 44.

Clause 45.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 45, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete from the second line the figures " 43 " and substitute the figures " 44 ".

Clause 45 as amended.

Clauses 46 and 47.

Clause 48.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 48, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Delete from the fourth line the words " or in the Township Advisory Board ".

Clause 48 as amended.

Clause 49.

Clause 50.

His Honour the Chief Commissioner, Eastern Provinces :

Clause 50, Sir. I beg to move that this clause be amended in accordance with the recommendations of the Select Committee.

Amendment.

Clause 50 (2)—

- (a) *Delete from the headings of the Table the word " of " and substitute the word " or ";*
- (b) *Delete the word " Forms " and substitute the word " Form ";*
- (c) *Paragraph (d)—Delete the expression " Forms A and B " and substitute the expression " Forms A (1), A (2), B (1) and B (2) (Schedule A) ".*

Clause 50 as amended.

Schedule A.

His Honour the Chief Commissioner, Eastern Provinces :

Schedule A, Sir. I rise to move that this Schedule be amended in accordance with the recommendations of the Select Committee.

Amendment.

- (a) Delete the expression " Schedule Form A " and substitute the expression " Schedule A Form A (1) (Section 16 (1) (a)) " ;

Schedule A as amended.

Schedule B.

His Honour the Chief Commissioner, Eastern Provinces :

Schedule B, Sir. I beg to move that Schedule B be added to the Bill in accordance with the recommendations of the Select Committee.

Schedule B added.

Title.

Council resumed.

His Honour the Chief Commissioner, Eastern Provinces :

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

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

BILLS**(First Readings)****THE NATIVE COURTS ORDINANCE, 1948****The Hon. the Acting Attorney-General :**

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

“ An Ordinance to make further provision for the administration of justice in criminal matters by Native Courts.”

This, Sir, is the Bill for which I had to request a postponement because I was in communication with the Legal Adviser at the Colonial Office. In the result it will be seen that certain lengthy amendments have been proposed. Those amendments do not alter the principle of the Bill as it originally stood, but they have been set out in the form in which they have been put before Members, because I thought it would be easier to follow if the clause were reproduced rather than by inserting a word here and another word there. The purpose of this Bill, as the statement of objects and reasons indicates, is to remedy the unsatisfactory situation which was disclosed by the judgment, of the West African Court of Appeal delivered on the 5th of May, 1947, in the case of Tsofo Gubba and the Gwandu Native Authority. That case was tried in the court of the Emir of Gwandu and I would like to make it quite plain that in my view the result of the appeal in no way reflects upon the administration of justice in that court. The best courts can and do go wrong on matters of law, and it was upon a point of law that the decision of the court of the Emir was upset. The decision was upset on a very difficult point of jurisdiction. Well, now, Sir, in

order to have a clear understanding of the position, I fear that I must deal at some little length with the judgment and its effect upon the administration of criminal justice in Native Courts. And I must also refer to the history of the principal statutory provision upon which the decision of the Court of Appeal was founded. The charge against Tsofo Gubba was one of wilful homicide. He was convicted and sentenced to death by the native court, the charge, the proceedings and the judgment being in accordance with Moslem law. The convict appealed to the Supreme Court which upheld the conviction and sentence, and from that decision, the decision of the Supreme Court, he appealed to the West African Court of Appeal, which allowed the appeal and set him free. Now it is relevant here, I think, to state that the law of homicide as laid down in the Criminal Code differs from the law of homicide under the Moslem law, the material difference in this particular instance being that the offence declared by the code to be manslaughter is one unknown as such to Moslem law. It is also relevant to observe that the decision of the court of trial was correct according to native law and custom applicable in the area of its jurisdiction, and I would like on that point to quote from the judgment of the West African Court of Appeal. This is a joint judgment of three judges of that Court.

“ It will be convenient to say at once that we are in full agreement with the learned Judge of the Supreme Court that the evidence in the Native Court while it established wilful homicide as understood by native law and custom recognised in that Court, established no more than the crime of manslaughter as defined by sections 317 and 318 of the Criminal Code of Nigeria. The question as to whether upon the evidence it should not have been found that the appellant acted in self-defence was raised at the hearing of the appeal to this Court but we are satisfied that a verdict of acquittal on this ground could not have been sustained by the evidence.

In the course of his judgment the learned Judge made reference to the case of the *Bornu Native Authority v. Magudama Abatcha*, a decision of this Court delivered on 11th January, 1946, which he interprets as an authority for the conclusion that a verdict of death for murder in a Native Court found in accordance with the native law and custom administered by that Court must be upheld where if the appellant had been tried in the Supreme Court the verdict would probably have been manslaughter. Although the learned Judge in the present case was satisfied, as are we, that if tried in the Supreme Court a verdict of manslaughter would have been the appropriate verdict, he felt himself bound by the decision to which he referred, and therefore dismissed the appeal.”

It is quite clear from the whole of the passage that I have read that the decision in the case of Tsofo Gubba was one which was in accordance with native law and custom. Now, Sir, the decision of the West African Court of Appeal was twofold. First, it was held that where a native court exercises its jurisdiction in relation to an

act which constitutes an offence against the Criminal Code, whether or not that act is also an offence against native law and custom, the court is required to exercise that jurisdiction in accordance with the provisions of the Criminal Code. Secondly, the Court of Appeal held that it had no power to set aside the decision of the native court and substitute a verdict of guilty of manslaughter, an offence against the Criminal Code, so that as a result the person, a man whom the Court of Appeal had held in effect to be guilty of manslaughter, had to be set at large.

Honourable Members will appreciate that the decision of the Court of Appeal is not confined to cases of homicide. The principle laid down applies in the case of any other act which constitutes both an offence against the Criminal Code and also an offence against native law and custom. Again I would like to quote from the judgment of the West African Court of Appeal.

Their Honours said—

“ In the trial of the appellant on the charge of murder the Native Court was required, as we have held, to administer the provisions of the Code, that is to say, they were required to determine whether the accused was guilty of the offence charged within the meaning of section 316 or whether he was guilty of the offence of manslaughter only within the meaning of section 318, or whether he was not guilty of an offence under either section. In point of fact they confined their determination to an issue which, in our view, was not before them, that is to say, whether the appellant was guilty of an offence analogous to that of murder according to the native law and custom prevailing within the area of their jurisdiction, and based upon Mohammedan Law of the Maliki School. By applying the appropriate rule thereunder, having found that the appellant had done the act which caused death in circumstances which amounted to a wilful homicide under Maliki Law, the Native Court proceeded to inflict the penalty prescribed by that school of Mohammedan Law, that is to say, retaliation, or sentence of death, at the discretion of the father of the deceased. In thus applying the principles of native law and custom to the trial of a charge for an offence against the Criminal Code, the Native Court, in our opinion, erred and upon the facts established to their satisfaction came to a wrong conclusion in law and imposed a penalty unauthorised by the Code.”

Sir, I think I have indicated what the decision of the Court of Appeal was. Now I wish to turn to the section of the Ordinance on which that decision was founded. As I understand the position, their decision is really founded upon section 4 of the Criminal Code Ordinance. That section, if I may read it, reads thus. (I may say that I am reading the section as it originally stood until 1933, and I shall be able to show what the 1933 amendment was, and show how it affected this particular case.)

"No person shall be liable to be tried or punished in any court in Nigeria, other than a native tribunal, for an offence except under the express provisions of the code, or some other Ordinance, or of some Order in Council made by His Majesty for Nigeria, or under the express provisions of some statute of the Imperial Parliament which is in force in, or forms part of the law of, Nigeria."

That is the position as it stood before 1933, and it is quite clear that as that section stood, what were then known as native tribunals were excluded from the provisions of the Criminal Code. In other words, they were under no obligation whatsoever to enforce the provisions of the Criminal Code in relation to any act. Now in 1933 those words "other than a native tribunal" were taken out of this section and in the result trial and punishment in a native court, as the Court of Appeal pointed out, have been brought within the purview of the Criminal Code. The singular thing about that amendment in 1933 was this, that the object apparently was not to deal with the question of procedure, but when the amendment was made the object was to make the native courts' punishment correspond with the punishment in the Criminal Code. The statement of objects and reasons for that Bill makes it quite clear that that was the intention, but by omitting the reference to native courts the draftsman went much further than the objects and reasons to his Bill indicated, with the result that we are here today to consider this Bill which I am moving. In effect, if I may state it once again (it is not always easy to put these points of law clearly before the layman) the decision of the Court of Appeal amounts to is this. Any offence tried by a native court being an offence under the Criminal Code, must be tried in accordance with the provisions of that Code, even though there is an analogous offence under Native Law and Custom, and to sustain a conviction all the ingredients required by the Code must be proved. Now that was a startling discovery on the part of the Court of Appeal. I call it, Sir, a discovery because the law had been thought to be otherwise from the date of the amendment in 1933 down to the judgment of the Court of Appeal which was delivered, as I have said, on the 5th of May, 1947. I term it startling, because unless the effect of that judgment is considerably neutralized, the normal and healthy development and progress of the system of native courts must be seriously impeded.

Well now, Sir, we come to the solution. I think I can say at once that the acceptance of the position created by the judgment of the Court of Appeal in the case of Tsofo Gubba is out of the question because of the sudden radical change which would be involved. To expect native courts at this stage of their development to administer the highly technical and often intricate provisions of the Criminal Code is too much, even if the practical difficulty of getting the Criminal Code translated could be overcome. And, moreover, as far as the North is concerned, the Moslem courts

in the North administer a law which is part of their religion. So that to leave the decision unneutralized, I suggest, is out of the question. Conversely, to return to the *status quo ante* 1933, making the Criminal Code entirely inapplicable in native courts, is also considered to be undesirable as being a retrograde step. The solution which has been proposed and which is embodied in this Bill is of a transitory character. Honourable Members will have observed that by sub-clause (2) of clause 1 the Bill is expressed to remain in force until the 1st of July, 1953, unless previously extended. This will, however, allow the whole problem of the conflict between the provisions of the Criminal Code and native law and custom, and also the question of the relationship between the various courts involved in the administration of criminal justice in this country to be thoroughly examined, while permitting the native courts to proceed in an orderly fashion along the path of progress. The immediate problem is to reconcile, as far as possible, and in accordance with the requirements of justice, the conflict which the Tsofo Gubba decision disclosed. This has been no easy matter, and the Legal Adviser to the Secretary of State has been personally concerned in the solution which is proposed. The solution was proposed by a committee which sat at Kaduna at the March meeting of this Council and which was composed of Mr Roberts-Wray, Legal Adviser to the Colonial Office, Mr Howe, Attorney-General, Mr Justice Baker (who was then Acting Chief Justice), Mr Justice Ames, and Mr Brett, who was then Acting Senior Crown Counsel. They—a formidable team I may say—they put forward a solution, and there has since been further discussion and argument, but as I said at the opening, this has been largely concerned with the form and not with the principle of the Bill. The solution proposed really lies along two main lines. First of all, the implications of the decision of the Court of Appeal in the Tsofo Gubba case have to some extent been neutralized. If this Bill passes into law the native courts will be enabled again to try and punish a person for an offence against native customary law, even though the act constituting that offence also constitutes an offence against the Criminal Code. At the same time the native courts will be enabled, subject to any limitation imposed by or under their constituent Ordinances, to deal with offences against the Code. That is, it will leave it open to them gradually to progress, if they so wish, into the realms of statute law. The second main line of the solution is to give wider powers of review to the appellate tribunals. The comprehensive powers given by clauses 4 and 5 will enable justice to be done when any case similar to that of Tsofo Gubba arises. And I would remind Honourable Members that in that case, although the Court of Appeal was satisfied that the appellant was guilty of manslaughter, so inadequate were their powers of review that they had to let a guilty man go free. I don't think that anybody could suggest that that is a satisfactory position. As I say, when considering this Bill we should consider two things.

First of all, we allow the native courts to administer native customary law, even though the act to which they are applying it is also an offence against the Code. We also give wide powers of review.

It would be folly, Sir, to suppose that this measure can be anything other than what it purports to be—a palliative—and I make no other claim, but I do venture to suggest, Sir, that transitory though it may be, it marks the beginning of a long stride forward in the history of the administration of justice in this country, and for that reason I commend it to the earnest consideration of this Council.

The Hon. the Secretary, Western Provinces :

Sir, I rise to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

Sir, I beg to move the suspension of Standing Rules and Orders in order to allow of this Bill being taken through all its stages on this day.

His Excellency :

The question is that Standing Rules and Orders be suspended for the purpose stated. Will those in favour say "Aye" those to the contrary "No". I think the "Ayes" have it.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I do not want to press for a division but we are confronted with ten amendments or much more than that and certainly, Sir, we want more time to consider the amendments. It is impossible to speak adequately on this Bill without giving more consideration to the amendments.

The Hon. the Chief Secretary to the Government :

Would the Honourable Member help the Council by suggesting how long he would require to consider the amendments?

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Well, Sir, until tomorrow morning.

The Hon. the Chief Secretary to the Government :

If it is the wish of the House it would I think be reasonable to allow that time for consideration.

His Excellency :

Is it the pleasure of Honourable Members that we carry over until tomorrow morning for this purpose? Will those in favour say "Aye" those to the contrary "No". I think the "Ayes" have it.

The Hon. the Acting Attorney-General :

Your Excellency, I beg to give notice that at a later date in this meeting I will move the second reading of the Bill which has just been read for a first time.



Debates in the Legislative Council of Nigeria

Tuesday, 24th August, 1948

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 9.30 a.m. on Tuesday, the 24th of August, 1948.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir John Macpherson, K.C.M.G.
- The Chief Secretary to the Government,
The Honourable H. M. Foot, C.M.G., O.B.E.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. C. Hoskyns-Abrahall, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour E. K. Featherstone, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Financial Secretary,
The Honourable A. W. L. Savage, C.M.G.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Acting Development Secretary,
The Honourable S. Macdonald Smith.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Acting Director of Public Works,
The Honourable A. Macdonald.
- The Commissioner of Labour,
The Honourable E. A. Miller.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Sokoto Province,
The Honourable B. E. Sharwood Smith, E.D.
- The Secretary, Western Provinces,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.

- The Third Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahima.
- The Emir of Abuja,
The Honourable Sulemanu.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Alubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
Dr the Honourable F. A. Ibiam.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Fourth Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Third Nominated Member,
The Honourable N. B. Edwards.

ABSENT

OFFICIAL MEMBER

- The Secretary, Eastern Provinces,
Commander the Honourable S. E. Johnson, R.N.

UNOFFICIAL MEMBERS

- The Second Member for the Western Provinces,
.....
- The Oni of Ife,
The Honourable Aderemi I, C.M.G.

The Oba of Benin,
The Honourable Akenzua II, C.M.G.
The Second Nominated Member,
Major the Honourable J. West, M.C.
Temporary Nominated Member,
Major the Honourable H. E. Wilson, E.D.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 23rd day of August, 1948, having been printed and circulated to the Honourable Members, were taken as read and confirmed as amended.

PAPERS Laid

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following paper :—
Sessional Paper No. 21 of 1948—Annual Report on the General Progress of Development and Welfare Schemes 1946-47 and 1947-48.

QUESTIONS

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

How many students passed the Cambridge School Certificate, Oxford School Certificate, and London Matriculation examinations in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, and (e) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

It is regretted that, in view of the present shortage of staff, it would not be possible to obtain all the statistics required by the Honourable Member, and to set them out in the manner desired, without detriment to the work of the Department. The figures for the whole country over the last five years have, however, been obtained and are given below :—

<i>Examination</i>	<i>Year</i>	<i>Number of Passes</i>
Cambridge School Certificate ...	1943	512
	1944	623
	1945	894
	1946	821
	1947	1,101
London Matriculation	1943	67
	1944	50
	1945	106
	1946	145
	1947	262

The Oxford School Certificate Examination was not taken during the last five years.

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

How many students passed the London University Intermediate (external) examinations in Arts, Science, Economics, Commerce, Law and Divinity, in the (a) Northern Provinces, (b) Eastern Provinces, (c) Western Provinces, (d) Cameroons, and (e) the Colony, for 1927-47, year by year?

Answer—

The Hon. the Director of Education :

It is regretted that, in view of the present shortage of staff, it would not be possible to obtain all the statistics required by the Honourable Member, and to set them out in the manner desired, without detriment to the work of the Department. The figures for the whole country over the last five years have, however, been obtained and are given below:—

<i>Examination</i>	<i>Year</i>	<i>Number of Passes</i>
Intermediate Arts ...	1943	5
	1944	7
	1945	11
	1946	12
	1947	19
Intermediate Science ...	1943	2
	1944	11
	1945	10
	1946	14
Intermediate Science (Engineering) ...	1943	3
	1944	1
	1945	6
	1946	2
	1947	1
Intermediate Science (Economics) ...	1943	2
	1944	—
	1945	5
	1946	4
	1947	6
Intermediate Commerce ...	1943	2
	1944	3
	1945	5
	1946	3
	1947	3
Intermediate Law ...	1943	4
	1944	1
	1945	4
	1946	6
	1947	7

equipment has been approved as an object which qualifies for assistance from these grants-in-aid, and Native Administrations are this year receiving financial assistance in this manner. As is stated in paragraph 122 of the Memorandum on Approved Estimates, 1948-49, financial provision has been made by the Government for the purchase of stores for sale to Native Administrations.

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<i>Examination</i>	<i>Year</i>	<i>Number of Passes</i>
Intermediate B. Divinity	1943	—
	1944	1
	1945	1
	1946	1
	1947	—

The Second Lagos Member (Dr the Hon. N. Azikiwe):

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

How many students passed the London University (external) examinations for the B.A., B.Sc., B.Sc. (Econ.), LL.B., B.D., M.A., M.Sc. in (a) Nigeria, and (b) the Cameroons, for 1927-47 year by year?

Answer—

The Hon. the Director of Education:

It is regretted that, in view of the present shortage of staff, it would not be possible to obtain all the statistics required by the Honourable Member, and to set them out in the manner desired, without detriment to the work of the Department. The figures for the whole country over the last five years have, however, been obtained and are given below:—

<i>Examination.</i>	<i>Year</i>	<i>Number of Passes</i>
Bachelor of Arts	1943	1
	1944	4
	1945	1
	1946	3
	1947	4
Bachelor of Science (Engineering)	Cannot be taken in Nigeria	
Bachelor of Science	1943	—
	1944	1
	1945	—
	1946	1
	1947	—
Bachelor of Science (Economics)	1943	—
	1944	—
	1945	—
	1946	—
	1947	—
Bachelor of Laws	1943	—
	1944	—
	1945	1
	1946	—
	1947	1
Bachelor of Divinity	1943	—
	1944	—
	1945	—
	1946	—
	1947	—

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

374. To ask the Honourable the Director of Public Works:—

(a) Who is responsible for the maintenance of Ikorodu Road from Ikorodu Town to Ikorodu Beach?

(b) Is Government aware that the road in question is deplorably un-motorable, and at present a source of danger to the heavy traffic that daily ply that road?

(c) How soon will the road be properly repaired?

Answer—

The Hon. the Director of Public Works:

(a) The road in question is maintained by the Ijebu Native Administration on reimbursement from Government. It is a section of Route 130.

(b) Government is aware that the road is in poor condition at present. It is constructed through a swampy area and was not bituminous-surfaced. Its importance and usefulness will be greatly diminished when the Lagos-Ikorodu road is open and any considerable expenditure on reconstruction would not be warranted.

(c) Repairs to minimum requirements are in hand at present.

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

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

(a) Will Government be graciously disposed to inform this Honourable House how much the itinerant Nigerian Parliament at Kaduna did cost the tax-payers of this country?

(b) Will Government give the figures for the last two years' Budget Sessions for comparison?

Answer—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the answer given to Question No. 365.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

392. To ask the Honourable the Commissioner of the Colony:—

(a) Has the misunderstanding between the Government and the Oba Falolu of Lagos been settled?

(b) If so, when will the Government (i) restore its recognition of the Oba and (ii) resume payment of his stipend?

(c) Will the Government consider the (i) desirability of increasing the Oba's stipend in view of the country-wide rise in the cost of living and (ii) advisability of paying to the Oba arrears of stipend which have been withheld by the Government for several months past?

(d) What are (i) the legal status and (ii) the functions of Oba Falolu of Lagos in the machinery of the Government?

Answer—

The Hon. the Commissioner of the Colony:

(a) The misunderstanding was between the Oba Falolu and the White Cap Chiefs, and it was this which led to the suspension of payment of his stipend. For a fuller account of the affair the

Honourable Member is referred to the relevant section of the address made by His Excellency the Officer Administering the Government at the Kaduna meeting of this Council in March this year.

(b) A reconciliation between the Oba and the White Cap Chiefs has since been made: recognition has been restored and his stipend renewed as from the 12th of May, 1948.

(c) I have received no request for an increase in stipend but if a case is made out, I shall of course forward it to the Government for consideration. It is not proposed to pay the stipend for the period during which it was suspended.

(d) (i) and (ii) The Honourable Member is referred to Gazette Notice No. 801 of the 4th of October, 1933.

Supplementary Question to No. 392 (b) by the Third Lagos Member (The Honourable Adeleke Adedoyin):

Inviting attention to the remarks that "A reconciliation between the Oba and the White Cap Chiefs has since been made: recognition has been restored and his stipend renewed as from the 12th of May, 1948", I should like to know when the stipend was paid since its renewal?

Answer—

The Hon. the Acting Commissioner of the Colony:

Sir, the Oba has been informed in writing that his stipend will be paid but owing to an oversight the money has not yet been paid over.

Supplementary Question to No. 392 by the Second Lagos Member (Dr the Honourable N. Azikiwe).

May I know, Sir, whether it will be paid retrospectively?

Answer—

The Hon. the Acting Commissioner of the Colony:

The answer to that supplementary question, Sir, I think is given in (c) of the reply.

Supplementary Question to No. 392 (d) by the Third Lagos Member (The Honourable Adeleke Adedoyin):

Sir, inviting attention to the remarks that "The Honourable Member is referred to Gazette Notice No. 801 of the 4th of October, 1933". If my memory serves me rightly, Sir, what actually happened in that Gazette was that the Oba was recognized as the head of the house of Docemo and that was all. I do not think that answers my question. I should like to know the answer, especially to paragraph (d) (ii) of my question, what are the functions of the Oba in the machinery of the Government?

Answer—

The Hon. the Acting Commissioner of the Colony:

I suggest, Sir, that the Gazette Notice No. 801 states quite clearly the reply to that question and if the Honourable Member wishes further information perhaps he will be good enough to ask for it in writing and I will do my best to find out.

it can only do so in so far as that law and custom is not inconsistent with the provisions of any other Ordinance, and that no person is liable to be tried and punished in a Native Court for an offence except under the provisions of the Criminal Code or some other Ordinance. Section 10 (2) of the Native Courts Ordinance does, it is true, make such express provision, in that it enacts that 'for offences against any native law or custom a Native Court may' impose certain sentences as therein prescribed. In our opinion this sub-section, read together with the provisions of the other relevant enactments to which we have referred, means no more than that where an act constitutes an offence against native law and custom but does not constitute any offence against the Criminal Code of Nigeria the Native Court is empowered to inflict the penalty appropriate by native law and custom, subject to the restrictions prescribed by the section." In other words, Sir, if a man has done an act against native law and custom which is not an offence against the Criminal Code, he may properly be tried in Native Courts and punished. But if the man has committed an act which is also an offence against the Criminal Code, that man should only be exposed to trial under the provisions of the Criminal Code. And the Report goes on to say, Sir, in discussing the previous case which had been tried "a native law and custom by which a man can be sentenced to death for homicide which is not proved to be murder is inconsistent with those parts of the Criminal Code of Nigeria which define murder and manslaughter and prescribe those offences (including murder) for which alone a sentence of death can be imposed." Those, Your Excellency, represent what I consider steps in the right direction. They make the Native Courts aware of the duties we owe to society in the administration of justice. I think, Sir, that this Government must make up its mind whether we are going to have a civilised system of criminal jurisprudence. If we are going to have makeshift devices, well, I think, Sir, nobody in this country would support such a request or such a demand. Again, Sir, this enactment is being brought in apparently at the request of the Judges of the West African Court of Appeal, but in the judgment under review the Appeal Court merely drew attention to the fact that it had no power to substitute an alternative verdict of manslaughter. They were not suggesting that the whole law should be changed so that the Native Courts could now punish people outside the Criminal Code. This law, as we have been told, has been prepared by very eminent jurists, people who have been termed by my honourable friend—"a formidable team"—and I think it is presumption to pit what wits I have against such a team, but at the same time if I have to contribute to this debate, I can only do what I can. My friend the Honourable the Acting Attorney-General has also stated that to return to the *status quo ante* 1933 would be a retrograde step. With that I agree, but I might remind him, Sir, that the enactment which is now sought is nothing short of that. We are trying, Sir, to go back to the *status quo ante* 1933. It is true that there are certain safeguards envisaged in the proposed

amendments and even in the Ordinance itself, but these safeguards just prove the point that the position of things at present is unsatisfactory. If the Government accepts the statement that this position is unsatisfactory, then, Sir, I think they should take the bold step of sweeping aside the whole system and giving us something new and something big. Patchwork will not do in this matter. After all, when a man is sent to prison his life is blighted, and it is a matter of very serious consequence to him and to society, and I think, Sir, we should not prejudice the safety of people in this manner by putting more power in the hands of Native Courts when it is obvious, Sir, that these courts are outmoded. Again, Sir, it may be that in the Northern Provinces there is a system of law which is known. The Mohammedan law of the Maliki school is virtually a code. It is something by which, if you went to any Alkali in the North, he would be able to tell you without much error what the Mohammedan law and custom is on any subject. Native law and custom in the South, Sir, is not so codified. The law and custom on any given subject are frequently nebulous. A man may be convicted on a given set of facts one day, and the next day similar facts may be proved in respect of the same offence and the offender may be acquitted. But surely, Sir, if that is the position, this enactment itself will wreak havoc in the community, and though it might well be that it is workable in the North, it certainly will be unworkable in the South, because we would require to have some system—some code to which we could refer in cases of doubt. The human mind, Sir, is a powerful instrument, but certainly as a repository of custom it is sometimes of doubtful validity, and therefore, I think that this law may well be suitable to the places where you have a known code, but it is certainly would not be suitable to a place where you have no such code. I think, Sir, that other legal members of this House would like to contribute to this debate, but I wish to say that when the question is put on this motion I certainly intend to vote against it.

The Member for Calabar (The Hon. E. E. E. Anwan):

Your Excellency, I am fully in agreement with the last speaker in his opposition of this Bill. This is a matter, Sir, the subject of which falls within the scope for legal practitioners and if such a Bill as this is allowed to pass it is certainly going to work a very great and incalculable hardship on the "natives" of this country. It is a matter of common knowledge amongst those who have had experience by actually dealing with cases on appeal from the Native Courts either before the Magistrate's or before the Supreme Court, that the provisions of the native law and custom and the Criminal Code are sometimes not only inconsistent in relation to crimes but are contradictory. I will here confine myself to two instances. A certain accused person before the Native Court was charged with being in possession of a stolen property. At the trial the Court was satisfied that the article was found in his possession and that when the owner identified the said article as his, the said accused

for the Northern House of Chiefs and House of Assembly to have a Bill initiated to meet their special case. I am opposing the application of this Bill to the Southern Provinces.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Your Excellency, in rising to oppose this Bill I would like to say at this stage that I am in entire agreement with the arguments adduced by the First Member for the Eastern Provinces and the Member for Calabar. In addition to what they have said, it appears that the Government has found, of course with the advice of the Honourable the Attorney-General and the team which he termed, yesterday, as a formidable one, that the native law or Maliki law for that matter is deficient in some cases. If that is so, is it necessary then to bring back the hands of the clock in order to come to the rescue of that deficiency? In my humble opinion, if anything is wrong, it is that thing which is wrong that should be righted. In the Southern Provinces, I mean the East and the West together, cases of homicide, or murder for that matter, don't go to the native courts. In other cases where the Supreme Court, or the Magistrate's Court, and the native courts have concurrent jurisdiction, a person might choose in which court he would like to be tried, but when he is a native of a particular area he could be tried or would be tried by the native court in that area, but recently many cases go to the Magistrate's Court or the Supreme Court instead of the Native Courts. We found here in one of the sections, the amended section 3, that we are asked to delete the words "a native court may try and punish a person for an offence under native law and custom" and substitute therefor the words "where any person is charged with an offence against native law or custom, a native court may try the case in accordance with native law or custom". Which is native law and which is native custom as far as the South—the Eastern and the Western Provinces—are concerned? They are fluctuating things; things that are not static, and are never codified. The original Bill says "native law and custom", but the word "and" is now being deleted and the word "or" substituted therefor, which means that if under native custom you go to the house of another man, it is bad luck if you stumble there, you might be sent to gaol, according to native custom. No appellate court would quash such a ridiculous conviction. So I would say, Sir, that that is not really in consonance with good justice for the citizens of this country. The point that raises this question is the amendment proposed to section 4 sub-section 1 (b).

His Excellency:

If the Honourable Member will confine himself to matters of principle.

The Third Lagos Member (The Hon. Adeleke Adedoyin):

Yes, it is the principle that is incorporated in that particular section that I am referring to, Your Excellency. It says that the appellate court can re-try the appellant on the same charge or on

any charge which may have been laid on the facts disclosed by the evidence. A person goes to the court, under arrest on a certain charge, he defends himself and he finds that he is not satisfied with the judgment of the court. He goes on appeal to another court and he finds that instead of carrying on with the question of his appeal, the Appeal Court says " Well, we find judgment in your favour, since you should have been acquitted by the court below of the offence of stealing, but according to the evidence on the record, but after stealing from the person the man died a few days afterwards and as such you are found guilty of murder ". There was no preparation for a defence on a charge of murder but according to this new law it appears that a man could be found guilty of any other offence for which he had never been brought before the court of justice in the first instance, and for that reason it is really very dangerous to the liberty of the people of Nigeria, and for that reason even that alone I think everybody will have to oppose it. I really am in sympathy with the native courts in a certain respect. No authority would like its power to be taken away from it, but what is happening now is as everybody will know, especially in the Southern Provinces, is that the native courts are waning in their power. People prefer to go to the Magistrate's Court where they can be tried according to the Criminal and Civil Procedure Ordinances of Nigeria. But when the law says that even when you have an appeal from these native courts to the Magistrate's or the Supreme Court, you will be dealt with as if you were being treated in the native courts, it shows clearly that one is not safe at all. As far as the North is concerned, it appears that these arguments cannot be hammered so strongly. The only thing that has brought about all this is that there is no special provision in the Maliki law or in the laws of Nigeria to bring Maliki law and the laws of Nigeria into harmony. If that were so, we should find something to bring these two into harmony instead of just making a sweeping amendment which would just turn back the hands of the clock as far as the administration of justice in the whole of Nigeria is concerned. I very strongly oppose this Bill although I do not say that what the West African Court of Appeal has found to be a sort of flaw in the administration of justice according to this Maliki law on this vitally important case of homicide is not genuine. I see no reason why arrangements could not be made so that the Maliki law might be amended or the laws of Nigeria be amended in a way in which they would walk hand in hand. With these few remarks, I strongly oppose this Bill.

The Fifth Member for the Eastern Provinces (The Hon. Nyong Essien):

Your Excellency, I have not much to say on the Bill before the House, but this much I have to say, Sir, that I appreciate the gift which has been presented to me as a " Native " Court. With your permission, Sir, I claim to be the court, because in one of the definitions of the term " court " the meaning is the presiding

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I should like to say a few words about this Bill because I think there is a good deal of misapprehension in the minds, certainly of some of the Honourable Members from the Eastern Provinces, on it. I would ask them, Sir, to consider what would be the effect if this Bill is not enacted. In the Eastern Provinces, at any rate, the effect would be that all native courts would cease to function in criminal jurisdiction because one cannot but say, in fact one must admit, that the majority are not capable of administering the full ingredients of the Criminal Code. That I think is recognized, but what is going to be the position if all native courts cease to function in criminal jurisdiction. The answer is, Sir, that criminals will commit their crimes and there will be no machinery by which they would be brought to justice and the result will be, Sir, particularly in the backward areas, that there would be a reversal to the people taking the law into their own hands and if that were to happen, Sir, I shudder to think of the consequences. I would also draw attention to the fact, Sir, that this Bill is limited to five years unless this House extends its period. That, I think Sir, is an acknowledgment that things are not entirely satisfactory and that during the five year period every attempt will be made to reform the courts and to bring them up to standard, either by reforming the existing laws or by introducing another system which will establish a system of judicial procedure which will be able to cope with the ingredients of the Criminal Code.

The Hon. the Acting Attorney-General :

Sir, I do not wish to be unduly repetitive but in view of the misunderstanding of this Bill which has appeared in this debate, I would like to draw attention to the various provisions of the Bill. In the first place, as I pointed out in my opening address, this Bill is not a revolutionary production at all. It is in the particular sense an enabling Bill and one of the things it does do is to confirm the law as it was administered between 1933 and 1947. Let us face the fact, in spite of the amendment, and as I pointed out yesterday, the amendment went much further than the draftsman of the Bill ever intended, the law as administered in the native courts between 1933 and 1947 was native law, whether that law was in conflict with the Code or not. It seems to me that in view of that it is unfortunate to regard this Bill as something which is entirely revolutionary. What we are doing by sub-clause (1) of clause 3 is to enable a native court to proceed as they did in fact proceed between 1933 and 1947. We do go further than that. By the next sub-clause we enable a native court to administer the provisions of the Criminal Code but subject to any limitation imposed upon its jurisdiction by the Constituent Ordinances. Now, I take it that Honourable Members know that native courts are constituted by warrant and the jurisdiction of the native court is laid down in the warrant and the schedule to the Ordinance. That being the case, if any court of any particular area is of such a sufficient standard

to apply the Criminal Code, it can apply to have the warrant altered, and then it would be enabled to apply the Criminal Code. I do wish to assure Honourable Members that by enacting sub-clause (2) of clause 3, they will not be enabling native courts in the East or the West to try cases of homicide.

I can assure the Honourable Member for the Colony that we have not gone to the length of saying that every native court can automatically, after this Bill has passed into law, administer the Criminal Code in its full rigour. That would be an absurd thing to do and the clause to which I have referred does not go as far as that. The second thing that we are trying to do by this Bill is to give adequate powers of review. The judgment of the Court of Appeal pointed out that, at any rate so far as that Court is concerned, it has not adequate powers to substitute, for instance, a verdict of manslaughter where the evidence supports that charge, and I think that whatever views Honourable Members may take of the Bill as a whole, it certainly would be desirable to give the West African Court of Appeal that power. Furthermore, we have also gone a step further—or we propose to go a step further—by clause 5 of the Bill as I propose that it should be amended. In cases of homicide, the court record has to be sent to the Supreme Court as soon as practicable after the conclusion of the trial. In other cases, the Attorney-General has six months in which to make up his mind in any particular case whether he will direct that the proceedings be sent to the Supreme Court. That will enable anybody who has any complaint against a native court in the exercise of its jurisdiction to go to the Attorney-General and say “I have been unfairly treated by this native court, I ask you to direct that the proceedings be sent to the Supreme Court”. Surely, that is a step in the right direction. What I do submit, Sir, is that looking at clauses 4 and 5, which deal with the powers of review—those clauses at all events should be passed into law. It has been suggested that native law and custom is deficient. I cannot speak as an authority on native law and custom in Nigeria, but in another West African Colony where I served there was a well-known body of native customary law. I do not know whether those conditions prevail here, but what I would say is this: it is not a question here of native law and custom being deficient, the point is that it is in certain respects in conflict with the Criminal Code, and it does seem to me that if there is a body of native law which is known to the people, surely the people would sooner be dealt with under a law which they know than under the very intricate provisions of the Criminal Code. I should have thought so, and I submit the point for consideration. Another doubt which seems to have been raised is in relation to my proposal to substitute the word “or” for the word “and” in the expression “native law and custom”. I should like to point out that before you can bring a person before a native court, he must be charged with an *offence*, that is the operative word. You cannot take some act and pretend that that is contrary to native

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, on clause 1 I move an amendment to the effect that "This Ordinance may be cited as the Native Courts Ordinance, 1948, and shall apply to the Northern Provinces." The whole reason for that is that it has been made clear here that the entire Southern Provinces, as represented in this Council, are against this Bill. Our friends of the North are all in favour of this Bill. There is no harm in their having it—To give the full wording, Sir, "and shall apply to the Northern Provinces only". It has just struck me that otherwise there might be confusion.

The Hon. the Acting Attorney-General:

As I have a considerable number of proposed amendments, and it appears that there are going to be amendments moved by the Unofficial Members of this Council, I would suggest that perhaps it would be a good thing if this Bill went to a Select Committee composed of all Unofficial and Official Members.

His Excellency:

I think we had better report the Bill back from Committee.

The Hon. the Acting Attorney-General:

Sir, Standing Order 36, provides that a motion for a Select Committee will not require notice, must be made immediately after the Bill is read a second time and may be proposed by any member. That shows that it is unusual to move for a Select Committee at this stage. What I suggest for consideration is that that Standing Order be suspended so as to allow me to move a motion for a Select Committee. I think, Sir, if I might suggest, that Council should now resume in order to enable me to report progress.

Council resumed.

The Hon. the Acting Attorney-General:

I beg to move that a Select Committee be appointed to consider this Bill.

The Hon. the Chief Secretary to the Government:

Sir, I beg to second.

Motion adopted.

His Excellency:

I will announce the composition of the Select Committee at the end of our business.

THE NIGERIA COCOA MARKETING BOARD (AMENDMENT)
ORDINANCE, 1948

The Hon. the Acting Attorney-General:

Sir, I beg to move the second reading of a Bill intituled:—

"An Ordinance to amend the Nigeria Cocoa Marketing Board Ordinance, 1947"

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a second time.

Council in committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from committee without amendment.

Sir, I rise to move that the Bill be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

The Hon. the Chief Secretary to the Government :

If I might make a suggestion about time. We might meet in Select Committee at 3 o'clock this afternoon, the full Council being prepared to meet later this afternoon in order to complete our business.

His Excellency :

I should like to consult the wishes of the Honourable Members in this matter.

The Fourth Member for the Eastern Provinces (Dr the Hon. F. A. Ibiam) :

Your Excellency, I wonder why the Select Committee cannot meet now.

The Hon. the Chief Secretary to the Government :

Yes, I think that that is a useful suggestion and we are prepared to meet that. The question is when the full Council should meet again. Will the Honourable Member make a suggestion—later this morning or this afternoon?

The Third Lagos Member (The Hon. Adeleke Adedoyin) :

I should think later this morning after the work is completed.

The Hon. the Chief Secretary to the Government :

I agree that it would be useful if we could complete our business today and I suggest that we now go into Select Committee of all Members with the Honourable the Attorney-General as Chairman. After an interval—after the Committee completes its work—we can then resume our work in full Council.

His Excellency :

Select Committee of the whole House will meet now and Council will resume when Select Committee has finished its debate.

Council adjourned at 11.10 a.m.

Council resumed at 1.10 p.m.