

DEBATES
IN THE
LEGISLATIVE COUNCIL
OF
NIGERIA
ON
Monday, 4th December, 1939.

Pursuant to notice the Honourable the Members of the Legislative Council met in the Council Chamber, Lagos, at 10 a.m. on Monday, the 4th of December, 1939.

PRESENT.

OFFICIAL MEMBERS.

- The Governor,
His Excellency Sir Bernard Bourdillon, G.C.M.G., K.B.E
- The Chief Secretary to the Government,
The Honourable C. C. Woolley, C.M.G., O.B.E., M.C.
- The Chief Commissioner, Northern Provinces,
His Honour T. S. Adams, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour G. C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour G. G. Shute, C.M.G.
- The Acting Attorney-General,
The Honourable C. W. W. Greenidge.
- The Financial Secretary,
The Honourable H. L. Bayles, C.M.G.
- The Director of Medical Services,
The Honourable Sir Rupert Briercliffe, Kt., C.M.G.,
O.B.E.
- The Director of
The Honourable Sir J. H. ... ris, O.B.E.

- The Director of Marine,
Commander the Honourable A. V. P. Ivey, R.D., R.N.R.
- The Comptroller of Customs,
The Honourable A. E. V. Barton, C.B.E.
- The Deputy Chief Secretary,
The Honourable T. Hoskyns-Abrahall.
- The Senior Resident, Plateau Province,
The Honourable E. S. Pembleton.
- The Senior Resident, Kano Province,
The Honourable J. R. Patterson, C.M.G.
- The Senior Resident, Ilorin Province,
The Honourable F. de F. Daniel.
- The Senior Resident, Niger Province,
The Honourable P. G. Harris.
- The Resident, Benue Province,
The Honourable D. M. H. Beck, M.C.
- The Resident, Katsina Province,
The Honourable R. L. Payne.
- The General Manager of the Railway,
The Honourable J. H. McEwen.
- The Director of Public Works,
The Honourable S. J. W. Gooch.
- The Director of Agriculture,
Captain the Honourable J. R. Mackie.
- Colonel the Honourable H. C. T. Stronge, D.S.O., M.C.,
Assistant Commandant (Extraordinary Member).

UNOFFICIAL MEMBERS.

- The Member for the Egba Division,
The Honourable A. Alakija, C.B.E.
- The Member for the Colony Division,
Dr. the Honourable H. Carr, D.C.L., O.B.E., I.S.O.
- The Member for the Ibo Division,
The Honourable B. O.-E. Amobi.
- The Member for the Rivers Division,
The Honourable S. B. Rhodes.
- The Member for the Warri Division,
The Honourable A. Egbe.
- The Member for the Oyo Division,
The Honourable N. D. Oyerinde.
- The Banking Member,
The Honourable D.

- The Commercial Member for Lagos,
The Honourable R. M. Williams.
- The Commercial Member for Calabar,
The Honourable L. A. McCormack.
- The Member for Calabar,
The Reverend and Honourable O. Efiang.
- The Member for the Ibibio Division,
The Honourable Nyong Essien.
- The Member for the Ijebu Division,
Dr. the Honourable N. T. Olusoga.
- The Second Lagos Member,
Dr. the Honourable K. A. Abayomi, M.D.
- The Third Lagos Member,
The Honourable O. Alakija.
- The First Lagos Member,
The Honourable H. S. A. Thomas.
- The Mining Member,
Lieutenant-Colonel the Honourable H. H. W. Boyes,
M.C.
- The Member for Shipping (Provisional),
The Honourable G. H. Avezathe.

ABSENT.

OFFICIAL MEMBERS.

- The Commandant,
Brigadier the Honourable G. R. Smallwood, M.C.
- The Senior Resident, Cameroons Province,
The Honourable A. E. F. Murray.
- The Secretary, Northern Provinces,
The Honourable A. E. V. Walwyn.
- The Senior Resident, Oyo Province,
Captain the Honourable E. J. G. Kelly, M.C.
- The Resident, Bornu Province,
The Honourable P. G. Butcher.
- The Resident, Ogoja Province,
The Honourable K. V. Hanitsch.
- Captain the Honourable A. W. N. de Normann,
Commissioner of Lands and Surveyor-General.

UNOFFICIAL MEMBERS.

- The Commercial Member for Port Harcourt,
The Honourable P. H. Davey.
- The Commercial Member for Kano (Provisional),
The Honourable F. P. Mackenzie.

PRAYERS.

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

ADDRESS BY HIS EXCELLENCY THE GOVERNOR.

HONOURABLE MEMBERS,

It has hitherto been my custom to address you formally only at the opening of each session, when the estimates for the forthcoming year are laid before you for your approval. I am departing from that custom to-day because the circumstances are exceptional. The Government has found it necessary to take the unusual step of introducing fresh taxation in the middle of the financial year, and I think it is due to you that I personally should explain to you the reasons which have made this unusual action necessary.

Now, obviously, the main reason is that the British Empire is at war with Nazi Germany. I do not propose to take up your time by explaining to you the reasons for that state of affairs. The whole world knows now what those reasons are and they have been stated many times by voices more authoritative and tongues more eloquent than mine, but I should just like to remind you of the closing words of the Prime Minister's memorable broadcast to the nation on September the 3rd:—

“ It is the evil things ” said Mr. Chamberlain, “ it is the evil things, that we shall be fighting against—brute force, bad faith, injustice, oppression and persecution, and against them I am certain that right will prevail.”

I know that we all share that certainty of Mr. Chamberlain's, and that that certainty grows every day with the conviction that Germany is unable to do anything to weaken the stranglehold that we have obtained over the sources of her supplies. But, however great our faith in the ultimate victory of right, we must not allow that faith to blind us to the reality that we are fighting against a powerful enemy. There is no more serious mistake in war than to underrate the strength of our enemy. We are opposed to a powerful nation whose people have for years past been organising for this war. They have forces of great numerical strength, well trained, well equipped, and of great personal courage, and those forces are directed by a government that is entirely without scruple, by a government that regards such words as “ honour ”, “ decency ”, and “ humanity ” as antiquated and outworn shibboleths, a foolish adherence to which would have no effect but to hamper their freedom of action,

This war, or as Mr. Eden described it a day or two ago, this crusade for international decency, will not be won solely by the efforts of the allied navies, armies and air forces. Its winning demands a determined, co-ordinated and sustained effort on the part of the whole civil population of the British Empire, and we in Nigeria must take to the full our share in that effort.

And now let us for a moment examine the ways in which it is possible for us to help in the prosecution of this war. The first and the most obvious way is by providing men for the fighting forces. I think at the beginning of the war most of the younger British officials in this country expected that they would at once be called up, and many of those who are not so young were only too anxious to offer their services; but the man-power of the Empire is far better organised at the beginning of this war than it was half way through the last one, and the Secretary of State had other views. I should like to read you an extract from the instructions which I received from him:—

“ His Majesty’s Government attaches great weight to the principle of making the most effective use of available man-power, and the first consideration to be borne in mind is that maintenance of an efficient Colonial service is a most important part of our national efforts. The functions of Civil services in modern warfare are complementary to those of the fighting services, and not less essential to the prosecution of the war. The first duty of a Colonial civil servant is to that branch of the national service for which he has, by training and experience, acquired special qualifications. In general, therefore, the policy should be not to release officers for other employment unless there is real reason to conclude that their qualifications could be more usefully employed elsewhere or unless, after consideration of the necessity of maintaining essential services in the Colonial Empire during the period when replacement will be difficult if not impossible, it can be confidently stated that they can be spared.”

The Government adopted the policy laid down by the Secretary of State, and the British firms in the country, a large number of whose employees were of course equally anxious to volunteer for active service, followed a similar policy. The result has been that a great many Britishers in this country who wanted to join the fighting forces have been unable to do so, but I would read again from the telegram from the Secretary of State:—

“ In the existing circumstances, the desire of individuals must clearly be subordinated to general interest.”

So much for the British in this country. Now what about the Nigerians? I am very well aware that the Nigeria Regiment is bitterly disappointed that after three months of war it has not yet been called upon for active service, and that the prospects of

its being so called upon still appear to be remote; but it must be remembered that the climate of Europe, and particularly of Europe in the winter, is not suited for African troops. At present, operations on land and in the air are confined entirely to Europe. It seems likely, it seems possible, that this state of affairs may continue throughout the war, and if that is so, it seems probable that the Nigeria Regiment may go through the whole war without seeing active service. But the responses to the call for recruits for that Regiment and for the local forces have proved beyond a shadow of doubt that the Nigerian is not only willing, but exceedingly anxious to do anything that he possibly can in the way of active service; and so, though we may be disappointed, British and Nigerians alike, that so little has been asked of us in this direction, we can at any rate feel perfectly satisfied that we have done all that has been demanded of us, and are ready at any moment to do more.

Now, the second most obvious way of helping in a war is by the provision of munitions. Here I am afraid Nigeria cannot help at all. We have no large factories which could be diverted to the manufacture of munitions, nor have we a large body of skilled workmen who could be employed in their manufacture.

The third way in which we can help is by placing at the disposal of Great Britain the whole of the natural resources of this country, and it is indeed fortunate that in this particular instance our duty and our self-interest run upon the same lines. It is exceedingly fortunate for Nigeria that Great Britain has decided to take the whole of her three main products—groundnuts, cocoa, and palm oil and kernels—because, before the war, Germany was quite a good customer of ours, particularly in respect of palm kernels, and the loss of that market would have been a very serious business for us if the British Government had not been able to step in and say, we will take what Germany used to take.

Now I want to digress for a moment, and try and explain to you something which has been puzzling and worrying a good many people in this country, and I particularly want Honourable Members from out-stations to listen to what I have to say and to take it home with them and to give to their constituents the explanation that I am giving to them. The point to which I am referring is the fact that whereas the prices of imported goods have risen very considerably since the outbreak of the war, the prices of our produce have not risen to anything like the same extent. The ordinary man in the street who sees a firm importing goods to Nigeria and selling them, and buying goods in Nigeria and exporting them, thinks that if that firm is obtaining in Nigeria a higher price for the goods that it imports, it ought to be paying a correspondingly higher price for the goods that it exports. But the question is by no means as simple as that. Let me try and explain :

The produce market is essentially what is known as a buyers' market, that is to say, in general the supply exceeds the demand, and consequently the price is fixed not by the seller, but by the buyer. That position, far from being improved by the war, has grown worse. There were, at the beginning of the war, large world stocks of most of the things that we produce, and practically all the things that we produce, or other similar articles, are produced entirely in countries which lie outside the war zone. Consequently, there has been no slackening of supply. There has, on the other hand, been a considerable reduction in demand, for Germany and other European countries now in German occupation took a very large share indeed of the articles which we produce and of other similar articles. Of cocoa alone, Germany and these other countries consumed 100,000 tons in a year; of vegetable oils they consumed no less than 2,000,000 tons. The result is that while there has been no contraction of supply, there has been a considerable reduction in the demand, and the astonishing thing is not that produce prices have gone up so little, but that they have not actually gone down, and that fact is due in no small measure to certain action by the British Government, to which I will refer later.

Now, to take the other side of the picture: The market for manufactured imports is largely a sellers' market. That is to say, it is a market in which the supply is regulated to the demand, and does not exceed it, and therefore the fixing of the price is largely in the hands of the seller. Here again the position has been worsened rather than improved by the war. Both in belligerent and in many neutral countries a very large percentage of the manufacturing capacity that used to produce the articles which we import and want has been diverted to the manufacture of munitions or of other articles needed by the troops. Consequently not only has the supply of our imports dwindled, but the costs of manufacture have considerably increased. In addition, there has been a heavy increase in ocean freight, and that increase unfortunately hits us both ways, because while it adds to the price of the goods that we buy, it decreases the price of those that we sell.

I do not know whether I have made the position quite clear, but the initial fallacy in the minds of those people is that they think that for every penny extra for which the firms sell their imports, they ought to add a penny to the price which they pay for the produce. Now every extra penny which is paid for produce is direct profit to the producer. Every extra penny that is charged for the import is *not* a direct profit either to the manufacturer or to the importer. That is the initial fallacy, and I hope that when you go home you will try and explain it to your constituents.

I have referred to steps which have been taken by the British Government, which should have the effect of maintaining and slightly increasing produce costs, and I do not think that I can explain those steps better than by reading to you an announcement which is being issued by the Government in respect of the cocoa market. As you know, all cocoa buying has been suspended for some days while arrangements for the disposal of the cocoa crop have been under process of completion, and buying will begin again to-morrow. Now here is the announcement:

Before the war, world supplies of cocoa were tending to exceed the demand, with the result that heavy stocks had accumulated and prices remained low. The war has involved the disappearance of the important Central European market whose normal annual consumption is no less than 100,000 tons. There was a grave danger that the effect of this and of other disturbing factors in trade and shipping as a result of the war would be to drive the price of cocoa in West Africa to a level considerably below that of last season, and also at the end of the season to leave a surplus of the crop unbought and in the growers' hands. In order to avoid this and to ensure that African producers received a fair return on the whole crop, His Majesty's Government decided to purchase at a fixed price the whole 1939/40 crop of British West African cocoa. The price was fixed ex-scale at the West African ports, and directly it was fixed the local price in Lagos rose by about £1 to a figure £2 10s. higher than the average of last year's prices. The British Government is taking a big risk. It is assuming the whole of the Marine and War Risks, thereby saving the cost of insurance which would normally be deducted from the price paid to the producer. By fixing a price at the West African ports instead of in London, it is ensuring that any further rise in freights will not affect the price to the producer. In addition, as Great Britain cannot possibly consume the whole of the West African crop, the British Government is running the risk of having to sell at a loss, or even having part of the crop left on its hands unsold beyond the end of the marketing season. The loss may be very serious indeed, and if there is a loss it will be borne entirely by the British Government. If, however, it is found possible to dispose of the whole crop at a remunerative price within the normal marketing period, there may be a profit. It is the intention of His Majesty's Government to share any such profit with the Governments of the Gold Coast and Nigeria in proportion with the amount of cocoa bought from each dependency.

Now, I think you will agree with me that that is a very generous action on the part of the British Government, for which they deserve the gratitude of this country and of this house.

(Applause). There is in my opinion no doubt whatever that if that action had not been taken the cocoa market in Nigeria would now be in a very serious condition indeed.

Let us go back to the ways in which we can help in the prosecution of the war. A fourth method is that of contributing to war charities, and I should like at once to express my personal gratitude to the people of Nigeria for the magnificent response that they have made to my appeal on behalf of the Nigerian War Relief Fund. In the first twelve weeks of the war we had collected over £12,000; £9,000 has been sent to the joint Red Cross and St. John's Ambulance Fund, £2,500 to the Polish Relief Fund, and £1,000 to the St. Dunstan's Fund. That is a pretty good response, of which we have every reason to be proud, and I should like to take this occasion of letting you know that a considerable number of smaller Native Administrations in the Eastern Provinces have, entirely on their own initiative, expressed a desire to contribute considerable sums to the War Relief Fund. The Chief Commissioner conveyed their requests to me and was very much disappointed when I told him that he was to say no. But the position is that the War Relief Fund does not ask for, and should not receive, contributions from any public source. Public funds are sufficiently badly needed in Nigeria for other purposes, and the War Relief Fund must look entirely to private charity. That is, of course, exactly the same as the state of affairs in England, where no subscriptions from public funds of any kind have been made to these various war charities. I hope that Mr. Shute will be able to explain to those Native Administrations how much I appreciate their offer, and will be able to make them understand that they can serve the whole cause better by conserving their resources in order to help themselves and the Government.

The fifth way in which we can help is by placing our savings and our profits at the disposal of the British Government, not by giving them, but by lending them. I am afraid that there are very few of us in Nigeria who have any savings or profits to invest, but such as there be will, I hope, take the opportunities afforded by the issue of the new National Savings Certificates and the Defence Bonds.

And now I come to the last and final way in which we can help, and to the one with which we are most concerned in the proceedings of this Council. It is a dull, unpleasant, unimaginative way of helping; there is no romance and no glamour about it, and nothing spectacular. I refer to the method of cheerfully submitting to increased taxation. It is a method to which the British public have already submitted very cheerfully; it is a method which is being employed in other parts of the Empire, and I am afraid that our turn has now come. As it is

obvious that this increased taxation will go into the coffers of the Nigerian Government and not into the British Treasury, it may not be quite apparent to all of you how it is going to help in the prosecution of the war, and so I think I had better try and explain as briefly as possible, firstly why this taxation is necessary, and secondly how it is going to help the British Government.

I must go back a little. When I first came to Nigeria four years ago, I found the country just struggling to keep its head above water after world-wide depression. Things were looking up, trade was on the increase, prices were going up, imports were improving; and my first impression was that if only a normal state of affairs were restored, if only we could get reasonably stable prices for our products over a long period, Nigeria would be able to progress very rapidly. I had reason to revise that impression.

I came here with the idea in my mind, which was an idea, as I found, in the minds of most people in England, that Nigeria was a rich country. Now the population of Nigeria is about one-third—nearly one-third—of that of the whole Colonial Empire. It is the most thickly populated country in Africa, with the exception of Sierra Leone and the Belgian mandated territory of Ruanda-Urundi. It can easily manage to provide food for the whole of its own population. Its soil, though not exceptionally fertile, can produce, in far larger quantities than it produces now, products for which there is and always will be a world-wide demand. Its mineral resources are, I believe, to a large extent still unknown. So Nigeria has all the potentialities for becoming a rich country, but I still maintain that it is at the moment a very poor one.

Now you will expect me to support that assertion by figures, and I can do so. There are thirteen countries in the British Colonial Empire with populations of one million or over. The income of the Governments of those countries from taxation per head of the population varies from just about £2 to just under 5s. Nigeria comes bottom but one on the list with about 5s. 10d., and that is a figure taken from a year in which our Customs receipts were exceptionally high.

Well, it may be argued, though I doubt if it will be argued by any at any rate of the Unofficial Members of this House, that that merely means that the population of Nigeria is taxed very little, and so let us turn to the figures, such as we are able to obtain, of the wealth of the people themselves. Naturally, we have not very accurate statistics of those figures in Nigeria, but we can get a pretty good idea of the purchasing power of the people from the value of what they import. Taking again those same thirteen countries of the Colonial Empire, the value of their imports per

head of the population varies from £12 to 8s. Nigeria again comes bottom of the list with imports averaging about 13s. per head of the population. Now it would be quite unsafe to try and draw any precise deductions from those two sets of figures, but they do, I think, prove conclusively that in spite of its thick population, and in spite of its natural resources, Nigeria is at the moment a very poor country; and the reason is that it has so far not been able to spend sufficient money upon developing its resources. The Government has borrowed capital pretty well up to the limits of its borrowing capacity. Foreign capital has come in to quite a considerable extent. I think the total figure—I may be wrong but I think the total figure is in the neighbourhood of some £60,000,000. Local capital there is practically none.

We are, in fact, in a vicious circle. We cannot develop this country without spending more money on our developmental services, and we cannot get that money until the country develops first. Having reached that conclusion, I thought it my duty to put my point of view before the Secretary of State, and I did so in a despatch which I sent to him last April, in which I stated my opinion that the time had now arrived when the development of this country would be seriously retarded unless it received some considerable assistance from outside, and I said that in my opinion it was the duty of the British Government to give this country more material assistance than that which could be obtained from the Colonial Development Fund. That despatch of mine was receiving the earnest and sympathetic consideration of the Secretary of State, and I was hopeful of great results for Nigeria. Those hopes are now—I do not say dead—but they must obviously be laid aside for the time being.

Unfortunately the position has got worse. We were in the position of not being able to expand, not being able to progress on our own resources: we are now in the position of not even being able to stand still.

As you will see from the Financial Secretary's statement which is on the table, the war has meant to us not only a heavy increase in expenditure, chiefly, of course, in military expenditure, but also a heavy drop in receipts, and our anticipated modest deficit of about £160,000 for which we budgeted at the beginning of this financial year, is going to be something very much nearer £1,000,000. Our surplus balances, which a short time ago stood at a figure of nearly £3,000,000, will by the end of this year be reduced to some £800,000, and by the end of next year they will be still further reduced, because there is no hope that we shall be able to make our expenditure and our revenue balance next year, unless we materially reduce the extent of our services both social and developmental. Now, in these circumstances it would not have been surprising, and I think no one would have considered it

unreasonable if the Secretary of State had said to me, "I am very sorry, but considering the appalling burdens which this war is putting upon the British tax payer, you can expect no help from us, and so it is your duty for the duration of the war to make both ends meet, regardless of whether that means a curtailment of your services or not." Fortunately for us, the Secretary of State said nothing of the sort. What he did say to me—what he made quite clear—was that he recognised the importance not only from the point of view of Nigeria, but from the point of view of the British Empire, of maintaining our services at their present standard. He has not definitely told me that if we are unable to do so on our own resources we may expect financial assistance from the British Government. He has made no promise of financial assistance of any kind, but at the same time he has told me that we are to shape our financial policy for the future on the basis of carrying on our existing services, and to let him know what the result will be on our surplus balances, and from that I think it is quite safe to draw the conclusion that if the worst comes to the worst, the poor old British tax payer will be asked to help.

Now I think you will agree with me that it is our bounden duty to put off, if possible for the duration of the war, and if not, as long as possible, the day on which Nigeria will call upon the British tax payer for financial assistance, and so we have got to go as far as we possibly can in bridging the gap between our revenue and our expenditure. The first obvious method of bridging this gap once we have been told that we are not to cut down our services, is to see if we can perform those services more cheaply—in other words, to cut out all possible unnecessary expenditure on those services. Unfortunately, we have very nearly reached the limit in this respect, if not altogether. As I told you in my Budget speech last March, directly we found that prices of our produce were going to stay down, we at once put on the screw and effected every possible kind of economy in administration. We have now screwed the screw up a little bit tighter, but I doubt very much if it is possible to do any more. We are, as the Finance Committee will know, exercising the most rigid scrutiny over all demands for supplementary expenditure; vacancies, particularly European vacancies, are, in so far as may be possible, not being filled; public works extraordinary expenditure and all special expenditure has been cut down to the minimum, and we are only allowing for the completion of projects that have already been started. Transport allowances have been cut down by twenty-five per cent. We are still considering further suggestions for economy, but I do believe that we have very nearly reached the limit, and still we are in the position which I have just laid before you, that our surplus balances at the end of this year, exclusive of our Special Reserve of half a million, will be down to about £800,000.

I think it must be obvious to everybody that the time has come when we have got to call upon the tax payer for further sacrifices, and those sacrifices are what we are now laying before you. I ask you to accept them as an unpleasant necessity, but as an undoubted necessity. I do not ask you to refuse them your critical examination: I am anxious that you should examine their details very carefully, but I do ask you to accept without hesitation the principle that sacrifice is necessary. It is perhaps a little difficult to bring home that necessity to the people of Nigeria. We, here, are strangely remote from this queer war which is pursuing an altogether unexpected course. West Africa as a whole sees very little of it, and we, tucked away in our safe little corner of the Gulf of Guinea, see even less than our neighbours further up the coast. We see our local forces drilling on their parade ground; we see our merchant ships coming in painted a horrible dull grey, and carrying defensive armament, but that is about all. We have none of the constant reminders of war which are by now a feature of the daily life of everybody in Great Britain and France. We do not hang gas masks round our children's necks before we send them off to school in the morning. We do not see air raid shelters round every corner. We have no blackouts. We see no searchlights piercing the night sky on the lookout for the enemy. We hear no constant drone of watchful aeroplanes. All these active incentives to war effort are absent, but we must not let the absence of those active incentives blind us to the grim necessity for making every effort that we possibly can.

I would like just to explain to you the procedure that we are going to adopt in regard to these proposals, because it differs slightly from our ordinary procedure, and is, in fact, very similar to that which has been adopted in the House of Commons. You will be asked to pass a Resolution approving both the income tax proposals of the Government and the Customs proposals. You will debate those proposals in full on that Resolution and the Resolution will be referred to the Finance Committee in order that you may consider them in detail. The action that you will take upon that Resolution will be the effective action that is demanded from you. Subsequently it will be necessary to pass an amending Ordinance in the case of the income tax, and a Resolution and Order under the Customs Ordinance. But those proceedings will be purely formal.

Now I propose, when this Resolution to which I have referred has been moved and seconded, to adjourn until to-morrow, in order that you may have plenty of time to think it over. But it will also be necessary this morning for the Comptroller of Customs to move the Resolution and Order under the Customs Ordinance, in order to safeguard the revenue.

I do not want to take up much of your time by a detailed exposition of the measures that have been put before you: I will leave that to the Honourable the Financial Secretary and the Honourable the Comptroller of Customs, but I should just like to deal with one or two points.

Firstly, in connection with the income tax, it may not be easy for you to gather at a glance what the precise effect of these proposals will be, and so I should like to explain that they will affect for this year not at all the man whose income is £200 or under. They will affect very slightly the man whose income is below £500; beyond that their effect gradually increases, until they impose a comparatively severe burden upon those with incomes of £1,000 per year or over. There is one definite anomaly, and that is that whereas by this income tax proposal we are putting an extra burden on wealthy Africans who live in Lagos, we shall not be putting a corresponding extra burden upon those wealthy Africans who live in other parts of the country. I am very sorry that that is so, and I am sure that they will share my regret: I have no doubt that by the time we come to our next year's Budget we shall succeed in finding some means of catching them!

In connection with the income tax, there is just one thing that I feel I ought to say. As you know, it is the universal practice in the Colonies for the Governor to be exempt from income tax. I felt that in the present circumstances it would be entirely wrong from your point of view, and quite intolerable from my own point of view that that exemption should be maintained, and so I consulted the Secretary of State on the subject, and he has given me permission to contribute to the revenue at the rate of ten per cent of my salary (Applause) and I have made arrangements to do so.

These proposals, these income tax proposals, as I have already pointed out, will not affect at all the poor man, and they will bear very lightly upon those with low incomes. They will fall chiefly upon the European population in this country.

Now for the Customs proposals. These consist in part of the removal of a number of articles from the Free List. I have always felt that our Free List was exceptionally large, and there was really no excuse for a great many of the articles in it being exempted altogether from contribution to the revenue of the country.

The main change is a surtax of twenty-five per cent on all articles subject to specific duty. Unfortunately for us in a way, the duties in our tariff are for the most part specific duties. If they had been *ad valorem* duties, the rise in the price of imported articles would, of course, have involved a corresponding rise in the duties that we obtain from them. As this is not so, and as,

while the value of our imports may keep up, the volume of them will almost certainly decrease, we have felt it necessary to take this measure of putting a surtax on the specific duty in order to see that we get a proper share of the value of imported goods. These extra import duties will make a slight difference to the cost of living of a good many people. But they will, I think, bear very little indeed upon the poorer section of the population, and the extra expense will mainly be borne by the non-native population and by wealthier Africans. You will see two new export duties. The first is on rubber. Well, the price of rubber went up immediately on the outbreak of war, and it is by no means impossible that it will go up still further, and it can undoubtedly bear this duty quite easily without doing any harm to the producer. You will also see an export duty of five shillings on groundnuts. Now the position as regards groundnuts is that the Food Ministry at Home are buying the whole of the crop at a price which is fixed in relation to the general market price. Local prices are fixed in relation to that price, and I am very glad to be able to say that the opening price was considerably better—a great deal better—than last year's prices. I won't say that it is as high as we would like it to be. We would like it to be a great deal higher, but it is, I think, a fairly satisfactory price, and the point of importance that I am going to make is that in the last two or three days the Food Controller has increased the price that he is willing to pay by five shillings; so we shall be able to put on this five shillings export duty without decreasing the price which is being paid to the producer. That, I think, is a very satisfactory state of affairs, and I should also like to point out that there was formerly an export duty of ten shillings on groundnuts, and that at the time when that duty was taken off in order to encourage the production of groundnuts, the price was very considerably lower than it is at the moment.

Well, Honourable Members, I have taken a good deal more of your time than I meant to. Ten days ago, when the King was proroguing Parliament, he sent to the House of Commons a message thanking them for their ready acceptance of the heavy financial burdens rendered necessary as a contribution towards meeting the severe expenses of the war. Is it necessary for me to say that I hope to get from you and from the people of Nigeria a no less ready acceptance of this very much smaller burden that we are laying upon you?

CONFIRMATION OF MINUTES.

The Minutes of the meeting held on the 27th of September, 1939, having been printed and circulated to Honourable Members were taken as read and confirmed.

OATHS.

The Honourable E. S. Pembleton, Senior Resident, Plateau Province, the Honourable D. M. H. Beck, M.C., Resident, Benue Province, Colonel, the Honourable H. C. T. Stronge, D.S.O., M.C., Assistant Commandant, Nigeria Regiment, took the Oath as Members of the Council.

PAPERS LAID.

Sessional Paper No. 26 of 1939, Annual Report on the Mines Department for the year 1938.

Sessional Paper No. 37 of 1939, Annual Report of the Co-operative Office, 1st April, 1938 to 31st March, 1939.

Sessional Paper No. 38 of 1939, Report on Employment of Nigerian Labour in Fernando Poo.

Report of the Finance Committee for the period from July, 1939 to November, 1939.

Review of the Financial Position.

Subsidiary Legislation made since the last Meeting of the Council.

Certificate of Urgency in respect of the following Bill:—

The Income Tax (Supplementary) Ordinance, 1939.

Certificate of Urgency in respect of a Resolution standing in the name of the Honourable the Financial Secretary.

Certificate of Urgency in respect of the following Resolution and Order:—

Resolution and Order under section 12 of the Customs Tariff Ordinance, 1924 (No. 20 of 1924).

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

1. (*Question No. 4 of the 27th of September, 1939*). With reference to a Deed of Gift dated 29th December, 1902, signed between Obon Adam Ephraim Adam, Prince Egbo Archibong II, Chief Abasi Eyo Andem and Prince Adam Duke IX, representing the Duke Town families, Calabar, on the one side, and Sir Ralph Moor representing the Government on the other in respect of a piece of land said to be partly occupied by the Elder Dempster Lines offices and workshops at Calabar, to ask—

(a) Whether any representation has been made to Government on behalf of the Grantors alleging that certain conditions of that Deed have been contravened by Government? And if so,

(b) When was the first representation made and how many reminders have been sent to Government on the matter and what were the dates and terms of Government replies to those letters and reminders?

(c) Whether it is a fact that as far back as the 24th of September, 1937, the District Officer, Land Section, Calabar, had informed the Duke Town Etuboms as representatives of the landowners in writing that he was "awaiting a reply from Lagos regarding this question"?

(d) Whether it is also a fact that in answer to repeated reminders, the District Officer, Land Section, about a year later, that is on the 30th of August, 1938, again wrote regarding the same question "a full report was submitted to Government some weeks ago and a reply is expected shortly"?

(e) Whether through further delay to satisfy the claims of the people a petition dated the 26th of October, 1938, was addressed to His Excellency the Governor on the matter and the receipt of it acknowledged by the Secretary, Southern Provinces, on the 12th of December, 1938?

(f) Whether up to the present the claims of the people have been satisfied or a final settlement reached and if not why has there been no settlement for the protracted period of two years?

(g) Whether the site now occupied by the Elder Dempster Lines offices and workshops in Calabar is part of the land granted to Government by the Deed of the 29th of December, 1902, referred to above?

(h) If the answer to (g) is in the affirmative to ask whether Government in subletting the land has fulfilled to the letter all the conditions of the Deed?

(i) If the answer to (g) is in the negative to ask by what Deed or authority is Government enjoying the right to control, and collect the rents from, that piece of land occupied by Elder Dempster Lines offices and workshops?

(j) To ask for the name of the company or person to which the land which is the subject of this question was first leased, whose consent was obtained, the annual rental paid and also the total amount of rent collected by Government from the original date it was leased up to the present?

(k) To ask whether the consent of all the Duke Town families was obtained before the said piece of land was leased by Government before, during or since 1914, and whether such consent was indicated by the signatures of the heads or representatives of all the families concerned as was the case when the original Deed was signed in 1902?

(l) Whether by virtue of the fact that Government is no more using the said piece of land for "public purposes" but has leased it to a private firm in return for payment, will Government consider the advisability of delivering the land to the Grantors and paying to them all rents collected therefrom without further delay and to ask what reasons there are if the answer is in the negative?

Reply not yet ready.

The Member for the Rivers Division (The Hon. S. B. Rhodes):

2. (Question No. 15 of the 27th of September, 1939). (a) In view of the fact that the Native Courts of Southern Provinces from 1915 to 1917, had no jurisdiction over matters which raised issues of title to land and interests therein, will Government say under what authority were the various Native Courts deciding such issues?

(b) Will Government adopt measures whereby an Ordinance will be enacted to validate or legalise all such judgments?

Reply not yet ready.

The Member for the Rivers Division (The Hon. S. B. Rhodes):

3. (Question No. 17 of the 27th of September, 1939). (a) Is it a fact that the Aba-Opobo Road has been closed constantly during the rainy season, and if so when is this road going to be made an all weather road?

(b) Is it not a fact that this road is a very important commercial road connecting the various trading centres in the Eastern Provinces with Opobo?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) The Aba-Opobo Road was open to motor traffic throughout the rainy season excepting for the period between the 24th of July and the 28th of August, when it was closed for repairs to a culvert. During the greater part of the time when it was closed an alternative route was available for vehicles carrying not more than 30 cwt. pay load.

(b) *Disallowed.*

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

4. (Question No. 19 of the 27th of September, 1939). To ask the Government—

(a) How many residential quarters there are at Ikoyi?

(b) What is the total cost of putting up these buildings?

(c) How many of the buildings are at present unoccupied by reason of the occupants going on furlough or otherwise? If otherwise, what are the causes?

(d) How many are in the process of erection or construction at the moment?

(e) How many are contemplated to be put up in the next two Financial Years reckoning from 1st April, 1939?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) Government Quarters	...	...	...	...	137
Lagos Town Council Quarters	...	...	...	...	7
					144
				Total ...	...

(b) The original cost of the quarters is not available. The present estimated value of the buildings is approximately £346,000.

Temporarily vacant at the 21st of September, 1939.

(c) Government Quarters	...	...	...	...	9
Lagos Town Council Quarters	...	...	...	...	1
					10
				Total ...	...

Five of these quarters have become vacant since the 1st of September owing to the mobilisation of the Supplementary Reserve,

Nigeria Regiment. Four would now be occupied but for the fact that certain officers have been required to share quarters so as to leave accommodation available for additional officers of the Nigeria Regiment who are shortly to reside permanently in Lagos. In addition to this quarters will have to be found in due course for certain officers whose return from the United Kingdom to Lagos has been unavoidably delayed.

(d) Twelve flats (three blocks of four each) begun during the last financial year are at present in course of erection.

(e) None.

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

5. (Question No. 20 of the 27th of September, 1939). (a) What is the total number of African ladies in the employ of the Nigerian Government and in what department are they serving?

(b) Why is there no provision for more? If there is, what debars Government from employing more ladies?

Answer:—

The Hon. the Acting Financial Secretary:

(a) It has been ascertained from departmental inquiries that 260 African women are employed in established posts in Government Departments as follows:—

(i) *Education*.—21; 18 as Teachers, 1 as a Matron 2 as Cook or Stewardess.

(ii) *Medical*.—167 as Nurses, Midwives and Asylum Attendants.

(iii) *Posts and Telegraphs*.—12 as Telephone Operators.

(iv) *Printing*.—9 as Bookbinding Assistants.

(v) *Prisons*.—47 as Wardresses (with occasional employment of temporary staff in addition).

(vi) *Public Works Department*.—2 as Telephone Operators.

(vii) *Nigerian Secretariat*.—2; 1 as a Clerk and 1 as a Telephone Operator.

(b) The necessity for the restriction of Government expenditure and their comparative immobility preclude the extension of the employment of women at present but a gradual increase in the numbers now employed may be expected, especially in the Medical and Posts and Telegraphs Departments, as the services develop and it becomes possible to allocate more funds to objects which afford opportunities for female employment.

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

6. (Question No. 23 of the 27th of September, 1939). To ask the Honourable the Chief Secretary to the Government—

(a) What is the total number of graduates of the Yaba Higher College, now in the Government Service, who are holding posts previously held by Europeans? And

(b) What are the posts and their respective departments?

Answer:—

The Hon. the Acting Financial Secretary:

(a) Nil. There are of course a large number of graduates employed in the various departments of Government, but the stage has not yet been reached when they can replace Europeans.

(b) Does not arise.

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

7. (Question No. 24 of the 27th of September, 1939). To ask the Honourable the Director of Education—

(a) What is the total salary bill for the entire staff of each of the following educational institutions for the last two financial years ending March, 1939:—

1. Government College, Ibadan
2. Abeokuta Grammar School
3. Ondo Boys' High School
4. Ijebu Ode Grammar School
5. Ibadan Grammar School?

(b) What is the total expenditure of each of those institutions for the above periods?

Answer:—

The Hon. the Director of Education:

(a) Expenditure on salaries was as follows:—

	Financial year 1937-38.	Financial year 1938-39.
	£	£
Government College, Ibadan ...	3,765	3,756
	*Calendar year 1937.	*Calendar year 1938.
	£	£
Abeokuta Grammar School ...	1,144	1,441
Ondo Boys' High ,, ...	630	711
Ijebu Ode Grammar ,, ...	947	1,278
Ibadan Grammar ,, ...	754	961

*Figures for financial year not available.

(b) Total expenditure (including capital) was as follows:—

	Financial year 1937-38.	Financial year 1938-39.
	£	£
Government College, Ibadan ...	5,427	5,490
	*Calendar year 1937.	*Calendar year 1938.
	£	£
Abeokuta Grammar School ...	2,866	2,787
Ondo Boys' High ,, ...	847	918
Ijebu Ode Grammar ,, ...	3,134	3,032
Ibadan Grammar ,, ...	1,204	1,350

*Figures for financial year not available.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

8. (*Question No. 31 of the 27th of September, 1939*). (a) Is it a fact that protests were made to the then Local Authority about erecting a public latrine in close proximity to dwelling houses in the market near Bright Street at Onitsha?

(b) That the condition of this latrine has caused considerable inconvenience to the dwellers nearby through the obnoxious effusion of the refuse deposited there?

(c) If the answer is in the affirmative, to ask whether the Government will consider the removal of the latrine?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) and (b) Yes, Sir.

(c) Arrangements have been made for the removal of the latrine.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

9. (*Question No. 32 of the 27th of September, 1939*). (a) Is it a fact that during the days of the Royal Niger Company the Obi of Onitsha and his Councils were paid a yearly subsidy which was known as "Ikpu Ugbo"?

(b) If the reply is in the affirmative to ask whether Government ever paid this, and to whom? If not, why not?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) It is correct that in the time of the Royal Niger Company the Obi of Onitsha received an annual payment in lieu of the dues known as "Ikpu Ugbo" and in recognition of his position.

(b) From 1905 to 1931 Government paid the present Obi's predecessor, Obi Sam Okosi, an annual subsidy of £20 per annum in continuation of the annual payment made by the Company. The subsidy has since been discontinued on the ground that it is not of Comey origin and because the present Obi draws a salary of £100 per annum from the funds of the Onitsha Native Administration.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

10. (*Question No. 34 of the 27th of September, 1939*). (a) To ask for a full statement of the cause of the riot at Okrika in the month of January, 1939, wherein several Ibo people were involved and sustained considerable injuries and losses of property?

(b) What is the extent of the losses sustained?

(c) Is it true that three Ibo men lost their lives?

(d) What steps have the Government taken to deal with those who caused the riot?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) At the end of 1938 ill-feeling, which had been latent for some time, developed between the people of Okrika and the Ibo blacksmiths settled in the area as a result of a dispute regarding the

allegedly exorbitant fee charged by the latter for fixing the customary brass rings on the legs of young girls on attaining the age of puberty. On the evening of the 8th of January, 1939, a number of Okrika people paraded the streets throwing sticks and stones on the roofs of the Ibo houses. A general affray resulted, one Ibo being injured. On the following morning, the Ibos were again attacked and the doors and windows of their houses were broken and burnt.

(b) Claims amounting to nearly £2,000 were put forward by the Ibos but it cannot be stated to what extent this figure represents the true losses sustained.

(c) No, Sir, no lives were lost.

(d) One hundred and fifty-six persons were tried by the Magistrate, Full Powers, at Port Harcourt on three counts under sections 70, 71 and 451 of the Criminal Code. One hundred and six persons were convicted on counts 1 and 2 and each sentenced to ninety days imprisonment with hard labour; seventy-nine of the one hundred and six persons were convicted on the third count and each sentenced to six months imprisonment with hard labour—sentences to run concurrently. Fifty persons were acquitted on all counts.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

11. (Question No. 37 of the 27th of September, 1939). (a) To ask whether it is a fact that there are Syrians who tour the Eastern Provinces in a motor van laden with merchandise and that they actually live inside the lorry which means they have no permanent abode?

(b) If that is correct, to ask how do they pay their tax?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) Certain Syrians living in motor lorries from which they sold merchandise are known to have toured parts of the Onitsha and Owerri Provinces during the year 1938.

(b) In the absence of reliable information regarding these persons it is not possible to say whether or where they paid their tax, nor is it known where they now reside. If the Honourable Member has any information with regard to the identity or present whereabouts of these persons and will communicate it to Government further inquiries will be made.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

12. (Question No. 39 of the 27th of September, 1939). (a) To ask the Honourable the Director of Education—

(i) Whether it is a fact that the teachers trained in Saint Charles' Training College, Onitsha, are made to sign a bond to teach for ten years after their training instead of five years as required by the Education Code and followed by the Government and other Missions?

(ii) Whether it is a fact that in addition to the ten years bond the Mission demands from each teacher trained ten pounds per annum, for each of the number of years he was in training?

(b) What grant is given to Saint Charles's College per annum, per teacher in training?

(c) Whether the bond and the refund are against the educational policy of the Government?

Answer:—

The Hon. the Director of Education:

(a) (i) No, Sir. As a condition of admittance to the College, students are required to enter into a bond to teach for eight years in an approved school at the Mission rates of salary on completion of their course of training.

(ii) As a general rule students of the College are required to pay a sum amounting to £30 or £40 in annual instalments of £10 each.

(b) The total Government grant amounts approximately to £17 per student per annum.

(c) No, Sir. The Government has no desire to interfere with private arrangements made between individual students and the Mission authorities, provided that the minimum teaching period of five years, required by the Education Code, is not reduced.

The Third Lagos Member (The Hon. O. Alakija):

13. (Question No. 42 of the 27th of September, 1939). (a) To ask whether the attention of the Government has been directed to the Editorial of the *West African Pilot* of the 2nd of September, 1939, headed "An Objectionable Policy" alleging that the Chief Commissioner of the Northern Provinces contemplates bringing the Non-Natives Settlements commonly known as "Sabon-Gari" in places like Kaduna, Zaria and Kano under the jurisdiction of the Native Administration of the above localities?

(b) Is it a fact that these Native Settlements commonly known as "Sabon-Gari" were founded within the precincts of the township where such native foreigners as were not ordinarily subject to the jurisdiction of the Native Authority were to be allowed to reside?

(c) Is it a fact that the population statistics at Sabon-Gari, Kano, compiled in connexion with the 1938/1939 Tax Assessment reveal among other things the following figures?

Other Natives of Nigeria	...	...	...	4,737
Non-Natives of Nigeria (including Gold Coast, Sierra Leone, Dahomey and Fernando-Po)	...	...	...	842

(d) Is it a fact that most of the valuable properties at all these "Sabon-Garis" are owned by non-natives of Northern Provinces?

(e) Is it a fact that ninety per cent of the inhabitants of these "Sabon-Garis" are not natives within the meaning of the Native Authority Ordinance, No. 43 of 1933, section (2)?

(f) If so, will the Government be graciously pleased not to give effect to such recommendations (if any) as may be made (*West African Pilot* of the 2nd of September, 1939, refers).

Answer:—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir. Government is aware of the Editorial in question which is incorrect in ascribing this policy to the Chief Commissioner, Northern Provinces. It was urged by Sir Hugh Clifford in 1925 and formally approved by Government in 1928. This approval was reaffirmed by His Excellency in 1937.

(b) Yes, Sir. But the position has now altered and the very large majority of the inhabitants is composed of those who are ordinarily subject to the jurisdiction of a Native Authority.

(c) Yes, Sir. They also reveal an indigenous Hausa population of 2,040.

(d) No, Sir.

(e) No, Sir.

(f) Does not therefore arise.

The proposals which are now being implemented are in accordance with Government's policy of entrusting to Native Authorities the work of administration increasingly as they show themselves capable of it. It is obvious that Kano and Zaria Native Authorities have shown themselves fit to administer these small towns.

Concurrently with the implementation of this policy the Native Authorities give greater local control, where it is possible, and the effect of the change will be to enable Africans, both the Native Authorities and those in the town, to be responsible for their own affairs instead of being in the direct control of a European Officer.

Informal councils, composed of chosen representatives of the various sections of the community already exist, but it is intended to place these on a more formal basis to enable them to exercise a more direct control of their own affairs. As regards the Courts a "Mixed Court", from which appeal lies and will continue to lie to the Magistrate's Court, has for several years been in existence in Kano Sabon Gari and has functioned successfully. It is not desired nor intended to force under the jurisdiction of the Native Courts those who are not accustomed to it nor ordinarily so subject. The "Mixed Court", composed of members selected from the various tribes represented in the Sabon Gari will continue to function, but those who so wish will continue to enjoy complete liberty to take their cases direct to the Magistrate's Court. In general there has been of recent years noticeably close and cordial co-operation between the Sabon Gari community and the Emirs. The present proposals will make that co-operation more effective. It will be remembered that the inhabitants of the Sabon Gari in Kano already enjoy the amenities of electric light and a potable water supply provided by the Native Administration and closer connection with that administration cannot fail to operate to the benefit of the Sabon Gari.

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

14. (*Question No. 45 of the 27th of September, 1939*). To ask if Government will consider the creation of a super-scale post for the African staff of the Judicial Department as in the other departments when the financial position justifies such increased expenditure, in view of the importance of that Department and the large number of African clerical staff therein?

Answer:—

The Hon. the Financial Secretary:

It is assumed that the Honourable Member is proposing the creation of a superior non-professional post. There is at present no necessity for such a post.

The Member for the Ibibio Division (The Hon. Nyong Essien):

15. (*Question No. 47 of the 27th of September, 1939*). With reference to the (a) political and (b) administrative positions of the Oron, Okobo, Ibuno and Efiat peoples of the Calabar Province: to ask for a statement with regard to the constituency or division to which those peoples belong, as to representation of their interests on the Legislative Council of Nigeria?

Answer:—

The Hon. the Chief Secretary to the Government:

The Oron, Okobo, Ibuno and Efiat peoples form part of the Eket Division of the Calabar Province. They are not strictly of Ibibio origin and are not accepted as such by the Ibibios though their language belongs to the Ibibio language group. They have, however, close similarity of interests with the Ibibios and are adequately represented in the Legislative Council by the Member for the Ibibio Division.

The Member for the Ibibio Division (The Hon. Nyong Essien):

16. (*Question No. 48 of the 27th of September, 1939*). (a) To ask the Honourable the Director of Education, with reference to Question No. 64 which was asked at the meeting of the Legislative Council on the 10th of July, 1939, to be pleased to state definitely and comprehensively the interpretation of the term "all the qualifications and experience necessary" for taking charge of and managing the "Elementary Training Centre" at Uyo District?

(b) Whether the Honourable the Director of Education will, please, state the curriculum and the time table presently provided for the use of that Institution for the current year?

(c) What are particulars of the expenditure of that school in a year's time?

(d) From what fund is the expenditure incurred?

(e) Has that school any income, and what are the sources from which it is derived?

(f) What is the sum total of that income annually?

Answer:—

The Hon. the Director of Education:

(a) It is considered that the qualifications necessary include an Honours Degree of a British University together with either a Diploma in Education or special training in the theory and practice of educational method. Experience means teaching experience of a kind approved by the Department for a post of this nature.

(b) The following is the curriculum and time-table:—

Subject.	Periods weekly.
English and Phonetics	11
Geography	4
History and Civics	4
Arithmetic and Simple Accounts	7
Educational Method	9
Hygiene and First Aid	4
Nature Study	3
Agriculture and Communal Work	6
Practical Geometry and Scale Drawing	4
Elementary Science	2
Carpentry, Handwork and Art	9
Singing	9
	66

The average length of period is 50 minutes.

(c) Approximately £1,480; (excluding pensions liability and ocean passages of officers).

(d) The bulk of this expenditure is met from Government funds under Head 11, Items 1-5 and 30, and the remainder from the income referred to in the replies to (e) and (f) below.

(e) Yes. (i) Grants from Native Administrations of the areas from which students are in training at the centre.

(ii) Fees of pupils at the Practising School.

(f) This varies according to the number of students in the Training Centre and the number of pupils in the Practising School. It is estimated that the income for the current calendar year will be as follows:—

	£
Native Administration Grants	470
Practising School Fees	60
	£530

The Member for the Ibibio Division (The Hon. Nyong Essien):

17. (Question No. 49 of the 27th of September, 1939). (a) What is the total amount raised from Native Administration funds of the Ibibio Division for the Nigerian five per cent Loan 1950-60?

(b) The time when the loan was raised?

(c) Amount of the loan raised from each of the Ibibio Districts?

- (d) Yearly interest on the loan raised, for each of the Districts?
- (e) The Bank into which the loan was invested?
- (f) Whether, before the money was removed from the Native Treasuries, the Native Councils concerned were consulted and their legal consent obtained?
- (g) Whether there is any record in existence on such a consultation? If there is,
- (h) In which of the Clan Council's Minute Book is the record to be found and how it reads?
- (i) The time when the loan is to be refunded to the Native Treasuries from which it was raised?
- (j) What the total interest on the whole investment is? And
- (k) What percentage or fraction of the total interest the Government does utilise as a commission?
- (l) In which of the Banks abroad or local was the investment made?

Reply not yet ready.

The Member for the Ibibio Division (The Hon. Nyong Essien) :

18. (*Question No. 50 of the 27th of September, 1939.*) (a) Is it the case that native traders and market women, who landed and traded at Issiet Inuakpa Beach of Uruan Clan, Uyo District, Calabar Province, were paying on demand to the villagers of Adadia of the same clan levies of threepence, sixpence, etc., for landing and trading at the beach and market?

(b) Whether the levy reported has had the knowledge and approval of Government, and/or had been authorised or recommended by the Native Council of the Uruan Native Administration? If not,

(c) Whether His Honour the Chief Commissioner, Eastern Provinces, will consider the desirability of:—

- (i) stopping the Adadia people from making what appears to be illegal demands, and
- (ii) ordering them to refund to the payees the monies so illegally collected? If not,

(d) Why not?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The village elders of Adadia, who own the Issiet Inuakpa beach, employ a labourer for the purpose of cleaning their market and beach. They recently imposed a toll of threepence per canoe on all persons habitually attending the beach and market on market days but not on other persons landing at the beach. The labourer is paid approximately twelve shillings in cash per mensem from the funds so obtained.

(b) The toll came into force in December, 1938, without the knowledge or approval either of Government or the Uruan Clan Council. The District Officer has received no complaints with regard to the payment of the tolls.

(c) and (d) (i) It is proposed that payment of the toll shall cease and that the wages of the labourer shall be met from Native Administration funds.

(ii) It is impossible to return the money which has already been paid as the names of the payees and the amount paid were not recorded.

The Member for the Ibibio Division (The Hon. Nyong Essien) :

19. [Question No. 51 of the 27th of September, 1939; section 9 (1) (d) and (e) page 6 of Education Code, 1939; and Sessional Paper No. 1 of 1930, page 21 (c): Education], to ask the Honourable the Director of Education—

(a) What qualification in the teaching profession does the present Principal hold for taking charge of and teaching in the Ituk Mbang Methodist Mission Girls' School and whether they are adequate?

(b) From what fund is she drawing the salary of £185 per annum for teaching in the Ituk Mbang Methodist Girls' Seminary?

(c) Of what type is the school?

(d) When was that school actually opened?

(e) What is the total number of the pupils in that school?

(f) How many are day pupils, and how many are boarders?

(g) What are the annual results of the work of that school since its establishment?

Answer:—

The Hon. the Director of Education :

(a) There is no Methodist Mission Girls' School at Ituk Mbang; the Honourable Member presumably refers to the Principal in charge of a Methodist Women's Training Centre, who has completed the normal course of training for women teachers in the Mission field.

(b) Her salary is paid by the Methodist Missionary Society.

(c) A Training Centre for young married women and betrothed girls.

(d) Early in 1935.

(e) The average number of women in training is approximately twenty.

(f) They are all boarders.

(g) Approximately twenty women a year are given a course of training in Needlework, Elementary Domestic Science, Child Welfare and Mothercraft.

The Member for the Ibibio Division (The Hon. Nyong Essien) :

20. (Question No. 52 of the 27th of September, 1939). To ask the Honourable the Director of Education—

(a) How many Government Schools are there in the Ibibio Division?

(b) In what District is each of the Government Schools established?

(c) When was each of those Government Schools established?

(d) Which is the oldest of them all?

(e) Are they efficient? If not

(f) What is the highest standard of education attainable in each of those Government Schools?

(g) How many Assisted Schools are there in the Ibibio Division?

(h) How many Assisted Schools are there in each of the six Districts of the Ibibio Division?

(i) What is the highest standard of education attainable in each of those Assisted Schools?

(j) Whether Government has established a Secondary School in the Ibibio Division? If so,

(k) Where? If not,

(l) Why not?

(m) Whether Government would be pleased to consider the desirability of establishing in each of the six Districts of the Ibibio Division a fully equipped Secondary School? If not,

(n) Why not?

(o) (*Question No. 63 of the 6th of July, 1939*). Whether Government would, please, consider the desirability of quoting in reply to this question that particular clause from the Will of Caroline Phelps Stokes of New York referring to Africans as beneficiaries to her estate?

(p) Whether all the benefits bequeathed to Africans in her Will by the deceased lady are only the book compiled by Dr. Thomas Jesse Jones entitled *Education in Africa*?

(q) By what nature and in what form are the benefits accruing from that estate to the American and the poor White beneficiaries?

(r) Would Government be pleased to furnish to Nigeria the full and detailed interpretation and import of that particular clause of the Will of Caroline Phelps Stokes of New York referring to her American and African beneficiaries respectively?

(s) Whether Government would, in the interest of Nigerians, or Africans generally, consider the desirability of tracing and publishing to Nigeria the material nature and value of the legacy bequeathed in that clause of the Will to both the American and the African beneficiaries thereof?

Answer:—

The Hon. the Director of Education:

(a) Four.

(b) (i) Ikot Ekpene; (ii) Abak; (iii) Uyo; (iv) Eket.

(c) (i) Ikot Ekpene Government School 12th July, 1907.

(ii) Abak Government School 9th April, 1923.

(iii) Ikot Ekan Government School 27th September, 1907.

(iv) Eket Government School February or March, 1923.

(d) Yes.

(e) Standard VI, the full Primary Course.

(f) Thirty-six.

(g) Uyo, eight. Eket, nine. Itu, ten. Ikot-Ekpene, four. Opobo, five. Abak, nil.

(h) Two, Etinan Institute and Oron Boys High School go on to Class Middle IV. One, Ifuho Elementary Training Centre, trains teachers for the Elementary Certificate. One, Ididep Vocational, is a vocational school. The others give a full Primary Course, that is to Standard VI, except nine which give a complete Elementary course stopping at Standard IV.

(i) No.

(j) Does not arise.

(k) Funds have not been available.

(l) No.

(m) It is not a practicable proposition.

(n), (o), (p), (q) and (r) The information asked for is not available in Nigeria. The United States Consul for Nigeria has very kindly offered to endeavour to obtain this information from his Government.

The Member for the Ibibio Division (The Hon. Nyong Essien):

21. (Question No. 53 of the 27th of September, 1939). Referring to the injury sustained in the course of duty by the Police Constable No. 4789, to ask—

(a) What was the nature of the duty which caused the injury?

(b) What part of the Police Constable's body suffered the injury?

(c) What was the nature of the injury?

(d) What consideration has Government had for that injury?

Answer:—

The Hon. the Financial Secretary:

(a) On 29th August, 1939, a lunatic who, after arrest for assaulting passers-by in the street, had escaped from Police custody, was re-arrested and taken to the Calabar Central Police Station. He then became violent and began struggling, and while Lance Corporal Onukogu was attempting to handcuff him, the lunatic bit the Lance Corporal's little finger.

(b) The little finger of the right hand.

(c) Acute infection of the finger, which eventually had to be amputated to save the hand.

(d) A compassionate grant of £5 from the Police Reward Fund was made to the Lance Corporal, and hospital charges amounting to 14s. 3d incurred by him have been remitted. It was considered that this would meet the needs of the case in view of the Senior Medical Officer's report that the loss of the little finger would have no appreciable effect on the further efficiency of the Lance Corporal.

The Member for the Ibibio Division (The Hon. Nyong Essien):

22. (Question No. 54 of the 27th of September, 1939). (a) To ask whether Government would consider the necessity and desirability of constructing "current-sweep-off-proof" gutters on the streets of Calabar against next year's rainy season's current sweep? If so,

(b) What provision has been made for that work, and when is it commencing?

(c) If not, why not?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) No Sir. Only last year £300 was spent on improvements to the gutters and drains in the Calabar Township, and until the financial situation improves, no further improvements can be contemplated.

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

The Member for the Ibibio Division (The Hon. Nyong Essien):

23. (Question No. 55 of the 27th of September, 1939).

(a) Whether Government would be pleased to make a statement with regard to construction of the long-promised embankment beginning from Old Town Beach to Henshaw Beach at Calabar?

(b) Whether, besides the provision made for roads and bridges, Government would be pleased to consider the desirability of financing the re-opening up and reconstruction of the Calabar-Creek Town Road on the right bank of the Calabar River, opposite the Marina Market?

(c) If not, why not?

(d) Whether it would please Government to consider the desirability of constructing a bridge across the Calabar-Akpabuyo Ferry?

(e) If not, why not?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The distance from Old Town Beach to Henshaw Beach is at least two miles. A foreshore wall has already been built in places along the river front both by Government and by European firms. There are, however, considerable stretches of the water front where there is no wall. The construction of an embankment along the whole stretch would involve heavy expense which cannot be justified on grounds of necessity.

(b) & (c) A trace was cut across the swamp between Calabar and Creek Town in 1906. In 1921 part of the road was constructed but the project was subsequently allowed to lapse. The expense of constructing a road through the mangrove swamp would be very great and ferry services would still be required at each end. In present conditions such expenditure is out of the question.

(d) & (e) The cost of building a bridge at this point would be prohibitive. The existing ferry appears to meet all present requirements.

The Member for the Ibibio Division (The Hon. Nyong Essien):

24. (a) Is it a fact that nurses run continual risks from infectious diseases? If so,

(b) Would Government consider nurses by regulating the hours of their duty under conditions similar to those of Government clerks, and by granting them (the nurses) equal privileges?

(c) If not, why not?

(d) What is the comparative scale of salaries for nurses, technical attendants and dispensers?

(e) Has any provision been made for a chief nurse post, or prize post? If such a provision has been made,

(f) How many nurses are holding that office at present?

(g) What is the scale of salary attached thereto?

(h) What is the regular period for nurses to remain in the service to get their appointments confirmed?

(i) Whether Government would consider the desirability of granting to nurses the same period of three years for confirmation of their appointments, which clerks are privileged?

Reply not yet ready.

The Member for the Ibibio Division (The Hon. Nyong Essien):

25. To ask the Honourable the Attorney-General—

(a) Whether there is in Nigeria any class of persons, a department of service, a religious denomination, or an individual, whose conduct and dealings in Nigeria are not subject to the law of justice in Nigeria? If there is such a person, or a group of persons,

(b) Who and where are they?

Answer:—

The Hon. the Acting Attorney-General:

(a) and (b) There are no persons or groups of persons in Nigeria to whom the laws of Nigeria do not apply.

The Member for the Ibibio Division (The Hon. Nyong Essien):

26. (a) What material interest has Government taken in the educational ventures of the indigenous African, such as, the National Institute at Calabar, the People's Institute at Ogbomosh, the Aggrey Memorial College at Aro-Chuku?

(b) Is it true that the two African students awarded scholarship at Trinidad are not allowed to take the Diploma Course? If so,

(c) For what reason or reasons are they so treated?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) *Reply not yet ready.*

(b) It is true that the students in question could not take the Diploma Course.

(c) This however is not a question of unfavourable treatment. They did not take the Diploma Course because they were not entered for it. The prospectus of the I.C.T.A. states quite clearly that "the Diploma Course is designed primarily to give instruction in

West Indian Agriculture and is limited, save in exceptional circumstances, to students from the Carribean area. It is designed to equip them for the management of commercial estates, and is not therefore suited to the needs of our students." Similarly, they were not entered for the Associateship Course which the prospectus states is intended primarily for "University graduates in Agriculture". They were however entered for a refresher course arranged for them by the Principal of the College, and they took the examination pertaining to this Course. That the Principal's judgment of a suitable course was correct is shown by the fact that one student just passed the examination and the other just failed to pass, their marks being 55% and 48% respectively. The refresher course would appear to be admirably suited to the requirements of students of the standard of education of those who have just returned from Trinidad, and far from wishing to discourage us from sending students to the College which the suggestion of unfavourable treatment would imply, the College authorities have reduced the fees for the refresher course from the normal £75 per year to £15 per year for students sent by this Government. It is probable that owing to the war it may not be possible to send further students to the College in the immediate future, but when normal conditions return it is the intention of the Government to take full advantage of this generous offer.

I might add that the question of courses in Agriculture for African officers was the subject of special consideration at the recent Governors' Conference, which was unanimously of opinion that the possibility of providing courses in West Africa and at the Imperial College which, in combination, will fit Africans for superior appointments in the Agricultural Department without it being necessary for them to obtain a British degree should be carefully examined without delay. Steps are already being taken to implement this recommendation.

The Member for the Ibibio Division (The Hon. Nyong Essien):

27. Is it a fact that European Government officials can remain in Nigeria beyond a period of eighteen months without materially impairing their health? If so,

(a) Will Government be pleased to consider the necessity and desirability of extending the period of service from eighteen months to two years before a European Government official takes his leave of absence in view of the present financial stringency?

(b) Whether, due to the existing general depression, Government would consider the advisability and desirability of curtailing European staff travelling allowances, security pay, duty pay, etc., attached to super-scaled posts? If not,

(c) Why not?

(d) To ask the reason why European Government officials proceed on leave after eighteen months tours if they are able to remain for longer period without impairing their health materially?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) No, Sir. This matter was the subject of special inquiry some months ago, and the Government has reached the definite conclusion, supported by medical evidence and statistics, that normal tours cannot be extended beyond eighteen months without materially impairing an officer's health, and that it would not be an economy, in present circumstances, to extend the normal length of tour. This view was endorsed by the Governors' Conference held in August last.

(b) and (c) Transport allowances are being reduced as a temporary economy measure, but as a general principle it is not proposed to reduce travelling and similar allowances which are paid to a limited number of officers for extra expense involved. It is the policy of Government rather to impose economy and other emergency measures so that the burden falls more evenly on all classes of the community. There is no emolument known as "security pay", and as regards duty pay it has been abolished except for a diminishing number of officers who have been allowed to retain it on the ground that the allowance was attached to their posts at the time of their appointment thereto: their salaries are correspondingly lower than the revised consolidated salaries.

(d) See reply to question (a).

The Member for the Ibibio Division (The Hon. Nyong Essien):

28. To ask for a statement on the points following:—

- (a) (i) Number of Government quarters erected in Nigeria for occupation of European staff.
 (ii) Number of such quarters erected in each centre and the name of the centre.
 (iii) The cost of furniture in each of the quarters.
 (iv) The total cost of all the quarters including furniture.
 (v) The total expenditure for all those quarters for one year?
- (b) (i) Rate of monthly rentage fixed for each of those quarters.
 (ii) The total sum of rents collected for one month from each of the occupants of those quarters, and
 (iii) The sum total of all the rents collected for all those Government European quarters for one year?

If no rents were fixed and collected for occupation of those quarters,

(c) Whether Government would be pleased to consider the advisability and desirability of charging rents and collecting the same for those quarters? If not,

(d) Why not?

Answer:—

The Hon. the Chief Secretary to the Government:

- (a) (i) 973 Permanent (Government).
143 Permanent (Native Administration).
(ii) The number of permanent Government and Native Administration Quarters in each province is as follows:—

Government.

Province.	No.	Province.	No.
Colony ...	274	Adamawa ...	6
Abeokuta ...	27	Bauchi ...	11
Benin ...	20	Benue ...	11
Calabar ...	46	Bornu ...	18
Cameroons ...	44	Ilorin ...	13
Ijebu ...	9	Kano ...	36
Ogoja ...	4	Niger ...	10
Ondo ...	6	Plateau ...	38
Onitsha ...	80	Sokoto ...	3
Owerri ...	74	Zaria ...	31
Oyo ...	72	Kaduna ...	102
Warri ...	38		
		Total ...	973

Native Administration.

Province.	No.
Abeokuta ...	5
Oyo ...	67
Bauchi ...	34
Ilorin ...	2
Kano ...	11
Sokoto ...	24
Total ...	143

- (iii) The average cost of the furniture for the various classes of quarters is approximately as follows:—

Class	£
Class I ...	200
Class II ...	154
Class III ...	86
Class IV ...	63

- (iv) The total estimated value is £1,950,000.

- (v) The total estimated annual expenditure is £25,000.

(b) (i), (ii) and (iii) Rents are not payable in respect of Government European Quarters.

(c) and (d) No, Sir. The conditions of service of European officers allow for the provision of free quarters.

The Member for the Ibibio Division (The Hon. Nyong Essien):

29. (a) Whether Government would be pleased to consider the desirability (i) of reducing by fifty per cent the rents collected from African Civil Servants for occupation of Government quarters, and (ii) of allowing such rents to be paid proportionately in accordance with the rate of salaries of the members of the staff and with accommodation and convenience of the quarters? If not,

(b) Why not?

Answer:—

The Hon. the Acting Financial Secretary:

The Government is not prepared to consider any reduction in the rents now payable on Government quarters occupied by African officials. The rates charged are fair and reasonable, having regard to the accommodation provided and current rates for non-Government houses throughout Nigeria. A system of charges similar to that suggested was tried some years ago and was abandoned as unsatisfactory.

The Member for the Ibibio Division (The Hon. Nyong Essien):

30. (a) To ask whether Government, in view of the public anxiety, would now be prepared to make a statement with reference to the recruiting of Africans to Fernando Po? If not,

(b) Why not?

Answer:—

The Hon. the Chief Secretary to the Government:

I would refer the Honourable Member to the Report by Mr. T. Farley-Smith which has been tabled to-day as Sessional Paper No. 38 of 1939, and which is now receiving the Government's close consideration.

The Member for the Ibibio Division (The Hon. Nyong Essien):

31. (a) To ask whether Government will consider the introduction into Nigeria of a Plantation System under Government's aegis with a view to educating chiefs and farmers, so as to get them to take over entire control of the plantations in due course, as suggested in the editorial of the *Nigerian Eastern Mail* of the 12th of August, 1939?

Answer:—

The Hon. the Chief Secretary to the Government:

The Agricultural Department is doing everything in its power to work with and through the Native Administrations. Many of the latter in the Eastern Provinces are however very small, and the proposals contained in the article to which the Honourable Member refers are quite beyond their scope in the present stage of their development; nor could the Government at present afford the necessary funds for such a development. A further difficulty, as the Honourable Member is probably aware, is the provision of land for such a purpose and Government is not at present in a position to say how willing the people would be to surrender the necessary land even to their own Native Administrations. At the

same time the Government is in full sympathy with the object which the Honourable Member has in view and he will be interested to learn that several months ago an officer of the Administrative Service was specially deputed to investigate the problem. His terms of reference were:—

“ To undertake a detailed survey of the Eastern and Western Provinces oil palm areas with a view to ascertaining the difficulties, if any, which stand in the way of progress in the development of cultivation of the oil palm by the inhabitants by plantation methods and the manner in which they may best be overcome ”.

The officer in question has just completed Reports on both the Eastern and Western Provinces oil palm areas and they are now under consideration by the Government.

The Member for the Ibibio Division (The Hon. Nyong Essien):

32. (a) To ask whether it is true—

(i) That certain Native Administration forms and books are printed in England?

(ii) That supply of drugs to Native Administration dispensaries and hospitals in Nigeria are taken from a European firm? If so, or, if not,

(b) Whether Government would, please, consider the desirability of granting such contracts to (i) indigenous African organisations specialising in printing industry, and (ii) African Drug Stores?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) and (b) (i) Only one Native Administration purchases all its forms and books from England through the Crown Agents for the Colonies. Other Native Administrations obtain certain receipt books from England as an insurance against the possibility of fraud. Apart from these exceptions (and certain educational works), the printing of forms and books is carried out locally. If any African organisations are able to meet such requirements to the standard required, and at competitive cost, their applications would no doubt be considered.

(a) and (b) (ii) A few Native Administrations order their drugs direct from England through the Crown Agents; the majority however purchase their requirements locally from firms who have specialised in the needs of Native Administration Dispensaries. There is no discrimination in favour of European firms, and the Native Administrations are at liberty to buy from any firm that can fulfil their requirements cheaply and satisfactorily.

The Member for the Ibibio Division (The Hon. Nyong Essien):

33. (a) To ask the Honourable the Director of Public Works for a statement on the points following:—

(i) Scale of salaries with annual increments to Road Overseers and Assistant Road Overseers at Uyo Division?

(ii) The required or prescribed educational attainments of Road Overseers?

(iii) The scale of wages for Public Works Department Sectionmen?

(b) Whether Government would consider the desirability of executing the ruling for leave with pay to Road Overseers in accordance with General Order 592?

(c) What are the clerical duties required of Public Works Department Road Overseers, in addition to their supervision of labour thereof, in the Uyo Division?

(d) Whether sevenpence *per diem* is inadequate for a labourer to maintain himself and his family in the Ibibio Division? If not, would Government consider the desirability of increasing the rate of wages from sevenpence *per diem* paid to Public Works Department labourers to one shilling *per diem*, in the Uyo Division? If not,

(e) Why not?

(f) Would Government be pleased to consider the desirability of legalising and enforcing the system of weekly payments of wages to all labourers in Nigeria, with a view to helping them against contracting debts?

(g) Would Government, please, consider the desirability of extending to Road Overseers the privilege and advantage of contributing to and enjoying the benefits of Government Servants' Provident Fund? If not,

(h) Why not?

(i) Whether Government would be pleased to consider the desirability of granting to daily paid men in the labour of Nigerian Government the privilege of enjoying Public Holidays with full pay? If not,

(j) Why not?

Answer:—

The Hon. the Director of Public Works:

(a) (i) Scales of salaries for Road Overseers in the Uyo Division are:—

	£	s.	d.	£	s.	d.	
Overseers	2	0	0	to 3	0	0	per month.
Assistant Overseers ...	1	10	0	„	2	0	„ „
Overseers in training ...	1	10	0				per month or ls. per day.

The rates are within the scales of salaries approved by Government for Overseers throughout Nigeria. Increments are not granted annually, but at the discretion of the Engineer, and according to merit.

(ii) The usual educational qualification now required in Uyo Division for new Overseers in training is a pass Middle III, but a lower standard is accepted from literate sectionmen considered worthy of promotion.

(iii) Section-men are graded as Grade V Artisans in the Schedule of Rates of Pay approved by Government, and their rates are from 10d. to 1s. 6d. per day.

(b) Road Overseers are now eligible for leave with pay under the terms of General Order 205 (c) and (d).

(c) They are required to make out and keep timebooks and make out paysheets, to compile monthly records of expenditure and work done, to submit reports on special work or emergencies as necessary, and to keep records of tools in their charge.

(d) Labour rates of pay are fixed by Provincial Wages Committees and the rate of 7d. per day was considered adequate for the Calabar Province by the Committee which met in 1939.

(e) It does not appear necessary or desirable to pay Public Works Department labourers a higher rate than that fixed by the Provincial Committee.

(f) Weekly labour pay is desirable but it is impracticable to introduce it for road labour, owing to the time and expense involved in travelling over hundreds of miles of road to make the payments and the additional staff which would be required.

(g) and (h) The question of establishing a grade of road overseers on the permanent establishment has been under consideration for some time and it is hoped to give effect to the proposal as soon as possible. Men transferred to this grade would be eligible to become depositors in the Provident Fund.

(i) and (j) Government is not prepared to consider the payment of daily-paid employees in respect of public holidays. It would be contrary to general practice and would indeed conflict with the designation of those employees as "daily-paid".

The Member for the Ibibio Division (The Hon. Nyong Essien):

34. (a) To ask whether Government would be pleased to consider the desirability of granting to the Unofficial Members of the Legislative Council of Nigeria the privilege of using the Government frank envelopes for their official correspondence, in the interest of their constituencies, with the Government? If not,

(b) Why not?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) and (b) Arrangements have been made for any letters addressed to His Excellency, the Chief Secretary to the Government, or to the Clerk of the Legislative Council, providing they deal with Council matters, to be accepted for transmission free of charge, if they are franked in the bottom left hand corner with the name of the Member, followed by the letters "M.L.C.". Similarly, telegrams so addressed will be accepted for free transmission.

The Member for the Ibibio Division (The Hon. Nyong Essien):

35. (a) To ask whether Government is aware of an agreement made between representatives of the firm formerly known as the African Association on the one part, and the chiefs of Ibuno on the other part, by which agreement the former pledged to pay annually to the latter a certain sum of money and a certain percentage of goods imported in respect of and for using the latter's river and land for the purpose of trade? If not,

(b) Whether Government would be pleased to trace and verify such an instrument?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) and (b). *Reply not yet ready.*

The Member for the Ibibio Division (The Hon. Nyong Essien):

36. (a) To ask the Honourable the Director of Education—

(i) When was the Government School at Ikot Ekan in the Uyo District established?

(ii) Is it not considered that the school buildings are in a bad condition?

(b) Whether Government would be pleased to consider the need and desirability of improving the buildings of the Government School premises in the Ibibio Division? If so,

(c) When? If not,

(d) Why not?

Reply not yet ready.

The Member for the Ibibio Division (The Hon. Nyong Essien):

37. (a) To ask the Honourable the Director of Medical Services whether Government is aware of increasing number of lepers in the Ibibio Division-Abak District?

(b) Will Government be pleased to consider the desirability of taking immediate step to remove those lepers to the respective leper colonies?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir. Government is aware of the large number of lepers in the area in question, but not that the number is increasing.

(b) No, Sir. Segregation of lepers in Nigeria is mainly on voluntary lines and unless funds for their maintenance in leper settlements can be found by the patients themselves or the Native Authorities concerned, settlements cannot support more patients. In any case accommodation is very restricted.

The First Lagos Member (The Hon. H. S. A. Thomas):

38. (a) Referring to the vacancy for an Assistant Chief Clerk in the Accountant-General's Department which was advertised in the *Nigeria Gazette* No. 35 of the 15th of June, 1939, to ask whether an appointment has been made to this vacancy?

(b) Is it a fact that a First Class Clerk who occupies about the 26th or 27th position on the seniority list of First Class Clerks in the Accountant-General's Department has been recommended by the Head of Department to fill the vacancy?

(c) If so, what are the special or exceptional qualifications possessed by this clerk and the grounds on which the claims of some twenty-five or more senior First Class Clerks in the same Department have been set aside?

(d) Does the fact of a clerk not applying for an advertised vacancy in a higher post which may occur in the Department in which he is serving preclude him, if deserving, from advancement to such a vacancy?

Reply not yet ready.

The First Lagos Member (The Hon. H. S. A. Thomas):

39. How many times was corporal punishment administered in the Prisons of the Colony proper during the twelve months ended 31st March last, and for what offences?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) By order of a Court.

No. of times punishment awarded.	Offences.
1	Burglary.
36	Stealing.
1	Perjury.
1	Forgery.
20	Assault, etc.
1	Entering a dwelling house with intent to commit felony.
3	Vagrancy.
1	Escaping from lawful custody.
2	Indecent assault.
1	Official corruption.
2	Uttering counterfeit coins.
2	Unlawful possession of arms, etc.
1	Offence against the Dangerous Drugs Ordinance (1935).
1	Offering a bribe.
3	Unnecessary noises and acts.
1	Defilement of a girl under 11 years of age.
1	Obtaining goods by false pretences.
1	Being in possession of house breaking implements.
—	
Total ... 79	
—	

(b) For Prison Offences.

No. of times punishment awarded.	Offences.
2	Fighting a fellow convict.
5	Assault on a fellow convict.
1	Being in possession of prohibited articles and assault on a Prison Officer.
2	Disorderly behaviour and assault on a Prison Officer.
2	Disobedience of an order and assault on a Prison Officer.
2	Assault on a Prison Officer.
—	
Total ... 14	
—	

The First Lagos Member (The Hon. H. S. A. Thomas):

40. What is the total sum paid out of the Nigerian Exchequer in pensions during the last financial year and the number of Europeans in receipt of pensions as at 31st March last?

Answer:—

The Hon. the Financial Secretary:

The total amount paid from Nigerian Funds in respect of service pensions during the financial year 1938-39 was—

Nigeria—General	...	...	£ 432,141
Railway	...	...	83,465

The number of Europeans in receipt of service pensions at 31st March, 1939, was—

Nigeria—General	...	...	1,067
Railway	...	...	357

It is assumed that the Honourable Member's question is not intended to refer to pensions payable in accordance with the West African Widows' and Orphans' Pensions Scheme.

The First Lagos Member (The Hon. H. S. A. Thomas):

41. To ask for a statement of the number of Government and Native Administration Forest Reserves, their localities and respective areas?

Answer:—

The Hon. the Chief Secretary to the Government:

In the Northern Provinces there are twelve Government Forest Reserves of a total area of 559.46 square miles and 103 Native Administration Forest Reserves of a total area of 8,909.815 square miles. In the Southern Provinces there are fifty-four Government Forest with a total area of 5,773.61 square miles. The Benin Native Administration Division has sixteen Reserves with a total area of 3,193.88 square miles, and other Native Administration Reserves total twenty-nine with an aggregate area of 3,195.02 square miles.

The First Lagos Member (The Hon. H. S. A. Thomas):

42. (a) Is it a fact that the Ondo Native Administration has decided on the erection of a Council Hall at Ondo?

(b) What is the estimated cost of the proposed Hall?

(c) Has the necessary sum been voted?

(d) When is building operation likely to commence?

(e) Has Government received any representation on the question of the building of the proposed Hall from the Ondo and District Architects?

(f) What is the nature of the representation made?

(g) Had the representation the support of the Oshemawe and his chiefs?

(h) What consideration has Government given to the representation?

(i) Is it a fact that the work of building the College at Benin-City was carried out wholly by natives of Benin Province under the supervision and control of a European Engineer seconded by Government to the Benin Native Administration and that supplies of such materials as sand, stones and timbers were all obtained from natives of the Benin Province?

(j) Is it proposed to adopt a similar procedure in the case of the proposed Council Hall at Ondo?

(k) If not, why not?

(l) If the building is given out on contract, to ask whether Government will take steps to ensure that Natives of Ondo Province are employed, as far as practicable, on the work and that wages compare favourably with the Government standard rate of pay applicable to the province?

Answer:—

His Honour the Chief Commissioner, Western Provinces:

(a) Yes, Sir.

(b) The total cost will not exceed £3,000.

(c) Yes, Sir.

(d) As soon as final plans, which are being prepared by the Public Works Department, have been received.

(e) Yes, Sir.

(f) The Ondo and District Architects asked the District Officer, Ondo, that all labour and materials for the building should be supplied from Ondo and District.

(g) Yes, Sir.

(h) Tenders for the construction of the hall will be invited, and the representation will be kept in view when these are being considered.

(i) Yes, Sir, except that the European Engineer was not seconded to the Benin Native Administration.

(j) Yes, Sir.

(k) Does not arise.

(l) Yes, Sir, as far as is practicable.

The First Lagos Member (The Hon. H. S. A. Thomas):

43. (a) To ask how many clerks left Enugu by train for Ibadan on transfer to the Western Provinces Secretariat in March, 1939?

(b) Were they all provided with the classes of railway accommodation to which they were entitled under the General Orders?

(c) If not, how many of them had to travel third class? Was a protest received from these clerks against their being granted inferior railway accommodation, and why was the class of railway accommodation to which they were entitled under the General Orders not granted?

(d) Is it a fact that a special railway coach was provided for the only European Assistant Secretary who accompanied these clerks on transfer to Ibadan?

(e) If so, what was (i) the railway charge for this special coach and (ii) the total sum charged by the railway for the fares of the African staff and employees transferred from Enugu to Ibadan in March last?

(f) Is Government aware that the clerks who with their wives had to travel third class on railway on transfer from Enugu to Ibadan suffered greater discomfort and inconvenience than they would otherwise have done and had to occupy the same compartment with office messengers, servants of Europeans, etc., during the three days and three nights of the journey?

(g) Is it a fact that when it is not possible to provide in a Government ocean-going vessel the accommodation to which an official or employee is entitled under the General Orders, he is paid an allowance of 7s. 6d. or 5s. per night, according to his rank?

(h) Will Government kindly consider the question of paying like allowance to the clerks who travelled third class on the railway from Enugu to Ibadan on transfer to the Western Provinces Secretariat?

(i) If not, why not?

Answer:—

The Hon. the Financial Secretary:

(a) 19.

(b) No.

(c) Fourteen clerks and their families travelled in 3rd class coaches. 2nd class accommodation had been asked for, but owing to a misunderstanding with the Railway Authorities no 2nd class coaches could be made available in time. A protest was received from the clerks who were informed that though it was recognised that they were entitled to 2nd class accommodation, it was not then possible to obtain it before the time when the train was due to leave Enugu. Arrangements were made, however, for additional 3rd class accommodation to be provided and they had therefore a good deal more accommodation and were in that respect appreciably more comfortable than a passenger travelling 3rd class in the ordinary way.

(d) The European Assistant Secretary who accompanied the African Staff on the special train travelled in a railway inspection coach, which was being transferred to Ebute Metta for repairs.

(e) (i) As the provision of an inspection coach was purely a matter of Railway convenience, one 1st Class fare only was charged, namely £10 14s. 9d.

(ii) Seventy-two 3rd class fares were charged per 3rd class coach, making a total of £322 10s. for five coaches.

(f) As it was not possible to provide 2nd class accommodation it was arranged that five instead of two 3rd class coaches should be provided. Of the ninety-eight persons who travelled on the train fifty were entitled to 3rd class fares and could have been accommodated in one coach. Four 3rd class coaches were therefore available for fourteen clerks and their families. It was unnecessary for those entitled to 2nd class accommodation to travel in the same

compartment with office messengers or the servants of Europeans, and if they did so it must be assumed to have been by mutual arrangement.

(g) Yes, but it may be noted that these allowances are intended to compensate the officers for expenses to which they are put by travelling by inferior accommodation.

(h) and (i) It was decided after careful consideration that the payment of the special allowances to which the Honourable Member refers was not justified. In the special circumstances, however, Government approved the payment to the clerks who were required to travel by inferior accommodation of compensation in respect of out-of-pocket expenses incurred in providing themselves with extra comforts at fixed flat rates of £1 for married officers who were accompanied by their families and 10s. for all others.

The First Lagos Member (The Hon. H. S. A. Thomas):

44. (Question No. 64 of the 6th of March, 1939). To invite attention to the fact that the information sought in the first two parts of the question is not included in the reply to Question No. 2 (Question No. 43 of the 28th November, 1938) to which reference was made, and to ask that reply to the question may now be fully furnished?

Reply not yet ready.

The Third Lagos Member (The Hon. O. Alakija):

45. (a) Under what authority is the Kano Sabongari Mixed Court established?

(b) Is it a Native Court established under the Native Courts Ordinance No. 44 of 1933? If so, of what grade is this Native Court?

(c) If the answer to (b) above is in the affirmative, is the Government aware that this court is presided over by a "Sierra Leonean" who is not an "Alkali" and who is not a Native of Nigeria within the meaning of section 2 of the Native Authority Ordinance (No. 43 of 1933)?

(d) If this court is a Native Court, is it competent for a Native Court to issue Writs of Execution?

Answer:—

His Honour the Chief Commissioner, Northern Provinces:

(a) and (b) The Kano Sabongari Mixed Court is a Court established by warrant under the Native Courts Ordinance No. 44 of 1933. It is a C grade Native Court with extended jurisdiction up to £100 in civil cases.

(c) Yes Sir. The President of the Court is a native of Sierra Leone who has resided in Nigeria since 1902. He was appointed in accordance with section 4 (1) (a) of the Native Courts Ordinance No. 44 of 1933.

(d) Yes Sir.

The Third Lagos Member (The Hon. O. Alakija):

46. (a) What are the reasons for inviting sealed tenders for the purchase of used and/or second hand motor vehicles belonging to the enemy subjects by the Custodian of Enemy Property?

(b) And what are the reasons (if any) for stating that the Custodian of Enemy Property will not be bound to accept the highest tender?

(c) Is there any reason why the sale of enemy property was not conducted by public auction as was done during the last Great War of 1914-1918, instead of by private treaty or by tender?

(d) Has anything been done to realise the stock-in-trade of Messrs. G. L. Gaiser which consists of new motor vehicles, cotton goods and household furniture, et cetera?

(e) If the stock-in-trade had been realised, by what method had it been realised?

(f) And if not, why not?

Answer:—

The Hon. the Financial Secretary:

It is desirable to preface the answers to the detailed questions with the remark that the Custodian of Enemy Property has been appointed by the Trading with the Enemy Ordinance, No. 23 of 1939, for the purpose of preventing the payment of money to enemies and of preserving enemy property throughout Nigeria in contemplation of arrangements to be made at the conclusion of peace. The duties of the Custodian are defined in the Trading with the Enemy (Control of Property) Order, 1939, and he is given discretion as to the methods by which he fulfils the responsibilities placed upon him. The information required is as follows:—

(a) Because it was considered after due inquiry that this was more likely to obtain the best prices for the vehicles than holding a general auction sale.

(b) Because this is a usual and very necessary stipulation when calling for tenders.

(c) *See (a)*. The Honourable Member is not entirely correct in stating that the sale of enemy property was conducted by public auction during the last war.

(d) and (e) Certain perishable and miscellaneous articles have been disposed of to the best advantage, but the main stocks of goods have not yet been sold.

(f) Because the inventories have not been completed, because a considerable quantity of the goods are mortgaged to other business interests and because gradual liquidation of the stocks is considered to be preferable, in the interests of all concerned, to throwing them all on the market at once.

The Member for Mining (Major, the Hon. H. H. W. Boyes, M.C.):

47. To ask whether arrangements can be made whereby tax payable under the Companies Income Tax Ordinance, 1939, may be collected in England, should a company so desire?

Answer:—

The Hon. the Financial Secretary:

The Crown Agents for the Colonies have been appointed as agents for the purpose of facilitating the assessment of Companies incorporated in the United Kingdom, in accordance with section 29 of the Ordinance. After assessment by the Commissioner, payment may be made to the Crown Agents if desired.

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

48. To ask the Honourable the Chief Secretary to the Government to indicate how soon the reply to Question No. 4 of the 27th of September, 1939, will be ready?

Reply not yet ready.

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

49. To ask the Government when the wharf at Oron will be repaired?

Answer:—

The Hon. the Chief Secretary to the Government:

The Honourable Member's attention is invited to the reply to Question No. 50.

The Commercial Member for Calabar (The Hon. L. A. McCormack):

50. (a) To ask why has there been one year's delay in providing the new reinforced concrete pontoon at Oron for the public use in conjunction with the Oron ferry?

(b) When is it proposed that the new pontoon will be provided?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) and (b) Preparation of plans for a new pontoon for use at Oron were begun early this year, but when it became apparent that the cost would be in the region of £2,000 it was decided that the expenditure of such a sum could not be justified in the existing financial circumstances, especially as it has been possible to recondition the old pontoon, which can still be used without undue inconvenience to the public.

The First Lagos Member (The Hon. H. S. A. Thomas):

51. (a) Is it a fact that in Buguma in the Kalabari District of the Owerri Province, corpses of women who may die while in a state of pregnancy or during childbirth or within a week of childbirth are not allowed to be buried but, generally, are wrapped up in mats and placed in mangrove bush outside the town?

(b) If so, to ask whether Government will take steps to put a stop to this practice?

Answer:—

His Honour the Chief Commissioner, Eastern Provinces:

(a) The custom mentioned by the Honourable Member was common in the days before the area came under Government control but responsible House Heads have stated that it has not been practised within living memory and no instances have been brought to the notice of Administrative Officers.

(b) Does not therefore arise.

The First Lagos Member (The Hon. H. S. A. Thomas):

52. Referring to the Superior Post (for African) of Assistant Accountant or Assistant Tax Officer in the Inland Revenue Department, to ask:—

(a) What are the qualifications required of candidates for, and the duties appertaining to, the post?

(b) Whether the post has been filled? If not, when it is proposed to fill it?

(c) Whether a senior member of the African Staff in another Department has been transferred to act in the post? If so, from what date?

(d) Why the post has not been advertised in the ordinary way as other posts of similar grade?

(e) Whether it is proposed to advertise the post at some later period? If so, whether the fact of the officer acting in the post at present having gained a measure of experience therein will not place him in a position of advantage over other applicants?

(f) Is the system of advertisement in the Nigeria Gazette of vacancies in higher grade appointments proving helpful in securing selection of the best type of candidate?

Answer:—

The Hon. the Financial Secretary:

(a)-(e) The position in regard to the post of Assistant Accountant in the Inland Revenue Department is that although the authority of the Finance Committee was sought for the creation of such a post, it was intended at the time that the appointment should be purely temporary pending examination of requirements in connection with the 1940/41 Estimates.

A Chief Clerk whose services had become available because of economy measures in another department, has been seconded to carry out these duties. If it is decided later to expand the establishment of the Inland Revenue Department the resulting vacancy will be announced, stating the necessary qualifications, in the usual manner, and applications from candidates in other departments will be considered.

(f) The answer is in the affirmative: the system is to some extent experimental and it is possible that some modifications may prove desirable in course of time.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

53. Considering the time that has elapsed since the Report of a Committee appointed in Nigeria to examine Recommendations

made by the Commission on the marketing of West African Cocoa has been laid on the Table of the Legislative Council (*vide* Sessional Paper No. 20 of 1939) to ask whether Government will not now give effect to some of the recommendations contained in the Report?

Answer:—

The Hon. the Chief Secretary to the Government:

Government shares the Honourable Member's desire that effect should be given as soon and as far as possible to the recommendations of the Committee appointed by His Excellency the Governor on the Marketing of Cocoa in West Africa. Following the examination of the Commission's recommendations by the local Committee, the attitude of the Nigerian Government was fully explained to the Secretary of State for the Colonies in June last. In August, the latter intimated that it was hoped to announce a decision on policy early in December, but as the Honourable Member is aware, other events, with which the Government in the United Kingdom have been fully occupied, have intervened. In the meantime the introduction of the Cocoa Control Scheme, the primary object of which is to protect the interests of producers, has for the present considerably altered the conditions under which this season's cocoa crop is to be marketed. The Honourable Member may rest assured that so far as circumstances permit, no time will be lost in giving effect as far as possible to the above recommendations when the announcement of policy has been made by the Secretary of State.

I might add, for the information of the Honourable Member, that immediate steps are being taken by the Government to give effect to one important recommendation, namely, the appointment of a Marketing Officer, the urgency for which appointment has increased since the outbreak of war.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

54. (a) In view of the increasingly large public need being served by road transport in the development of this country, and trade generally, coupled with the fact that all other transport interests such as water and rail are represented in the Legislative Council; also in view of the large capital invested in the industry by Africans in this country, and the fact that similar industries, such as shipping, banking, mining, already represented through the Chamber of Commerce have also individual separate representation in the Legislative Council, whether the time has not arrived for Government to nominate in consultation with the Motor Transport Organisation, a representative of that industry to a seat in the Legislative Council? If not, why not?

(b) In view of the representations made to Government by the Nigerian Youth Movement, as per reports published in the local papers and repeated criticisms in the press in connection with the same subject, to ask whether the question of representations generally as far as Government nominees are concerned in both the Town and Legislative Councils should not be reviewed, especially as there is proved fact that double representation has been given in the case

of European Merchants, who, in the case of Town Council have the right to vote during elections, and have always exercised that right, and again have four representatives nominated to seats in the Town Council by Government?

(c) In view of the fact that European firms established in Calabar, Port Harcourt and Kano areas are only branches of those established in Lagos with headquarters at the latter place and derive their authority from Lagos the headquarters or Chamber of Commerce, to ask Government whether there is any justifiable reason to give representation to each Chamber of Commerce of Kano, Calabar, Port Harcourt and Lagos, when one representative could have served the purpose in view of the fact that members of the Chambers of these different centres represent practically the same business houses in the country, especially when other interests with equal claims have no representation in the Legislative Council?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) It is not considered necessary that the motor transport industry should be specially represented in the Legislative Council. The Industry is at liberty—of which it appears to take full advantage—to enlist the support of present members of the Council in matters affecting it, and, in the opinion of Government, its interests are adequately safeguarded by this and other channels of making its needs known.

(b) No, Sir. It is not considered necessary to review the position of representation in the Lagos Town Council or in the Legislative Council. The fact that a member of the Lagos community is appointed by the Governor under section 4 of the Lagos Township Ordinance to be a member of the Lagos Town Council cannot deprive such person of its right to vote at the Town Council elections, and the exercise of that right cannot be said to amount to double representation, as suggested in the Honourable Member's question.

(c) The question seems to imply that the Honourable Members referred to represent the firms to which they belong. This is not the case. They are appointed to represent the entire commercial community of their areas, and have been selected on the grounds that they are the most suitable persons to do so.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

55. To ask whether there is any special reason why Trunk Telephone Service between Ijebu Ode and Ife should now be discontinued after 5 o'clock during week-days and not be available till 9 p.m., and if none, whether the Postal Authorities will see to it that service is available for the full time off from 7 a.m. to 9 p.m. week days, since the rental charges at Ife are the same as in Ijebu Ode?

Answer:—

The Hon. the Chief Secretary to the Government:

The volume of local traffic at Ife does not warrant the provision of the additional staff required for an extension of hours of working.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

56. (a) Is it a fact that 100 cocoa bearing trees and 256 kolanut trees belonging to farmers of Ishara in the Ode Court Area in Ijebu Remo Division of Ijebu Province were deliberately cut down and destroyed by six agents of one Gbasemo of Ishara, without any legal authority or any order of the Court, and that representations from the aggrieved parties were made to the Resident, Ijebu Province? If so, to ask whether an investigation has been made into the complaint and if no investigation has been made to ask for a statement of what Government intends to do in the matter?

(b) Also to ask if Government is aware that many farmers who have settled and worked in Isoso-Iyankan farm of Ishara town for over fifty years have been and are still being disturbed from carrying on their normal farm work from which they derive their livelihood and pay tribute tax to the Native Administration revenue, despite the fact that farm rent is collected from them, and to ask if Government is prepared to allow this unsatisfactory conditions of things in Ishara Town to continue?

Reply not yet ready.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

57. Is it a fact that the Nigerian Government intends to control the purchases, sale and export of palm oil and kernels in this country, and if so, what steps are being taken to take the public into confidence especially those directly engaged in the produce business, and how far are the interests of the African producers and produce buyers being safeguarded and whether Government can make a statement on what has been done?

Reply not yet ready.

The Commercial Member for Calabar (The Hon. L. 4. McCormack):

58. (a) What is the reason for closing the Aba-Port Harcourt Road to motor traffic except to persons to whom a permit is granted by the Transport Authority?

(b) Could not the restriction be uplifted with regard to private cars so that such cars not exceeding 24 cwt. be allowed the unrestricted use of this road?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) It became imperative at the outbreak of war for Government to take steps to conserve as far as possible the stocks of petrol in Nigeria and with that object Regulations Nos. 35 and 36 of 1939 were made. Among the instructions given to Provincial Control Officers for guidance in giving effect to these Regulations was the desirability of making the fullest use of rail and water transport, since unlimited supplies of coal are available within Nigeria; and the policy of requiring owners of commercial vehicles to be in possession of permits authorising them to operate their vehicles on

particular routes is general throughout Nigeria. It was unnecessary however from that point of view that the Aba-Port Harcourt road should have been closed by Notice in the *Gazette* and steps will be taken to revoke the notice. But as the bridge at mile 9/1 has been damaged by floods it will be necessary to replace that notice by another informing the public of a temporary restriction to use by light traffic only until the bridge has been repaired.

(b) The Honourable Member will no doubt have seen the recent notice in the Press in which the public were informed that the petrol stock position at present is better than could reasonably have been hoped for at the outbreak of war and that consequently it had been found possible to relax the existing measures of control to a considerable extent. But so long as any restriction of petrol consumption is necessary such restriction must naturally be imposed where there is an alternative form of transport available.

The Commercial Member for Calabar (The Hon. L. A. McCormack):

59. (a) Whether in view of the stringent economy necessary to be exercised by Government careful consideration will be given to the question whether the payment by Government of the passages between England and Nigeria of the wives of Government officials should not be discontinued?

(b) What is the annual cost to Government of the payment of the passages between England and Nigeria of the wives of Government officials?

Answer:—

The Hon. the Financial Secretary:

(a) No Sir. The Leave and Passage Regulations were revised as recently as three years ago in accordance with the recommendations of the Committee appointed under the Chairmanship of the Earl of Plymouth to investigate the position throughout the Colonial Service. The considered opinion of that Committee, that it is in the interests of the public service that an officer's wife should, as far as possible, be given facilities for sharing her husband's life in the Colony in which he is employed, and that is therefore reasonable and proper that the passages of wives should be accepted as a liability of a Colonial Government, has been accepted, and whilst the need for rigid economy is recognised it is not considered that it would be in the public interest to modify the present arrangements.

(b) Approximately £33,500 on a pre-war basis.

The Second Lagos Member (Dr., the Hon. K. A. Abayomi):

60. (a) To ask whether it is true that Government contemplates the promotion of two British Inspectors to the post of Assistant Superintendent? If so, to ask—

(i) How long have these officers served with the Nigeria Police Force?

(ii) What are their qualifications?

(b) To ask what is the Government's policy with regard to the promotion of African officers to the post of Superior Police Officer, *i.e.*, Assistant Superintendent of Police?

(c) To ask whether it is a fact that a British Inspector has been appointed to take charge of the Finger Print Branch of the Criminal Investigation Department? If so, to ask—

(i) What is the qualification of this British Inspector with reference to the work for which he is specially appointed?

(ii) Whether it is not a fact that before and after the arrival of this officer an African Inspector has been carrying on the work of the Finger Print Branch successfully without the assistance of a European Police Officer?

(iii) Has there been any change in the system of recording Finger Print since the arrival of the British Inspector?

(d) If not, to ask how far has the Government benefitted by the appointment of this British Inspector in preference to an African Inspector with a qualified and long experience of Finger Print Work?

(e) To ask how many Sub-Inspectors have been appointed since 1936?

(f) How many of these Inspectors have secondary education?

(g) How many rank and file are in the Police Force to-day with secondary education?

(h) How many of these have been given the opportunity to compete for or have been promoted Sub-Inspectors? If none, why not?

(i) To ask whether there are not yet any suitable and qualified Inspectors among the higher grade to be considered for the post of Assistant Superintendent in preference to newly appointed British Inspectors?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) No, Sir; no such recommendation has been made to Government.

(i) }
(ii) } Do not arise.

(b) It is the express policy of Government to promote Africans to higher rank and responsibility in all cases where they are qualified and suitable for such promotion; it follows therefore that Africans are eligible, subject to these conditions, for promotion to the rank of Assistant Superintendent of Police.

(c) It is not a fact that a British Inspector has been appointed to take charge of the Finger Print Branch of the Criminal Investigation Department. The services of a highly qualified British Inspector were obtained from Scotland Yard and he was appointed to the Criminal Investigation Department on 16th November, 1938. In common with other branches of Criminal Investigation Work he supervises the Finger Print Branch.

(i) The qualifications of this British Inspector are as follows:—

He joined the Metropolitan Police in September, 1931, and served in the uniformed branch until March, 1932, when he was attached to the Criminal Investigation Department where he remained until he was transferred to Nigeria in 1938. During his service in the Criminal Investigation Department of the Metropolitan Police his duties included the detection of crime in all its stages, preparing cases for Court, and the investigation of political cases. He attended lectures on Criminal Law and Procedure and passed several examinations in those subjects. He attended a course on special criminal investigation at the Police College, Hendon, which included forensic science as applied to police duties, and lectures given by Specialists on every subject appertaining to the scientific investigation of crime. He passed the 2nd and 1st class Civil Service examinations. He spent nine months in the Criminal Record office, Finger Print Department, and Photographic Sections at New Scotland Yard. In July, 1938, he was selected for appointment to the Nigeria Police and took a further course of fingerprint instruction on advanced theories which included the Single Finger Print System; also a specialised course of scientific photography in all stages as well as a course in Forensic Chemistry. He has a comprehensive knowledge of photography, and a good knowledge of chemistry.

(ii) Before and after the arrival of this officer an African Inspector has been employed in the Finger Print Branch and has worked well under supervision.

(iii) No, Sir.

(d) Not only the Finger Print Branch but all other branches in the Criminal Investigation Department have benefited by the appointment of a highly qualified officer from Scotland Yard. No African Inspector has these qualifications.

(e) The following African Sub-Inspectors have been appointed since 1936:—

Four in 1936
Five in 1937
Eight in 1938
Four in 1939 up to date.

Of the above, nineteen were promotions from the rank and file.

(f), (g) and (h) *Reply not ready.*

(i) Does not arise in view of reply to (a) above.

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

61. (a) To ask whether Government is aware of the fact:—

(i) That several Interpreters do about 70% of clerical work apart from their ordinary interpreters' duties?

- (ii) That on several occasions Second Class Qualified Interpreters of all grades have taken over duties from clerks in charge of offices when the latter are on leave?
 - (iii) That several Second Class Qualified Interpreters have been kept perpetually on a salary of £38 per annum, yet doing over 70% of clerical duties, simply because they cannot speak a second language as provided in past General Order 613?
- (b) To ask Government to be pleased to give such Second Class Qualified Interpreters consideration upon mergence into clerical service, their lack in the second language having been supplied by their ability to do 70% of clerical duties?
- (c) To ask whether Government is also aware of the fact:—
- (i) That 75% of the questions in the Interpreters' Examination are based on general education and intelligence?
 - (ii) That a Qualified Interpreter qualifies in the educational part of the test (Parts A, B, C) once for all and he only sits Part D the next year to qualify only for the second language?
- (d) Is it a fact that only Interpreters who have qualified in the second language are given the privilege to enjoy full benefits of clerical service?

If so, to ask whether it is because the favoured class of "Qualified Interpreters" has succeeded in the second language and the other has not, even though educationally they may be equal or the other may be superior though has not obtained a second language?

(e) In the circumstances will Government consider the advisability of granting Second Class Qualified Interpreters mergence or conversion into Clerical Service, if they have served as much for eight years with good record and in such a case they may not be required to pass Middle VI Examination which is the present standard required to enter Government Service, as this standard was not the criterion when they were originally employed and their increment be not impeded?

(f) Whether Government is aware of the fact:—

- (i) That there are clerks in the Service who originally joined up from the status of Native Court Clerks, Unqualified Interpreters and Office Messengers who, upon the introduction of the past Clerical Entrance Examination have not been asked to qualify for same before receiving their regular increment and promotion?
- (ii) That as far back as 1932, when the past Clerical Entrance Examination was abolished some clerks have been employed without even such standard of education as required of the present Qualified Interpreters seeking conversion into the Clerical Service?
- (iii) That upon the introduction of Middle Class VI, these Qualified Interpreters have not been asked to qualify for regular increment?

Reply not yet ready.

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

62. To invite the attention of Government to the Article published in the *Nigerian Daily Times* of the 9th of May, 1939, and the *West African Pilot* of the 13th of May, 1939, regarding method of selecting candidates for promotion in the Nigerian Civil Service and to ask whether the question of constituting an independent "Promotions Board" by Government will now be seriously considered in view of general complaint among clerks serving in outstations that Heads of Departments take very little notice of recommendations from outstations in respect of African Officials not personally known to them or their immediate Assistants; and having regard to the fact that it is quite natural that proximity of certain clerks posted at Headquarters will have prejudicial influence on the otherwise well-intentioned recommendations from Heads of Departments?

Answer:—

The Hon. the Chief Secretary to the Government:

The questions raised by the Honourable Member will receive the early consideration of the Government.

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

63. Whether it is a fact that in the Marine, Posts and Telegraphs, and Public Works Departments, selection of clerical staff for promotions is made solely by the Chief Accountants who are having their own clerical staff attached to their offices, and if so to ask whether this practice is not open to serious objections. Why should not all recommendations (including those of the Chief Accountants about their own staff) be forwarded to the Head of Department for final selection?

Answer:—

The Hon. the Chief Secretary to the Government:

No, Sir. In all the three Departments mentioned, selections for promotions in the Clerical Staff up to the grade of First-class Clerk are made by the respective Heads of Departments who submit their recommendations to the Chief Secretary for the approval of Government. The question of promotions to grades above that of First-class Clerk will be dealt with in the reply to Question No. 62.

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

64. (a) Is it a fact that Sub-Inspectors of Sanitation are not given transport fare when proceeding on leave and that they have no pay during the tenure of their leave?

(b) Is it a fact that some of the 2nd Class Inspectors of Sanitation who have served for seventeen to twenty-four years have no prospect of promotion, even when recommended for same?

(c) Is the Government in possession of their petition of the 15th June, 1937, and if so, what steps have been taken to remedy their grievances?

Reply not yet ready.

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

65. Is it a fact that the majority of the elders of Afikpo in the Ogoja Province have petitioned the Government to the effect that one Interpreter and the Court Scribe of their district have become a real menace to the growth of the Native Administration and happiness of the people? If so what has Government done to remove the source of this grave discontent and unrest, which might lead to serious development?

Reply not yet ready.

RESOLUTIONS.**The Hon. the Financial Secretary:**

Your Excellency: I rise to move the first resolution standing in my name in the Order of the Day:—

“ Be it resolved: That the Report of the Finance
“ Committee (Part I) which was laid on the table
“ to-day, be adopted.”

This resolution covers all items of Supplementary Expenditure approved by the Finance Committee since the last meeting of Council.

The Member for the Egba Division (The Hon. A. Alakija, C.B.E.):

I beg to second.

The resolution was adopted.

The Hon. the Financial Secretary:

I beg to move the second resolution standing in my name:—

“ Be it resolved: That the Report of the Finance
“ Committee (Part II) which was laid on the table
“ to-day, be adopted.”

This resolution covers the *ex-gratia* awards approved by the Finance Committee since the last meeting of Council.

The Member for the Egba Division (The Hon. A. Alakija, C.B.E.):

I beg to second.

The resolution was adopted.

The Hon. the Financial Secretary:

Your Excellency: I rise to move the third resolution standing in my name:—

“ Be it resolved: That this Council approves in principle
“ the new taxation measures of which Government has
“ given notice in the Order of the Day, namely, Income

“ Surtax as set out in the Income Tax (Supplementary)
“ Ordinance, 1939: Import and Export Dues as set
“ out in the Resolution amending the Customs Tariff
“ Ordinance, 1924.”

It is not quite so simple as the two preceding ones. It is a grim task before me and a much grimmer task before the country. Your Excellency has described it as dull and depressing and I can only do my best to make it as brief as possible.

In the financial review which has been laid before the Council I have explained how the revenue of the country has gone down, down, down. A great deal of the fall in the revenue is the result of the war, although there is no doubt that the financial position had deteriorated to a considerable extent owing to the general feeling of uncertainty which has prevailed for a long time and before war broke out it was already evident that the revenue would not amount to the figure which had been put in the Estimates. But earlier still, the revenue estimate had been reduced in the light of the experience of last year when we saw a similar steady fall so that when the Budget for this year was presented every effort had already been made to reduce expenditure to an absolute minimum.

As Your Excellency has described, we had already pruned every vote; we had reduced expenditure to what we considered then an absolute minimum short of drastic curtailment of services. The urgency of the position has forced us to impose further economies, but the effect of these economies is not very large in view of the drastic steps that had already been taken. Consequently, it was early apparent—as it must be apparent to the whole country—that additional taxation is inevitable and a comparison with the Emergency Budget in the United Kingdom brings home to us all that everybody must contribute to the common need. I was at home when what was called the Emergency Budget was introduced and, in common no doubt with a large proportion of the population of Great Britain, I listened to the broadcast of the speech of the Chancellor of the Exchequer. I had in my own mind, endeavoured to make an estimate of what the changes in taxation would be. It was not difficult to foresee that tobacco would have to pay something more and that spirits would do the same: the possibility of adding something extra to sugar and tea and ordinary requirements of everyday housekeeping was also evident, and I can say without attempting to pose as a prophet that many of the additional measures were no more than what I and every man in the street could foresee, but I remember vividly the shock that was experienced when the announcement of the rise in income tax came. I think everybody had expected a certain rise in the rate and probably some adjustment in the scale of allowances, but there was

a sort of gasp not merely amongst those of us who listened to the broadcast but in the general conversation that took place when one met anyone shortly afterwards. I think everyone was staggered but what was most noticeable was that after that first gasp there was no question of protest; everybody figuratively tightened his belt and accepted the liability to pay that very very high rate of income tax.

In another respect, a comparison with the taxation of the United Kingdom shows that we are not in the same fortunate position because their revenue has not gone down. They are faced with increases in expenditure—enormous increases—but their revenue, if anything, has gone up. Nigeria's revenue has inevitably suffered from the results of the major conflict in Europe.

Now, Sir, dealing with the general principle of the new taxation which is proposed, Your Excellency has already explained that there is no question of a balanced budget for this year and, I am afraid, for the next. That is quite beyond our power, but it is obvious that what we have to do is to pay to the limit of our capacity. Whether these measures represent the absolute limit is more than one can say at the moment. They represent the limit that it is considered at this stage could be imposed, not on the principle of trying to raise a certain amount of money, but rather of raising the maximum that can possibly be obtained. Government is exploring all possibilities and should it be found that there are other items which can contribute to the State, Government will not hesitate to bring in measures to effect them. That is particularly applicable in the case of income surtax.

This measure has been put forward after a considerable amount of thought but it does not represent a final conclusion. In the main, the new measure follows closely the canon of taxation about ability to pay. But it must not be forgotten that the taxation structure of this country is mainly indirect. It is not possible in a country which is in a state of development to rely on direct taxation to the extent that a European country can. At the same time, in the measure which is now put before the Council we take a very definite step forward in regard to direct taxation. The proceeds of direct taxation are small relatively if we look at our budget as a whole but I cannot venture to say that the impact on the individual will be small.

Turning to the general principle of the surtax itself, it will be noticed that incomes up to £200 are not affected at all; that is in accordance with what I am sure will be agreed on all sides of the House, that the poorest class is already making his contribution under the existing income tax laws. After £200 the next stage is another £200 and the tax is one per cent; on the next £300, two

per cent and on the next £300, three per cent: that covers incomes up to £1,000 and then the rate rises to four per cent. Incomes over £3,000 are called upon to pay a very much stiffer contribution to revenue of twelve and a half per cent. That is in accordance with the recommendation of the Select Committee which met earlier in the year to consider the Bill imposing a tax on Companies' incomes. It is true that in this case the fortunate man who has more than £3,000 a year will pay twelve and a half per cent plus his original one and a half per cent. On the other hand, he will only pay this rate on the excess over £3,000. I do not think that there will be many people whose incomes will be so large that they will pay at the rate of twelve and a half per cent on the total.

Your Excellency referred to the fact that this measure will not be applicable to Africans outside Lagos. I would only like to add to that, that if any individual feels that he would like to follow Your Excellency's example, I should be only too pleased to accept his contribution to the exchequer and will ensure that it is accurately recorded in the accounts so that the individual concerned can be assured that his action in contributing to the public revenue is appreciated.

For next year, Sir, it is not contemplated that this measure shall apply in its present form. What is proposed is that a scale should be prepared on a more scientific basis. The present scale is an attempt which goes very much further than a flat rate, but it does not go all the way and it does not include all those allowances and distinctions which we have learnt to associate with income tax at home.

I do not suggest that all the distinctions are appropriate to this country, but the possibility of evolving a scale on a more scientific basis and making provision for married men and children is being investigated. One feature which will necessarily accompany such a scientific basis is that higher incomes must expect to be more severely taxed.

This measure, Sir, is expected to produce a total of about £40,000 which, as I have said earlier, is not a very large amount in relation to our total budget but it will mean that everyone with an income of over £200 must make a real contribution to the needs of the country. The full amount will not necessarily accrue this year; coming so late in the year, there must obviously be a great deal of work in the collection and it is quite possible that some will be carried forward to next year.

With regard to the other measures of taxation, Your Excellency has described how the import duties fall into two classes—a surtax of twenty-five per cent, and the revision of the free-list.

Twenty-five per cent surtax will mean, in general, that for every pound that every individual spends, the State will receive much the same as it did before the war. The individual will pay more for his yard of cloth, his bottle of whisky, his galvanised iron—but out of every pound that the individual spends, the amount accruing to the State will be approximately the same as last year.

With regard to export duties, I would remind Honourable Members of the resolution passed at the last meeting of the Council which accepted in principle the imposition of export duties when the price of produce passed a certain figure. I am not in a position to say exactly how much it costs to produce rubber but we know that rubber was being produced and was an economic proposition some time ago when in the world market it was fetching fivepence or sixpence. Now it is nearly double that figure; the last advice I had from England was that it was more than tenpence halfpenny a pound. A basic rate of one penny per pound is estimated to bring in £25,000 in a full year; for the remainder of this year the proceeds will be £8,000.

As regards groundnuts, I think it is not necessary for me to add anything to the remarks which Your Excellency has made. I would just mention that in the review of the financial position I referred to an increase in revenue of £100,000 from new taxation; that did not include the proceeds from an export duty on groundnuts, because at the time when that review was written the position had not been clarified and we had not then been informed of the additional amount that the Ministry of Food was prepared to pay. Consequently, the increased revenue for this year may be expected to be somewhat higher than the £100,000 I have mentioned in that review.

In a full year the proceeds of these duties, excluding income tax, will amount to nearly £300,000. I cannot give a definite figure for income tax, but it is not likely to be more than £50,000 additional to the return from the present rate of tax and this will mean that these measures will bring in approximately £350,000. But even allowing for this the financial outlook is not encouraging. It is anticipated that by the 31st of March, 1940, our surplus balances will be down below the million mark and it is important to remember that to carry on at all we need nearly three quarters of a million pounds as working capital. The Railway require about £400,000—some in stores and some in cash—whilst we have to keep from £250,000 to £300,000 in cash spread over the whole country. Consequently, when our surplus balances drop below the million mark, we are already in dangerous proximity to that day when we should have to obtain an overdraft to carry on our ordinary business, and I think that in itself will bring home to my Honourable friends the need for extra taxation.

Finally, Sir, I would just mention, in addition to what Your Excellency has said about procedure, that at the close of the debate, after my Honourable friends have had an opportunity of criticising the general principle and when I have done my best to reply to those criticisms, I shall move that the resolution be referred to the Finance Committee before the question is put. I commend the resolution to the Council. I beg to move.

The Hon. the Comptroller of Customs:

Your Excellency: In seconding the motion I am sure Honourable Members will desire some necessary details of what is involved in the customs implications of the motion. I have therefore caused each Honourable Member to be supplied with a copy of the tariff and two explanatory documents. The first of these explanatory documents which is headed "An explanatory note," etc., achieves simplicity at the expense of taking vast liberties with tariff terms. The second explanatory document is a complete detailed statement of what is proposed.

If Honourable Members will now take the resolution relating to customs it will be observed that the most important part of it is that which nestles, with disproportionate modesty, as item 30, at the foot of paragraph 1 (a) on page 3, by which it is sought to impose a surtax of twenty-five per cent on specific duties. The whole of the remaining proposals in paragraphs 1 and 2 of the customs resolution have something to do with the free list, that is to say, they each either repeal or amend or supplement the repeal of some item on the free list.

The explanatory documents make quite clear what is to happen. The repeal of any item on the free list automatically means that the goods covered by that item become liable to fifteen per cent *ad valorem* duty unless some other provision is made. The explanatory documents show that in certain cases other provisions are made. In some cases, where fifteen per cent *ad valorem* is thought too high, a duty of ten per cent *ad valorem* is imposed. In other cases specific duties are imposed.

The third paragraph of the resolution relates to export duties. I think it is unnecessary for me to add anything on that subject to what has been so fully stated by Your Excellency and the honourable mover of the resolution.

I should, however, like to say something on the subject of the surtax. Your Excellency has stated that a great proportion of our customs import duties is derived from specific duties, but I venture to think that few people will be aware that ninety per cent of the total customs revenue is derived from specific duties. Now,

Sir, if the prices of imports rise by twenty-five per cent—which I think is a moderate figure to expect—it means that twenty-five per cent more money will have to be available to pay for imports unless we are to lose revenue heavily.

I think the probability is that there will be no more, or very little more money available to pay for imports than in the past year. So we have to face a huge drop of twenty per cent in the revenue from specific duties.

Now, a surtax of twenty-five per cent cannot hope to cover that drop. In the first place, the addition of any customs duty means a reduction in the value of imports, because that duty forms part of the price. There is, however, another and more incalculable factor. The rates of specific duty are not even. Some of the rates are equivalent to ten per cent *ad valorem*; some are equivalent to two hundred per cent *ad valorem*. I think it follows that if an even addition is made to all rates, we cannot expect that the results will be even. I think it is certain that in some luxury items there will be a greater shrinkage than in items in common use and in everyday demand.

I think I have said enough, Sir, to indicate that in this particular respect of the surtax on specific duties, Government is not looking for more revenue, but is merely hoping to retain some part of what will be lost unless some such measure is taken.

Now, Sir, as to the free list, Your Excellency has remarked that it is a generous free list. It is a generous free list, even for normal times; one of the most generous I have ever seen. In these times the retention of some of the items is absolutely unthinkable. Moreover, there are quite a number of items on the free list which should not be there in any circumstances. I refer to some which tend to discourage local enterprise.

I should add, Sir, in regard to the free list and indeed in regard to the whole structure of the tariff, that a conference of West African customs officials is to be held in the near future on the instructions of the Secretary of State. This question of the form of the tariff will be one of the principal items for discussion.

On matters not relating to customs, Sir, I propose to say nothing. *Ne sutor ultra crepidam*. In any case, I think Honourable Members have already suffered sufficiently. I have the honour, Sir, to second the resolution.

His Excellency:

The debate on this resolution can be adjourned.

The Hon. the Comptroller of Customs:

Your Excellency: I beg to move the resolution standing in my name next in the Order of the Day. I have nothing to add, in view of what I have already said.

ADJOURNMENT.

The Council adjourned at 11.40 a.m. until 10 a.m. on Tuesday the 5th of December, 1939.

DEBATES
IN THE
LEGISLATIVE COUNCIL
OF
NIGERIA
ON

Tuesday, 5th December, 1939.

Pursuant to notice the Honourable the Members of the Legislative Council met in the Council Chamber, Lagos, at 10 a.m. on Tuesday, the 5th of December, 1939.

PRESENT.

OFFICIAL MEMBERS.

- The Governor,
His Excellency Sir Bernard Bourdillon, G.C.M.G., K.B.E.
- The Chief Secretary to the Government,
The Honourable C. C. Woolley, C.M.G., O.B.E., M.C.
- The Chief Commissioner, Northern Provinces,
His Honour T. S. Adams, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour G. C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour G. G. Shute, C.M.G.
- The Acting Attorney-General,
The Honourable C. W. W. Greenidge.
- The Financial Secretary,
The Honourable H. L. Bayles, C.M.G.
- The Director of Medical Services,
The Honourable Sir Rupert Briercliffe, Kt., C.M.G.,
O.B.E.
- The Director of Education,
The Honourable E. G. Morris, O.B.E.
- The Director of Marine,
Commander the Honourable A. V. P. Ivey, R.D., R.N.R.

- The Comptroller of Customs,
The Honourable A. E. V. Barton, C.B.E.
- The Deputy Chief Secretary,
The Honourable T. Hoskyns-Abrahall.
- The Senior Resident, Plateau Province,
The Honourable E. S. Pembleton.
- The Senior Resident, Kano Province,
The Honourable J. R. Patterson, C.M.G.
- The Senior Resident, Ilorin Province,
The Honourable F. de F. Daniel.
- The Senior Resident, Niger Province,
The Honourable P. G. Harris.
- The Resident, Benue Province,
The Honourable D. M. H. Beck, M.C.
- The Resident, Katsina Province,
The Honourable R. L. Payne.
- The General Manager of the Railway,
The Honourable J. H. McEwen.
- The Director of Public Works,
The Honourable S. J. W. Gooch.
- The Director of Agriculture,
Captain the Honourable J. R. Mackie.
- Colonel the Honourable H. C. T. Stronge, D.S.O., M.C.,
Assistant Commandant (Extraordinary Member).

UNOFFICIAL MEMBERS.

- The Member for the Egba Division,
The Honourable A. Alakija, C.B.E.
- The Member for the Colony Division,
Dr. the Honourable H. Carr, D.C.L., O.B.E., I.S.O.
- The Member for the Ibo Division,
The Honourable B. O.-E. Amobi.
- The Member for the Rivers Division,
The Honourable S. B. Rhodes.
- The Member for the Warri Division,
The Honourable A. Egbe.
- The Member for the Oyo Division,
The Honourable N. D. Oyerinde.
- The Banking Member,
The Honourable D. D. Gibb.
- The Commercial Member for Lagos,
The Honourable R. M. Williams.

The Commercial Member for Calabar,
The Honourable L. A. McCormack.

The Member for Calabar,
The Reverend and Honourable O. Efiang.

The Member for the Ibibio Division,
The Honourable Nyong Essien.

The Member for the Ijebu Division,
Dr. the Honourable N. T. Olusoga.

The Second Lagos Member,
Dr. the Honourable K. A. Abayomi, M.D.

The Third Lagos Member,
The Honourable O. Alakija.

The First Lagos Member,
The Honourable H. S. A. Thomas.

The Mining Member,
Lieutenant-Colonel the Honourable H. H. W. Boyes,
M.C.

The Member for Shipping (Provisional),
The Honourable G. H. Avezathe.

ABSENT.

OFFICIAL MEMBERS.

The Commandant,
Brigadier the Honourable G. R. Smallwood, M.C.

The Senior Resident, Cameroons Province,
The Honourable A. E. F. Murray.

The Secretary, Northern Provinces,
The Honourable A. E. V. Walwyn.

The Senior Resident, Oyo Province,
Captain the Honourable E. J. G. Kelly, M.C.

The Resident, Bornu Province,
The Honourable P. G. Butcher.

The Resident, Ogoja Province,
The Honourable K. V. Hanitsch.

Captain the Honourable A. W. N. de Normann,
Commissioner of Lands and Surveyor-General.

UNOFFICIAL MEMBERS.

The Commercial Member for Port Harcourt,
The Honourable P. H. Davey.

The Commercial Member for Kano (Provisional),
The Honourable F. P. Mackenzie.

PRAYERS.

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

CONFIRMATION OF MINUTES.

The Minutes of the meeting held on the 4th December, 1939, having been printed and circulated to Honourable Members were taken as read and confirmed.

QUESTIONS.***The Member for Calabar (The Rev. & Hon. O. Efong):***

1. (*Question No. 1 of the 4th of December, 1939*). With reference to a Deed of Gift dated 29th December, 1902, signed between Obon Adam Ephraim Adam, Prince Egbo Archibong II, Chief Abasi Eyo Andem and Prince Adam Duke IX, representing the Duke Town families, Calabar, on the one side, and Sir Ralph Moor representing the Government on the other in respect of a piece of land said to be partly occupied by the Elder Dempster Lines offices and workshops at Calabar, to ask—

(a) Whether any representation has been made to Government on behalf of the Grantors alleging that certain conditions of that Deed have been contravened by Government? And if so,

(b) When was the first representation made and how many reminders have been sent to Government on the matter and what were the dates and terms of Government replies to those letters and reminders?

(c) Whether it is a fact that as far back as the 24th of September, 1937, the District Officer, Land Section, Calabar, had informed the Duke Town Etuboms as representatives of the landowners in writing that he was "awaiting a reply from Lagos regarding this question"?

(d) Whether it is also a fact that in answer to repeated reminders, the District Officer, Land Section, about a year later, that is on the 30th of August, 1938, again wrote regarding the same question "a full report was submitted to Government some weeks ago and a reply is expected shortly"?

(e) Whether through further delay to satisfy the claims of the people a petition dated the 26th of October, 1938, was addressed to His Excellency the Governor on the matter and the receipt of it acknowledged by the Secretary, Southern Provinces, on the 12th of December, 1938?

(f) Whether up to the present the claims of the people have been satisfied or a final settlement reached and if not why has there been no settlement for the protracted period of two years?

(g) Whether the site now occupied by the Elder Dempster Lines offices and workshops in Calabar is part of the land granted to Government by the Deed of the 29th of December, 1902, referred to above?

(h) If the answer to (g) is in the affirmative to ask whether Government in subletting the land has fulfilled to the letter all the conditions of the Deed?

(i) If the answer to (g) is in the negative to ask by what Deed or authority is Government enjoying the right to control, and collect the rents from, that piece of land occupied by Elder Dempster Lines offices and workshops?

(j) To ask for the name of the company or person to which the land which is the subject of this question was first leased, whose consent was obtained, the annual rental paid and also the total amount of rent collected by Government from the original date it was leased up to the present?

(k) To ask whether the consent of all the Duke Town families was obtained before the said piece of land was leased by Government before, during or since 1914, and whether such consent was indicated by the signatures of the heads or representatives of all the families concerned as was the case when the original Deed was signed in 1902?

(l) Whether by virtue of the fact that Government is no more using the said piece of land for "public purposes" but has leased it to a private firm in return for payment, will Government consider the advisability of delivering the land to the Grantors and paying to them all rents collected therefrom without further delay and to ask what reasons there are if the answer is in the negative?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) and (b) Certain representations and claims have been made to the Government in correspondence beginning with a letter dated the 14th of August, 1937, addressed to the District Officer, Lands Section, Calabar, by A. E. Duke and four other Etuboms who described themselves as the successors in title to the Grantors under the deed of the 29th of December, 1902, referred to. Correspondence between the District Officer and Etuboms of Duke Families followed concerning points raised in this letter and at subsequent meetings. Then on the 6th of November, 1937, on the 13th and 14th of January, 1938, on the 27th of August, 1938, and on the 10th of October, 1938, reminders were sent to the District Officer either by E. E. Adam or by E. E. Eyamba, writing as "Secretary of the Eyamba Family." The District Officer in letters dated the 24th of September, 1937, and the 30th of August, 1938, indicated that the matter had been referred to the Government and that he expected a reply shortly. On the 26th of October, 1938, a petition was addressed to His Excellency the Governor by E. E. Eyamba "for himself and on behalf of his Family." This was acknowledged in a letter dated the 12th of December, 1938, addressed by the Secretary, Southern Provinces, to the Secretary of the Eyamba Family. On the 9th of January, 1939, telegrams from "Eyamba Secretary" were addressed to the Chief Secretary and to the Secretary, Southern Provinces, calling attention to the petition dated the 26th of October. On the 27th of March, 1939, a letter was addressed to His Excellency by E. E. Eyamba, "Secretary Eyamba Family, Calabar for himself and on behalf of the Native land owners" calling attention to the petition of the 26th of October. He was advised, by a letter dated the 21st of July, 1939,

to the effect that it would not be possible to reply to the petition until the report had been received from the Board which had been set up under Section 12 of the Survey Ordinance to enquire into the question of Crown Lands at Calabar. A further communication was promised.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The representations and claims put forward as described in the answers to parts (a) and (b) of this question have not yet been disposed of. The parcel of land to which the deed dated the 29th of December, 1902, relates is one of those the boundaries of which have been the subject of an investigation by a Board appointed under Section 12 of the Survey Ordinance, Chapter 90. The appointment of the Board was announced in Government Notice No. 952 published in *Nigeria Gazette* No. 37 of the 7th of July, 1938. The Board's investigations in this area involved questions of such intricacy that it was not practicable to deal with the parcel of land under reference apart from other and contiguous plots and although these considerations cannot be detailed in the reply to the question a verbal explanation will be offered to the Honourable Member should he find it convenient to call at the Land and Survey office. Government Notice No. 387 published in *Nigeria Gazette* No. 19 of the 23rd of March, 1939, contains a schedule of plans for submission to the Board: item 21 therein relates to the land which is the subject of the deed dated the 29th of December, 1902. The Board has now completed its investigations. An appeal under Section 28 of the Survey Ordinance has been made to the Court in respect of lands contiguous to the parcel which is deemed to be the subject of the deed dated the 29th of December, 1902. The result of the appeal has not yet been received and until it has been it is not practicable nor would it be equitable to attempt to come to any conclusions regarding the parcel to which the deed dated the 29th of December, 1902, relates.

(g)

(h)

(i)

(j)

(k)

(l)

} Until the conclusions referred to at the end of the answer to part (f) of this question have been reached it is not practicable to give replies to these parts of the question.

The Member for the Rivers Division (The Hon. S. B. Rhodes):

2. (Question No. 2 of the 4th of December, 1939). (a) In view of the fact that the Native Courts of Southern Provinces from 1915 to 1917, had no jurisdiction over matters which raised issues of title to land and interests therein, will Government say under what authority were the various Native Courts deciding such issues?

(b) Will Government adopt measures whereby an Ordinance will be enacted to validate or legalise all such judgments?

Reply not yet ready.

The Member for the Ibibio Division (The Hon. Nyong Essien) :

3. (Question No. 17 of the 4th of December, 1939). (a) What is the total amount raised from Native Administration funds of the Ibibio Division for the Nigerian five per cent Loan 1950-60?

(b) The time when the loan was raised?

(c) Amount of the loan raised from each of the Ibibio Districts?

(d) Yearly interest on the loan raised, for each of the Districts?

(e) The Bank into which the loan was invested?

(f) Whether, before the money was removed from the Native Treasuries, the Native Councils concerned were consulted and their legal consent obtained?

(g) Whether there is any record in existence on such a consultation? If there is,

(h) In which of the Clan Council's Minute Book is the record to be found and how it reads?

(i) The time when the loan is to be refunded to the Native Treasuries from which it was raised?

(j) What the total interest on the whole investment is? And

(k) What percentage or fraction of the total interest the Government does utilise as a commission?

(l) In which of the Banks abroad or local was the investment made?

Answer:—

The Hon. the Financial Secretary:

(a) and (b) No amount was raised from the Native Administration funds of the Ibibio Division, but those Native Administrations took advantage of the issue of the loan raised by the Crown Agents in London on behalf of the Nigeria Government in the year 1930, to invest available surplus funds amounting to £19,901 in the purchase of £20,100 Nigeria 5% Stock 1950/60.

(c) As stated above, nothing was raised from these Native Administrations. The amounts invested by the several Native Treasuries were as follows:—

Abak District Native Treasury	...	£	4,100
Eket	„ „ „	...	1,370
Ibibio	„ „ „	...	1,089
Ikono	„ „ „	...	1,455
Ikot-Ekpene District Native Treasury			3,188
Iman	„ „ „		500
Obong	„ „ „		183
Oron	„ „ „		895
Otoro	„ „ „		2,289
Ubium	„ „ „		395
Ukanafun	„ „ „		667
Uyo	„ „ „		3,770
			<hr/>
			£19,901
			<hr/>

(d) The interest yield is at the rate of five per cent per annum on the amount of stock.

(e) Inscribed Stock is not invested in Banks. Nigeria Stock is secured on the revenues of Nigeria, *vide* section 3 of the General Loan and Inscribed Stock Ordinance, Cap. 112.

(f), (g) and (h) At the time when the investments were made the present Clan Councils had not yet been constituted and Council Minute Books were not in use. Native Administration funds were controlled by the District Officers in consultation with representatives of the people, who were presumably consulted as regards these investments. No records of such consultations, however, are in existence.

(j) The Stock is redeemable by Government at par at any time between the years 1950 and 1960 on giving six months notice, but the Native Treasuries can sell their holdings at current market prices at any time.

(k) Five per cent, *i.e.*, £1,005 per annum.

(l) None. The Colonial Government and the Crown Agents for the Colonies undertake management of Native Administration investment accounts free of charge.

(m) As explained above this question reveals some confusion as to the nature of an investment in Inscribed Stock. No Bank is concerned with these particular investments.

The Member for the Ibibio Division (The Hon. Nyong Essien):

4. (Question No. 24 of the 4th of December, 1939). (a) Is it a fact that nurses run continual risks from infectious diseases? If so,

(b) Would Government consider nurses by regulating the hours of their duty under conditions similar to those of Government clerks, and by granting them (the nurses) equal privileges?

(c) If not, why not?

(d) What is the comparative scale of salaries for nurses, technical attendants and dispensers?

(e) Has any provision been made for a chief nurse post, or prize post? If such a provision has been made,

(f) How many nurses are holding that office at present?

(g) What is the scale of salary attached thereto?

(h) What is the regular period for nurses to remain in the service to get their appointments confirmed?

(i) Whether Government would consider the desirability of granting to nurses the same period of three years for confirmation of their appointments, which clerks are privileged?

Reply not yet ready.

The Member for the Ibibio Division (The Hon. Nyong Essien):

5. (Question No. 36 of the 4th of December, 1939). (a) To ask the Honourable the Director of Education—

(i) When was the Government School at Ikot Ekan in the Uyo District established?

(ii) Is it not considered that the school buildings are in a bad condition?

(b) Whether Government would be pleased to consider the need and desirability of improving the buildings of the Government School premises in the Ibibio Division? If so,

(c) When? If not,

(d) Why not?

Reply not yet ready.

The First Lagos Member (The Hon. H. S. A. Thomas):

6. (Question No. 38 of the 4th of December, 1939). (a) Referring to the vacancy for an Assistant Chief Clerk in the Accountant-General's Department which was advertised in the *Nigeria Gazette* No. 35 of the 15th of June, 1939, to ask whether an appointment has been made to this vacancy?

(b) Is it a fact that a First Class Clerk who occupies about the 26th or 27th position on the seniority list of First Class Clerks in the Accountant-General's Department has been recommended by the Head of Department to fill the vacancy?

(c) If so, what are the special or exceptional qualifications possessed by this clerk and the grounds on which the claims of some twenty-five or more senior First Class Clerks in the same Department have been set aside?

(d) Does the fact of a clerk not applying for an advertised vacancy in a higher post which may occur in the Department in which he is serving preclude him, if deserving, from advancement to such a vacancy?

Reply not yet ready.

The First Lagos Member (The Hon. H. S. A. Thomas):

7. (Question No. 44 of the 4th of December, 1939). To invite attention to the fact that the information sought in the first two parts of the question is not included in the reply to Question No. 2 (Question No. 43 of the 28th November, 1938) to which reference was made, and to ask that reply to the question may now be fully furnished?

Answer:—

The Hon. the Financial Secretary:

It is regretted that there was some misapprehension as to the information sought in Question No. 64 which was asked at the Legislative Council meeting of the 6th of March, 1939.

An examination was held in May, 1938, and seven candidates qualified at the rate of seventy words a minute for ten minutes. Of these seven one was not in Government service and two others have since left Government employment. Of the remaining four one is employed as a shorthand-typist, two are receiving general training in clerical duties but will in due course be employed in capacities which will enable Government to receive the benefit of their shorthand qualifications. As regards the fourth, although he qualified

in the examination he is lacking in the other educational qualifications which are necessary for the duties of shorthand-typist and is ineligible for appointment to the clerical service.

The relevant portion of this Question is reproduced below:—

64. Will Government kindly state the number of persons who qualified as Shorthand-typists under the scheme for the training of Shorthand-typists published in Government Gazette No. 73 of the 1st of October, 1936, how many of this number are actually employed as shorthand-typists in Government offices,

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

8. (Question No. 48 of the 4th of December, 1939). To ask the Honourable the Chief Secretary to the Government to indicate how soon the reply to Question No. 4 of the 27th of September, 1939, will be ready?

Answer:—

The Hon. the Chief Secretary to the Government:

The Honourable Member is referred to the reply to Question No. 1.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

9. (Question No. 56 of the 4th of December, 1939). (a) Is it a fact that 100 cocoa bearing trees and 256 kolanut trees belonging to farmers of Ishara in the Ode Court Area in Ijebu Remo Division of Ijebu Province were deliberately cut down and destroyed by six agents of one Gbasemo of Ishara, without any legal authority or any order of the Court, and that representations from the aggrieved parties were made to the Resident, Ijebu Province? If so, to ask whether an investigation has been made into the complaint and if no investigation has been made to ask for a statement of what Government intends to do in the matter?

(b) Also to ask if Government is aware that many farmers who have settled and worked in Isoso-Iyankan farm of Ishara town for over fifty years have been and are still being disturbed from carrying on their normal farm work from which they derive their livelihood and pay tribute tax to the Native Administration revenue, despite the fact that farm rent is collected from them, and to ask if Government is prepared to allow this unsatisfactory conditions of things in Ishara Town to continue?

Reply not yet ready.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

10. (Question No. 57 of the 4th of December, 1939). Is it a fact that the Nigerian Government intends to control the purchases, sale and export of palm oil and kernels in this country, and if so, what steps are being taken to take the public into confidence especially those directly engaged in the produce business, and how far are the interests of the African producers and produce buyers being safeguarded and whether Government can make a statement on what has been done?

Answer:—

The Hon. the Chief Secretary to the Government:

No Sir. The position is that on the outbreak of war His Majesty's Government assumed control of all oil seed and nuts and

vegetable oils entering the United Kingdom and Colonial Governments were requested to assume control of exports in order to ensure that no supplies from Colonial sources reached the enemy and that adequate supplies were sent to the United Kingdom and her allies. This Government have been in consultation with the Secretary of State for the Colonies for the purpose of ensuring that the control of exports thus imposed is exercised in such a way as to secure the maximum price for producers which circumstances allow, and to maintain as far as possible intact the interests of all the various parties engaged in the trade, until control can be removed and ordinary conditions of competition restored. The Honourable Member can rest assured that the Nigerian Government are always willing to listen to any representations made by any party who feels his interests are not being maintained intact, and it is the intention of Government to make a further statement when all details have been settled.

The Second Lagos Member (Dr., the Hon. K. A. Abayomi):

11. (Question No. 60 of the 4th of December, 1939). (f) How many of these Inspectors have secondary education?

(g) How many rank and file are in the Police Force to-day with secondary education?

(h) How many of these have been given the opportunity to compete for or have been promoted Sub-Inspectors? If none, why not?

Reply not yet ready.

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

12. (Question No. 61 of the 4th of December, 1939). (a) To ask whether Government is aware of the fact:—

(i) That several Interpreters do about 70% of clerical work apart from their ordinary interpreters' duties?

(ii) That on several occasions Second Class Qualified Interpreters of all grades have taken over duties from clerks in charge of offices when the latter are on leave?

(iii) That several Second Class Qualified Interpreters have been kept perpetually on a salary of £88 per annum, yet doing over 70% of clerical duties, simply because they cannot speak a second language as provided in past General Order 613?

(b) To ask Government to be pleased to give such Second Class Qualified Interpreters consideration upon merger into clerical service, their lack in the second language having been supplied by their ability to do 70% of clerical duties?

(c) To ask whether Government is also aware of the fact:—

(i) That 75% of the questions in the Interpreters' Examination are based on general education and intelligence?

(ii) That a Qualified Interpreter qualifies in the educational part of the test (Parts A, B, C) once for all and he only sits Part D the next year to qualify only for the second language?

(d) Is it a fact that only Interpreters who have qualified in the second language are given the privilege to enjoy full benefits of clerical service?

If so, to ask whether it is because the favoured class of " Qualified Interpreters " has succeeded in the second language and the other has not, even though educationally they may be equal or the other may be superior though has not obtained a second language?

(e) In the circumstances will Government consider the advisability of granting Second Class Qualified Interpreters mergence or conversion into Clerical Service, if they have served as much for eight years with good record and in such a case they may not be required to pass Middle VI Examination which is the present standard required to enter Government Service, as this standard was not the criterion when they were originally employed and their increment be not impeded?

(f) Whether Government is aware of the fact:—

(i) That there are clerks in the Service who originally joined up from the status of Native Court Clerks, Unqualified Interpreters and Office Messengers who, upon the introduction of the past Clerical Entrance Examination have not been asked to qualify for same before receiving their regular increment and promotion?

(ii) That as far back as 1932, when the past Clerical Entrance Examination was abolished some clerks have been employed without even such standard of education as required of the present Qualified Interpreters seeking conversion into the Clerical Service?

(iii) That upon the introduction of Middle Class VI, these Qualified Interpreters have not been asked to qualify for regular increment?

Reply not yet ready.

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

13. (Question No. 64 of the 4th of December, 1939). (a) Is it a fact that Sub-Inspectors of Sanitation are not given transport fare when proceeding on leave and that they have no pay during the tenure of their leave?

(b) Is it a fact that some of the 2nd Class Inspectors of Sanitation who have served for seventeen to twenty-four years have no prospect of promotion, even when recommended for same?

(c) Is the Government in possession of their petition of the 15th June, 1937, and if so, what steps have been taken to remedy their grievances?

Reply not yet ready.

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

14. (Question No. 65 of the 4th of December, 1939). Is it a fact that the majority of the elders of Afikpo in the Ogoja Province have petitioned the Government to the effect that one Interpreter and the Court Scribe of their district have become a real menace to the growth of the Native Administration and happiness of the

people? If so what has Government done to remove the source of this grave discontent and unrest, which might lead to serious development?

Reply not yet ready.

RESOLUTIONS.

The Member for the Egba Division (The Hon. A. Alakija, C.B.E.):

Your Excellency, this Resolution in itself is very limited in character—"That this Council approves in principle the new taxation measures of which Government has given notice in the Order of the Day, namely, Income Surtax as set out in the Income Tax (Supplementary) Ordinance, 1939: Import and Export Dues as set out in the Resolution amending the Customs Tariff Ordinance, 1924."

There is no doubt, Your Excellency, that no member however much he may desire to criticise this Resolution, can carry out his wish after listening yesterday to your well reasoned speech. The Resolution does not leave, in my opinion, room for much criticism, in that, everybody is bound to admit that there is necessity for increase of income tax in some form or other. The need is sticking out, and no unofficial member would say truthfully that he has not been anticipating a bill of this kind since the outbreak of hostility. We have the words of His Majesty the King when recently he was speaking in England, and I think I can quote what he said or some part of it: "The prosecution of the war commands the energies of all my subjects". Then he went on; and after stating what the Army, the Navy, the Air Force and all his subjects all over the world are doing, he said: "I am well assured that they"—of course meaning his subjects—"will be equal to any efforts and sacrifices to which they may be called".

After hearing that, Your Excellency, and after listening to the manner in which you have clarified the situation in your very able speech yesterday, after listening also to the Honourable the Financial Secretary, our Chancellor of the Exchequer and after hearing the Honourable the Comptroller of Customs, who, I say, Your Excellency, would come here and oppose this Resolution in principle? I do not think there is one unofficial member in this House to-day who will say no when the resolution is put to the vote.

We have a living example of the British Public in England and I will quote a well-timed article which appeared in the *Daily Times* on Saturday, and which I would like to read to members—I am sure most of them, or all of them, have read it. It reads:

MOBILISING BRITAIN'S £ s. d.

TAXPAYER BEHIND HIS COUNTRY.

"Eight years ago Britain astounded the world with the sight of her citizens queuing up for the privilege of paying

their income tax before it was due. Somehow or other the country had got into a bit of a mess. There had been a flight from the pound and we had to show the scared foreigner who had taken his money away from London that there was really nothing to worry about.

So Britons rolled up and cheerfully paid their income tax. Within a few months, the foreigner was rushing his money back, the Bank rate had been reduced from six to two per cent and the greatest financial operation ever staged, the voluntary conversion of the War Loan interest from five to three and a half per cent, was successfully carried through.

In just that same spirit of quiet, unassuming patriotism the British people are cheerfully accepting in the cause of peace on earth the heaviest yoke of taxation they have ever been called on to bear. Income tax is 7s. 6d. in the £! With surtax added, it becomes for the rich five-figure men 10s. and even 15s. out of every twenty ”.

I can only commend this to the House, and I recommend that we should follow that example whatever may be our feelings against taxation. After all, nobody likes to pay tax; but you must remember that we are sleeping quietly, enjoying all the amenities of life which we were enjoying prior to the war. You must also remember our resolution to do all we can to support the Empire in the prosecution of the war to victory.

Foreigners coming to the country have remarked on our good luck in Nigeria. I have a friend, an old man who came from Porto Novo about a case in Court, and he said to me, you do not know in Lagos that there is war. In Porto Novo we have the blackout; we have not to ride in our motor cars; there is no dancing, and all the town looks as if it is in great mourning. He said, I come to Lagos, I see things going on as they were going on a few years ago when I came here. No. one in Lagos to-day, unless he does not want to own up to the truth, would say that he goes to bed feeling scared, as he was on the 3rd September last. Everybody was on his legs when war was declared. To-day we have almost forgotten in Lagos that there is war anywhere. There is nothing, no sign to make us realise that we are in war.

Therefore we do not require a long, persuasive speech to convince us of the need for additional tax, but we should resolve to pay it willingly and cheerfully, to follow the example of Your Excellency, who, in the ordinary course of things, is not bound to pay, but has voluntarily offered to pay ten per cent of your salary. That, Your Excellency does not mean that I agree or acquiesce that the Government has done all that it possibly could to effect all the savings possible. This is not the place or time to deal with this matter I

shall reserve it for the next Budget Session when I hope to point out to the Government that there are avenues for savings yet. Economies can still be made, and I am sure the Honourable the Financial Secretary will look into these before the next Budget.

I do not intend to be personal, but I think at this time that some officials could follow Your Excellency's example by abandoning the cost of their wives' passages to Nigeria. In the old days passages of wives of officials were paid by the officials concerned and a lot of savings were made in this direction. There are other luxuries that are still floating about, and I am sure Your Excellency and the Honourable Financial Secretary will keep your keen eyes on these and see whether some of them could not be cut out. I have said that this has nothing to do with the call of the moment, but I recommend with all the emphasis at my command, that all, not only the unofficial members here, but the public generally of Nigeria, particularly Lagos, will support cheerfully and willingly, as all good patriots must do, the Resolution which has been moved by the Honourable the Financial Secretary.

The Commercial Member for Lagos (The Hon. R. M. Williams):

Your Excellency, I do not think there is much I need say. We are all agreed that we must pay what we can, and this Resolution merely affords us a means of doing so, and the only discussion that I can see, is on matters of detail.

The Member for the Ibo Division (The Hon. B. O.-E. Amobi):

Your Excellency, I rise to support the Resolution. We are all aware of the fact that no vehicle could move without fuel, and that no steamer could even move without a captain and hands to work it. It is even so at the present stage of affairs. The country cannot move without money, and money must be found.

Although we people in the provinces do not directly come under this measure—but it was said that people in Lagos pay more tax than people in the provinces. I differ on that point. Those of us in the provinces, who pay income tax, sometimes pay more. Simply because, in Lagos, most of the people who run businesses keep accounts, and they could easily present those books for assessment, but we in the provinces who keep no account books are taxed according to the discretion of the Authority, therefore I disagree when it is remarked that people in Lagos pay more taxes.

I was very very pleased to hear that Government is helping the country by buying up all the produce, especially when palm oil and palm kernels were mentioned, but no figure was given for palm oil and palm kernels, so we are not in a position to say to our people

when we get back, that Government is prepared to pay £10 a ton for palm oil or £7 a ton for palm kernels, and I shall be pleased to have the figure so as to enable me to deliver the message correctly when I get there.

Your Excellency, it is true that people in the provinces believe that there is much profiteering amongst the European firms. It has not been made clear to them that these firms, to be able to get out these goods from England, are subject to any amount of extra charges as insurance fees and so on, and these expenses have to be added to the cost of the goods, which makes the goods dearer than what we expected. The war was declared on the 3rd September, but there must have been a lot of goods in stock before the 3rd September, and that the effect of the war should not have been felt immediately. Prices were increased and are still increasing. We thought that Government could have taken stock of the actual stock of goods, in the Customs and various stores, immediately at the declaration of war, so as to know what percentage to add to cover the loss which those owners might have sustained in the past. But we found that these goods went up, some at twenty-five per cent to thirty per cent above the original selling prices.

On the other hand, where we anticipated that with the increase of imported goods, there should be at least five per cent or seven and a half per cent increase on exported goods, but it was not so, and that was very disappointing in the provinces. We received complaints here and there that our palm oil and palm kernels have not fetched any good price. Why is that so? Therefore people feel that they have been done in the eye.

At any rate, Your Excellency, I do not feel that this is the time when we should criticise the Government. Whatever criticisms we have to offer, I think should be at the next Budget Session, but some of us do feel that we are running the horse too fast. The Government is governing quite all right, but the expenditure is getting too high, and we tax-payers who are prepared to meet increase from time to time, have nowhere to look out to cover whatever little we spend

Going back to the provinces, we shall deliver your message correctly, and people in the provinces are so willing, but they will be very disappointed to hear that the generous offer which the various Native Administrations made to the War Relief Fund has not been accepted. Perhaps the position has not been fully explained to Your Excellency. These Native Administrations, in my own area, proposed to give something towards the War Relief Fund from our executive salaries, and not from the reserve, so I think Government should reconsider the matter and see whether it could accept those amounts voted from our executive salaries towards War Relief Fund.

Your Excellency, I say again that as long as the war lasts it is our duty to support the British Government, knowing fully well that it is only under this Government that our freedom lies, we are all prepared to give her support, morally, spiritually, financially, and physically, so that in the end we may be able to win the great war.

As you said yesterday, we are not fighting just an enemy; we are fighting a very strong enemy, an enemy that has been preparing for this war for the past twenty years. Immediately after the 1914-18 war, Germany was preparing, and they have got to the pitch that to defeat them we must be able to spend any amount of money and at the sacrifice of many souls. We pray that the Almighty may lead us through so that even where we do sacrifice out little lot, we may give it cheerfully. I beg to support the Resolution.

The First Lagos Member (The Hon. H. S. A. Thomas):

Your Excellency, I rise in further support of the Resolution moved by the Honourable the Financial Secretary and supported by the Honourable the Member for the Egba Division. I should like to thank your Excellency for paying me a compliment by referring to my observations in this hall in March when the Colony Taxation (Amendment) Bill was being passed. My observation then was that wealthy Africans in the Protectorate were not affected by the bill. But these are not the days for controversies. These are days when we all have to work and co-operate for a common end. I therefore regret that the Honourable the Member for the Ibo Division has tried to show that Natives in the Protectorate are paying more taxes than we do in the Colony because they are unable to keep books and therefore have to pay tax on whatever sums they are assessed. It is unfortunate that Natives in the provinces are not so advantageously circumstanced as we are in the matter of education. We sympathise with them and hope their children will enjoy the same benefit as we do. I do not wish to raise the point about wealthy Africans in the Protectorate at this meeting. I think our duty, at present, is to work and co-operate cheerfully with the Government.

Your Excellency has set a very noble example, and I think no one here realising what it means, will demur to paying what he could towards the support of the Government and in the present circumstances—circumstances do alter cases—I trust every one will bid a hush to unnecessary criticisms and objections.

We are certainly not cheerful at the financial position of the Colony and Protectorate. Even before the war, we knew we were in for a very bad time and any one who followed the financial

statements as published from month to month in the Gazette would not fail to observe that for every month from April to July there was a large deficit amounting, on the average, to over £50,000; if war had not broken out, I wonder whether we would not have had to face a total deficit of almost half-a-million sterling.

Now the war has come and worsened matters, and our duty as loyal subjects of His Majesty is to put our shoulders to the wheel and help to maintain the efficiency of the Civil Service of the Colony and Protectorate. As has been said, there will be time for criticisms and questions as to what economies can best be effected; there will be time too when we can go into further details about the incidence of the tax, but, at present, we are concerned with the question of principle.

We know there is little money with which to carry on the Government and it is our duty to help find money soon. In the next year or so, our surplus balances will disappear. What will happen then? That is a serious question and this is not a time for unnecessary arguments and disputations.

I should, lastly, strike a note of thanks. I thank your Excellency for the very clarifying way in which you have, in your speech yesterday, told us what the position is with regard to the control of produce particularly the sale of Cocoa. Whether the position is, generally, considered satisfactory or not, the speech has cleared a good deal of the misconceptions which had existed. Our duty now that money is wanted is as I have said, to help to find it. We have already passed Resolutions of loyalty to Government and now is the time to show, as the Honourable the Chief Secretary to the Government once observed, that our loyalty is not lip-loyalty.

The Member for the Rivers Division (The Hon. S. B. Rhodes):

Your Excellency, I rise to support the Resolution, and have very little more to add to what the Honourable Member for Egba has said. I feel that there is no man in Nigeria, reading the English papers and knowing that boys of the age of eighteen to twenty-two, the creams of the country, are all being called up to fight—boys who have not even yet enjoyed what we call "life". They are going to make sacrifices—for what? For the freedom of the world, for the freedom of the British Empire, of which Nigeria forms an integral part. Now, if we are conscious of that great sacrifice that is being made by these boys, why should we oppose an additional income tax which is really required for the continuation of the Government of Britain in Nigeria. I wish to say, Sir, that a remark which was made yesterday by Your Excellency may have created an impression in the minds of certain people that what Your Excellency termed the "rich Africans" in the provinces, are not paying as much income tax, or they are not going to be affected.

Well, I do not know whether we have any rich Africans in the provinces in the sense of the word rich, but comparatively speaking there may be one or two who have a few shillings more than the others, and those Africans I am sure are very loyal and are paying income tax at almost the same rate as people in Lagos, and if Your Excellency would take up say the list of the War Relief Fund and examine it through, you will find that they have not been lacking in their sacrifices. It is a pity—I do not know whether I should say it is a pity—or that it is rather unfortunate that the War Relief came in first, before the additional income tax; otherwise, Your Excellency would have observed that men in the provinces who tied themselves down to give certain fixed amount monthly to the War Relief Fund, would have given that to the additional income tax instead, because after all, charity begins at home, and although the War Relief Fund is good, for it goes to Red Cross and all that, but we want money for Nigeria, and the income tax I think should have taken precedence in the minds of Africans in the provinces.

With regard to the request made by Your Excellency to Provincial Members of this House that when they get back they must do all they can to explain to the producers about the first fallacy, we shall do our best Sir, but we are faced with this—we are going to be asked certain questions: and one of them will be how is it that in 1914-18, during the last great war, Government officials had a war bonus added to their salary on account of the high cost of living, and there was no income tax? Now we are paying income tax, prices of commodities have gone up, and we are called upon to pay an additional income tax, and when it is remembered that during the last war Nigeria had to foot the bill in sending expeditionary forces to the Cameroons. Now, the average man in the provinces, although he is not as educated to keep books as many in Lagos, yet he has common-sense, and common-sense after all is a sense that is not common. Very often, Sir, you come across a man who is not educated to keep books, but his common-sense is far superior to a man who is educated enough to keep books.

Now this question will be asked, I know, and we shall do our best to explain that during the last war the price of produce went up so high that really Nigeria was floating on a sort of temporary wealth. The price of palm oil was something about £80; I think groundnuts £40. But to-day things are quite different, we are living in a new world, so to speak.

But Sir, I would like to call for a Commission of Inquiry to enquire into the internal working of Nigeria's finance. I think there is room yet for some more curtailments. I am sorry to say that it is the first and the only time I have had to disagree with the Honourable and Learned Member for Egba, and that was when

he touched on the question of passages of officials' wives. I would not like to be a party in this House to a policy that would practically be toying with the domestic arrangement of officials in this respect. As soon as we have surplus funds we say to officials, we pay the passages for your wives; and as soon as the revenue is down, we say, we will not pay the passages. It will be very inconsistent. I know it is quite true that judging from the answer given to a question yesterday, the amount is £33,500 pre-war basis(?) that is being spent on passages of wives of officials annually, yet I feel that if we have committed ourselves, and we have laid down that policy, through thick and thin we ought to abide by that policy, because if we take into consideration this, that the average official pays 7s. 6d. income tax, those who are owners of properties in England—even though they get a little rebate—they also pay out here our income tax. If a man is getting £720 a year, after paying all income tax, has got to pay his wife's passage to and fro, with the additional increased rate of passage, I think it will be boiling down to this—say to the man, come out with your wife, pay your income tax, and we give you an existing wage, something from which boil a pot, but from which you can make no savings at all. Well, much as I would like to see some more economy in this country, and I am advocating that there should be a Commission of Inquiry to go into the internal workings of Nigeria's finance, I feel that this is one of the commitments which we have made, and I think it is only three or four years ago that we passed it in this House; we cannot now go back and say, oh well, because there is a war, because we have no money, we are not going to pay it again.

The Honourable Member for the Ibo Division has touched upon a point. We from the provinces, particularly the Eastern Provinces, are not much interested in cocoa, except the Cameroons. We are interested in palm oil and palm kernels; we would like to take back with us glad tidings to the people and tell them, when we are telling them about cocoa which will not interest them, we ought to be able to say that the price of your palm oil will be at a fixed rate of at least so much.

The reason is this, Your Excellency: the average man in the provinces wants his price to be stable. He does not want to be told to-day that the price of palm oil is £10 and in three months' time is £3. If it is going to be £5, let him know; if it is going to be £6 let him know it is going to be £6, and then he will be able to base his estimates on that. To-day I am not sure, and I cannot stand here and say that the people of the Eastern Provinces are all too happy over the present price of produce. They know there is a war on. They find it difficult to appreciate how the price of commodities is rising every day and the price of palm oil and kernels is not rising correspondingly. This we have endeavoured

to explain to them, and the Honourable the Chief Commissioner for the Eastern Provinces has toured round almost the whole of his provinces, except I think, the Cameroons, and he has been holding meetings and has been explaining these things to everybody, but sometimes, as soon as the meeting is over, people rush to me again to explain all that he has explained, and I have to repeat the whole thing again to them; even then they are not satisfied, so that if we could go back and tell them now, the Governor of Nigeria has pronounced, as the mouthpiece of the British Government of Nigeria, and he says the price of your oil within a few months will be £5 or £6, I think we will be taking back with us tidings of great joy for the people in the provinces.

Now, Sir, I feel that if the Ordinance which is going to be passed is not going to affect people in the provinces, the Africans in the provinces will say who's fault is that? Why should Government have one income tax for the Colony and another income tax for the Protectorate. There is no reason for it. Why should we not have one consolidated income tax for the whole of Nigeria, apart from the Native Revenue Ordinance? It is quite true that people in the Colony enjoy certain amenities which we do not—electric light, better water supply, but I do not think that that should make any difference. I think if there is going to be income tax, it should be throughout Nigeria. I do not see that one man in Nigeria should be paying more income tax than the other man. I personally object to that, if my friend the Honourable Member for Lagos is paying more tax, why should I pay less? I think it ought to be the same, because after all it is quite possible that his commitments may be more than mine. He may have more expenditure to pay up than mine, being in Lagos, and therefore why should he be penalised for it?

For that reason I am requesting that if a surtax is going to be passed, and I feel that it should be, it should be extended to the Protectorate.

The Second Lagos Member (Dr., the Hon. K. A. Abayomi):

Your Excellency, my first duty is to support the Resolution that has been moved, and as the matter is very important, it is no use repeating all the principles that have been covered, but I strongly support the observation that has just been made by the Honourable Member for the Rivers Division that the whole of Nigeria as it is should share equally the brunt of the strain of war, and if income is to be subject to surtax, I feel it should be Apart from that, I agree with the principles in the present increase in the tax.

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

Your Excellency, I rise to support the resolution that is before the House, and in doing so I associate myself very sincerely with the sense of gratitude and appreciation expressed by speakers before

me. I do not know how to term adequately the address which Your Excellency made to this House yesterday. I think it was most informative and educative. It was very inspiring and restorative of hope. Taxation generally in our country is a very ugly and unpleasant thing. It is never welcome. But under the circumstances which this has been ushered I think there are reasons. Many people are apt to look upon taxation as high exploitation, sometimes as tributes exacted from vassal states, merely because officials who are responsible do not take enough pains in educating the people to see the why and the wherefor of taxation. Coming as they do from countries where taxation is a familiar principle in the life of the people, it is but natural that sometimes they omit to give elaborate explanation of the question. But, Your Excellency, in your address yesterday, in your most lucid address, you clarified the situation, and I feel sure that our people will stand and put their shoulders to the wheel under the circumstances.

I look upon this taxation from many angles. For instance, if the war were to be fought in Nigeria we would have been called upon to endure many hardships, many difficulties and sacrifices, in men, money and otherwise. After all, taxation of this type is but one way by which we can hope to achieve victory over the wrong, the injustice, the oppression and inhumanity of the Nazi Government. After all, this is one way by which we can concretely implement and exemplify our loyalty. I thank His Excellency most heartily for the glorious example of self-sacrifice which impelled him to consent to contribute ten per cent of his earnings to the revenue of this country. I think this is a noble and enviable disposition of spirit.

There is one thing in which I am particularly interested, and that is by sheer force of circumstances we have now realised the necessity and the advisability of devoting part of our revenue to the development of the natural resources of this vast country, and of developing our own industries. I often thought that Nigeria should not depend upon foreign supplies such as sugar, butter, rice, fish, milk, etc. We know that we can produce these things, and Your Excellency's gesture towards this direction seems to me will in a short time develop into industrial revolution. We are very very poor because we are dependent, especially in the provinces, on a few articles of trade. Our resources have not been sufficiently exploited, but when this scheme you have enunciated shall have been put into practice Your Excellency's name and conduct will live for ever in the hearts of the people. I shall convey to my people the lucid explanation you have given to this House on all the points that concern us. I hope, if possible, to let them see the whole situation in the manner Your Excellency has

painted this picture, with such exquisite and vivid colouring. I support heartily what the Honourable Member for the Rivers Division has said—people in the provinces are not lacking in loyalty, and therefore it is not because I like at this time of financial stringency, at this time of high cost of living, this time of stress, to plunge my constituency and the whole of Nigeria into a further scourge, but I think that whatever measure is taken in the Colonies in order to provide money for the carrying on of the Government, we of the provinces would be delighted to share.

The Member for the Oyo Division (The Hon. N. D. Oyerinde):

Your Excellency, I rise to add my support to the resolution before the House, and in doing so I would like to make a few remarks. All the different parts of the country by now know that Great Britain is at war with Germany. It may be difficult to explain to the man in the Protectorate why there is a war in every twenty-five years. England, in taking up arms against Germany is not fighting for the benefit of Europe only. The world is tired of the fear of war every quarter of a century. We here ought to know that any disturbance in Europe must be felt in Nigeria. So when England rises to put an end to this fear, the feeling of insecurity in Europe, the betrayal of international trust and the rattling of swords at every international dispute, we must realise that England is fighting our war. But Germany is fighting for world domination.

Now it will be too general to say that England is defending the Empire; we want to bring it home to ourselves that when England is fighting Germany she is defending Nigeria, she is defending our fireside, the peace and prosperity which we enjoy, our existence and the existence of our people as human beings and the future destiny of our descendants. When the war broke out, Your Excellency, this House put on record a motion of loyalty to His Majesty the King Emperor; we did it with firm resolve, to support the Imperial Government to prosecute to a successful end the war which has been forced upon the British nation. We are resolved still. The whole country was delighted to read in the papers the expression of the sentiments heard and voiced in this Legislative Council Hall. That expression was no mere waste of breath—it is a manifestation of deep convictions. We resolved to support the Imperial Government to a successful prosecution of the war forced upon them. We must now redeem our words. The Rulers in the provinces discussed how best to help and to demonstrate their loyalty to the Government of Nigeria and to the Imperial Government; and while they were discussing and trying to find out what to do, they received advice from headquarters, saying that people must be encouraged to follow their normal routine of life, their

normal business. Rulers should encourage their people to grow more food. We see the necessity for growing more food as it has been brought out by the Honourable Member for Calabar. The more food we have at our disposal, the less need there will be for us to use foreign foods. But the Rulers were not satisfied. They asked, "Is that all we are going to do?" They thought of contributing to the Defence Fund of Nigeria. Then came the news that Nigeria War Relief Fund had been started.

While we admire the Nigeria War Relief Fund, we fear that it is more or less negative in its effect. We see a ditch where horse-men fall down and their horses are injured. Instead of filling up the ditch we build up hospitals which will care for those who have been injured. The Rulers feel that while we are doing this, or before we do this, we ought to take an active part in seeing that the cause of this human sacrifice is stopped. We are tired, just as the British people are tired, of having a war to face every twenty-five years, and we want all the world to enjoy security and peace of mind. No one, Your Excellency, will raise any objection to the resolution before this House, especially at this time.

One of the Rulers in the Protectorate explained the sacrifice we are called to make in this way: He says, "If you give me the choice of losing my smallest finger or losing my head, well, I will take the chance of losing my smallest finger." If Germany should rule over us, we know what to expect: In the countries which are under Germany to-day, the inhabitants have no property; they have no homes; their dear ones are all gone, separated. If Germany rules us, we know what is in store for us; so, better it is for us to lose the smallest finger than to lose our neck.

I agree entirely, Sir, with the Honourable Member for the Rivers Division. I do not think that we ought to draw a line. We come here from the Protectorate and see benefits enjoyed in Lagos and we contend that those benefits should be distributed all over the country, and when the time comes to bear burdens, we do not want the burdens to be localised. We feel that we should be called upon to do our share. The man up-country does not feel that he is a weakling. Well, Sir, you may say to him: "Go and sit down; you have no part in this war, it doesn't concern you! The people in Lagos, they know better, and they have more wealth, let them carry the burden!" Well, after the war, what may we from the Protectorate expect to hear from Lagos?—we do not want to hear, Sir, that with regards to the war, we have failed to do our duty.

When our soldier boy is going away from home, we do not know where the Government is going to send him, we shake hands with him, we bid him God speed. Our hearts go with that boy. We know he must be fed, clothed; we must give him all that is

necessary to make him an efficient soldier. Why must we beg England to help us to make this boy a good soldier? We have been advised to carry on the normal business of the country. One of that business is to see that the Government is kept running as it was before the war, added to that are the expenses that come because our boys must be made into efficient fighters; these extra expenses come as emergency on account of the war; we must face up to them if we want to show ourselves worthy of the blessings of democracy and civilisation which we enjoy. So that all our boys who have enlisted, wherever they are, and all our friends, District Officers, as they go and we shake hands with them, and as they know that the whole country does not shirk its bounden duty that we respond without complaint; when we are called upon to pay our extra few shillings to win this war, they will feel that any sacrifices they have been called upon to make will not be made in vain.

The Member for the Ibibio Division (The Hon. Nyong Essien):

Your Excellency, I rise to thank you for the able address which Your Excellency delivered yesterday. The eloquence with which it was clothed and the force of its oratory carried with them their inevitable result—and that was conviction, full and complete. The weight of that conviction affected my spirit and weighed it down: not the spirit of an individual person, but of a nation—the spirit of all Ibibio people.

The Union Jack which flies over us is the ensign of our Government. That flag fans and distributes the air equally over all persons who pass under it. That distribution is done irrespective of races. The British Government as it is to-day in Nigeria is the Government of our fathers. It is therefore our Government. To-day we are called upon to die! and there is no reason why we should not do so at all costs. Necessity calls upon us. Circumstances call for duty to be done. Our sense of that duty, as of His Majesty's loyal subjects, has compelled us so to do. For duty, duty must be done; the rule applies to everyone; and painful though that duty be, to run away from the task is fiddle-dee-dee: not to please England, not to please Britain; but to comply with the principles of truth, principles of humanity. That is our duty: for the flag that is worth living for is worth dying for.

Your Excellency, whilst giving expression to our opinion, we do so neither to express our own personal opinion; nor with the motive of catering for cheap popularity; nor for aspirations after honours morally unmerited; nor, Your Excellency, for the purpose of winning smiles, handshakes and unmerited favours from High Quarters at the expense of our country's liberty and freedom; nor,

Sir, at the expense of, lastly and most important of all, the British Empire's proud tradition of its conscript founders, and of its constitutional administration. But we are expressing, Sir, in this August Assembly and Honourable House, the opinion of a people, particularly, those in the provinces, who are not as enlightened as the people in the Colony; the people whose minds are buried in doubts, fears, and ignorance, who need more and lucid explanation of things, rather than keep themselves in and be satisfied with blind belief. I am basing my few words on this occasion on one of the sayings of Shakespeare:

“ Above all, to thine own self be true:
And it must follow as the night the day—
Thou canst not then be false to any man.”

Another sage again claims that

“ Patriotism has this advantage over the animal instincts. It is essentially altruistic. The patriotic man in so far as he is patriotic acts and thinks not for himself but for his country.”

“ England ”, Sir, “ expects every man to do his duty.” Evidently, she does expect every one of Nigeria's sons and daughters to do their duty, and that honestly and with all carelessness of consequences, be he or she branded as an agitator, or a demagogue. My honourable friends are verily true to themselves and to our Nation's cause in the expression of their opinions, and there is no reason why I should fail to imitate them—to be true to my God and to my country in the expression of my opinion.

It is a necessity, Sir, for us to be taxed at this time. Not only must we be taxed at this most critical moment, but we must also carry our rifles with us for the protection of the cause of right and justice for the maintenance of peace and harmony, order and good government, not only of our most coveted Empire, but of the whole human family. Even though I cannot shoot, nor wield a sword on a battle field since I was born, yet the word creates, the pen is mightier than the sword, and the force of combined will is invincible. We must contribute by all means with a purpose to achieve victory in this greatest of all wars hitherto.

We are the Government. By the term “ Government ” I am not referring to “ officials ”. I am referring to “ The People ”, because where there are no people there can be no Government. As such the feelings of the people should be consulted in a time reasonably sufficient, whenever a dealing with them for the purpose of taxation is concerned. Those feelings should be respected. Personally I would not complain; if I were wealthy I would copy Your Excellency's good example. As I am now, I have delivered

my all for the war; I have delivered up myself for the war and I entertain no doubt by saying that my people have done so and are prepared to do more.

In view of Your Excellency's convincing address, I should have nothing to say; but, when the debates will be read by my people at home and my name does not appear as that of one of the speakers on this occasion, their mouthpiece, they will naturally form the conclusion that I have failed in my duty. Unavoidably, we have been dragged into the war which has fatally affected the whole Empire and, particularly, Nigeria. Therefore, Nigeria must do everything in her power and strength to assist.

Prior to the war we, Nigerians, knew the nature of the relationship which existed between us and our Government. We have realised that our Government is neither strange, nor a busy body. The British Government, in its policy, is unlike other foreign Governments. To us it is a friend, a legacy which has been bequeathed to us by our forbears. It is our Government. Therefore, we would very highly appreciate a promise from Your Excellency of equal treatment of both the white race and the black race who are under the Union Jack in Nigeria, after the war. We need evidence of the fact that whatever privileges the European enjoys under the British flag, such privileges shall be shared by the African in Nigeria, even if the share of such a privilege assumes the nature of crumbs under the table on which the children feast, the dogs thereunder will appreciate and gratefully enjoy the same. In a government where justice is done to some and not to all men of the same attainments and qualifications and character (not birth) alike, *that Government cannot succeed* and the destiny of that country is at stake and in jeopardy. If Your Excellency asks me as to what privileges Nigerians are not enjoying, I think I will be able to name them one by one, believing in this: that Your Excellency, as a father, knows what is good for your children. Therefore, you know our need. Our needs which are of paramount importance are liberal education, in the superlative sense of that term; and equitable consideration in commerce and economics.

During this time of the war, I believe, Sir—if the rumour is false, please, pardon me for referring to it in this house—that our sister country, India, has been promised a consideration of better conditions after the war. Even if that were not so, Sir, we are prepared to shoulder all the weight of responsibilities in order to win and defeat the enemy of truth and justice, the enemy of humanity. We are prepared to die! Would not Your Excellency give us the consolation to know that Your Excellency has sent us with a word of promise to the people who are your loyal subjects?—whether protected or not—I do stress it at this moment that we all are His Majesty's loyal subjects. I am appealing to Your Excellency's sympathy to give us a message to take home to our

people that there is a promise of better conditions for the future after completion of the war. We are prepared to bear the burden as long as the war lasts; but, Sir, we should be considered after the war. There will be many sources of income after the war; as expenditure will flow in, so will income. Then there must be a wise and equitable distribution of that income. The peasants are crying as the result of the taxes they are paying now. Therefore, they implore the Government to introduce compulsory education for their children to be educated up to Standard VI, free of school fees; after which standard the parents can then bear the burden of giving them secondary education and academic education. Thereby there will be sufficient provisions made for ready payment of the taxes without grumbling and without failure.

One other point I wish to stress before I sit down, Sir, is this: that in taxation there must be a need. The question then is, is there a need for this surtax? There is a need for it, because circumstances demand it and it is said circumstances alter cases: it is true.

Another point is that in taxation there must be justice. Is this sur-tax just? I support my honourable friends when they said we are going to war in and for the country of which the principle of administration is justice and none of us should receive distinction in the question of payment of the tax. Your Excellency, we are prepared to bear the burden of taxation equally so that when the time of victory comes those who live up to the time may be able to enjoy the privileges equally in accordance with the nature, quality, quantity and degree of services rendered and by way of rendering to every one his or her dues. If there is justice in the measure in question, I think all those points should be taken into consideration. In these days the question of taxation is of momentous concern to the people. The Honourable the Chief Commissioner for the Eastern Provinces can bear me out as to the truth of my statement. On his touring round Calabar Province he arrived at one of his divisions and there he met me. He endeavoured to explain to the people the exact position of affairs in the pending critical moment. He did it very well and met with the people's loyal response; but the moment he mentioned the word "taxation"—he was referring to the amount of taxation that was being paid in England—there was commotion in the hall (laughter). It took a long time and entailed some difficulty to get the people quiet. Therefore, if we who represent our people in this House say we support this new taxation measure without expressing their minds we are not doing our duty. On behalf of our people we are now taking the responsibility of whatever suffering the taxation may bring us, in view of the fact that we expect a promise of better conditions.—Only a promise, and that, *British Honour!*

Another thing is ability to pay; but necessity is the mother of invention and where there is willingness to pay, naturally, there must be the ability to pay. Anyway, Sir, I support the Resolution. Even if I would have opposed it, I would be in the minority and majority always carry the rule and, therefore, I would be thrown in, willy-nilly (laughter).

But, Your Excellency, I am humbly appealing to you to bear in mind that we, His Majesty's African subjects in Nigeria do need, crave and most respectfully claim equal privileges according to qualification, ability and responsibilities; fair and humane treatments; just and equitable dealings; and consideration of better conditions and equal opportunities from Your Excellency's Government. That is our story, that is our song, that is our prayer!

With that for my opinion and for my people's wishes, I beg to support the resolution, Sir.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

Your Excellency, I rise to express my appreciation of the great speech that you gave yesterday, and I should like to assure Your Excellency that when we return to our respective provinces we shall deliver your message and say that we accept, without any reservation, the resolution.

The Third Lagos Member (The Hon. O. Alakija):

Your Excellency, I have had the privilege of listening to one of the ablest speeches that has ever been made in this House by Your Excellency, and I must confess to this that you have converted me to an ardent supporter of the resolution. When I first heard of the statement that there was going to be an increase in taxation, I made up my mind to oppose the Bill whether I was the only one opposing it; I do not mind being in the minority, but having listened to Your Excellency's speech yesterday, I came to the conclusion that no better advocate could have been selected by Nigeria to present its case before this assembly for the successful prosecution of the war. Your Excellency, by your speech, has converted, what I may call, an opposition, to a unanimous support of the resolution. I would like to associate myself also with the remarks made by the Honourable the learned Member for the Rivers Division that in the near future, there should be a Commission of Inquiry into Government expenditure, because I do feel that there is room for improvement; there is room for saving; but as this is one of the war measures, Your Excellency will assure us that after the termination of war this supplementary income tax will disappear from the Statute Book and we shall return to the original income tax of one per cent. I thank Your Excellency for the able manner in which you have delivered the address.

The Hon. the Chief Secretary to the Government:

Your Excellency, what is even more gratifying than the support which this resolution has received from the Unofficial side of the House is the spirit which has prompted that support. When we met here last September, shortly after war broke out, we passed with acclamation a resolution moved by the Honourable Member for the Egba Division expressing not only our loyalty but our willingness to make any sacrifice that may be necessary to help win this war. Not only did we pass a resolution on such terms in this House, but similar resolutions were passed all over Nigeria and I remember saying then that I felt that we were not paying lip service but that we meant what we said when we passed the resolution. Well the proof of the pudding lies in the eating. This is the first time that we are being called upon to implement what we promised to do, namely to make any sacrifice that may be necessary and no one will dispute that these taxation proposals are necessary.

The Honourable the Financial Secretary has told us that altogether he hopes that these taxation measures will produce something like £350,000. Well that is a lot of money for a country which has been described by Your Excellency as a poor country. But this House apparently is quite convinced that it is necessary to make call upon tax payers to make this sacrifice at the present time, and nothing has given me more pleasure than to observe the spirit in which support of the resolution has been given.

I think it is quite unnecessary for me to adduce any further argument, if I could, in support of the resolution, which seems generally acceptable, but there were two points raised by Honourable Members to which I should like to refer briefly. The Honourable Member for Ibo Division and the Honourable Member for the Rivers Division referred to the palm oil position. There is no doubt that the producers are sure to get a fixed price for their oil and kernels. And in this connection I should like to refer both the Honourable Members to my reply to the question asked by the Honourable the Member for Ijebu Division which they will find on page 8 of the Order of the Day. The position as it is at present is set out very clearly and it says in effect that His Majesty's Government, as in the case of cocoa, has agreed to buy all our palm oil and palm kernels, Honourable Members will also observe from my reply that the essence of this control scheme and it is the same in the case of cocoa and groundnuts is to secure for the producer the maximum price possible in the circumstances.

My reply stated that a further statement will be made when all details had been settled but I am afraid I am not in a position at the moment to make that further statement as regards the actual price of palm oil and palm kernels. I might say however that the

present price of palm oil in Lagos to-day is £7 as compared with £4 5s. on August 31st last. It does seem, therefore, that the control exercised by His Majesty's Government is of appreciable benefit to the producer of Nigeria already. The price has not shown so much marked increase in the case of palm kernels, but the present Lagos price is £5 compared with £4 10s. The difficulty in regard to palm kernels is, as Your Excellency stated in your address, that the greater part of it went to the continental market and there is now no demand, or rather we will not agree to any supply to that market, so long as the war continues.

The other point, Sir, to which I should like to refer is the question of the price of imports which has been touched upon by the Honourable the Member for the Ibo Division. Well, Your Excellency has already explained in your address to Council yesterday the reasons why the price of imports has increased out of all proportion to the increase in the price of our own produce. I think Your Excellency's reasons were clear and convincing to everybody in this Council, and I think Honourable Members appreciate that point. We all realise that not only has the price at which we can purchase these imports in England inevitably risen but freights have risen about fifty per cent, and insurance costs also have risen; but taking all this into account the Honourable Member has I think who raised the question a feeling that prices are too high and that there is some profiteering taking place. Now, he is not alone in this suspicion—if I may call it so—and I must say quite frankly that the Government has received complaints from many parts of Nigeria to the same effect. The justice of these complaints is at present being investigated very carefully; it is not any easy question to settle, and it is no good arbitrarily fixing prices at this or that figure without careful examination. It is a complicated business requiring very careful investigation and is receiving the active consideration of Government. I can assure Honourable Members of this House, Government is as anxious as they are, that there should be no profiteering and it will do anything in its power to prevent it. I think, Sir, that these are the only comments I wish to make at present.

The Hon. the Financial Secretary:

Your Excellency, it is indeed gratifying to note the unanimous support of the principle contained in this resolution. Although gratifying it is no more than I expected knowing the members of this Council as I do. In view of that support there is really very little left for me to reply to, but I feel that on one point I should give some additional information, more particularly as when I spoke yesterday it may be that I unwittingly conveyed a wrong impression of the position in regard to Africans outside Lagos. It

This Bill, Sir, has a lengthy title, is fairly lengthy in itself and has a lengthy statement of objects and reasons but it is of a very simple issue indeed. It is merely that our public loans have been raised on the security of the Revenues of the Colony and the Revenues of the Colony are not, and cannot be, kept distinct from the Revenues of the Protectorate and the object of this Bill is to regularise the position with regard to past Loans and Loans to be made in future.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a first time.

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1939.

The Hon. the Financial Secretary:

Your Excellency, I beg to move that a Bill entitled "An Ordinance to amend the Townships Ordinance", be read a first time. As explained in the statement of objects and reasons, this is to enable the audited accounts of a Township to be published for public information by exhibition in a public place instead of by publication in the Gazette. I beg to move.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a first time.

THE BARTON PENSION ORDINANCE, 1939.

The Hon. the Financial Secretary:

Your Excellency, I beg to move that a Bill entitled "An Ordinance to make Special Provision in regard to the Pension of Arthur Edward Victor Barton, C.B.E." be read a first time. This is a specific Bill covering the case of an individual officer and it has to do with a contingency which arises in the local service when an officer is appointed to a post before the former incumbent has left the service. The Pensions Laws do not provide for that contingency and in the absence of special provision it means that one or other of the individuals will not earn pension in respect of the over-lapping period. Honourable Members will remember that our late Comptroller of Customs left in April this year but he had originally intended to retire a few months earlier and a successor had already been appointed. For various reasons the late Comptroller stayed a little longer and it was undesirable to

postpone the arrival of the present Comptroller who arrived about four months before Mr. Bird actually retired. This Bill is to cover the over-lapping period.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a first time.

THE TRADE UNIONS (AMENDMENT) ORDINANCE, 1939.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled "An Ordinance to amend the Trade Unions Ordinance, 1938".

This Bill will amend the Trade Unions Ordinance, which was passed just a year ago, in several particulars.

Clause 2 of the Bill will amend the definition of "trade union" in section 2 of the Trade Unions Ordinance to exclude combinations between employers for the regulation of their respective businesses. This amendment has been introduced in consequence of representations made that an Ordinance which is concerned with combinations to regulate the relations between employers and employed should not include agreements to regulate the relations between employers and persons who are not employed by them.

Clause 2 will also insert in section 2 definitions of "trade dispute" and "workmen", terms which occur in the next following clauses and require definition.

Clause 3 of the Bill will insert in the Trade Unions Ordinance three sections, dealing with picketing and the civil responsibility of trade unions and their members for acts done in furtherance of a trade dispute. These have been taken from the Trade Union and Trade Disputes Acts of England. The first part of clause 3 which is numbered 4A is taken *verbatim* from section 2 (1) of the Trade Disputes Act, 1906, and it defines "peaceful picketing" and makes it lawful. Although it had been the intention of the earlier Trade Union Acts, passed between 1859 and 1876, that no person should be prosecuted for conspiracy to commit an act which would not be criminal if committed by him singly, the ingenuity of the law courts succeeded in frustrating that object by subjecting those statutes "to the indirect and deluding action of the old common law of conspiracy" to use the words of Lord Chancellor Cairns and deciding that peaceful picketing was molesting and therefore a criminal offence. So in 1906 Parliament defined "peaceful picketing" in unequivocal terms and made it lawful. It enables

THE COMMISSIONS OF INQUIRY ORDINANCE, 1939.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled "An Ordinance to provide for the holding of Commissions of Inquiry".

This Bill will repeal the Commissions of Inquiry Ordinance (Chapter 151 of the Laws) and the Commissioners' (Confernment of Powers) Ordinance, 1939, passed to give the Cocoa Commission powers to conduct its inquiry, and will re-enact in a single Ordinance the provisions of those two Ordinances with a few additions.

Clauses 1-6 inclusive of the Bill are identical with sections 1-6 of the Commissions of Inquiry Ordinance (Chapter 151). Clause 7 is section 4 of Ordinance 10 of 1938. Clause 8 is the second part of section 7 of Chapter 151. Clauses 9-12 are sections 5, 8, 9 and 7 of No. 10 of 1938. Clauses 13 and 14 are sections 9 and 8 of Chapter 151 and clause 15 is section 11 of No. 10 of 1938. Clause 19 is section 10 of Chapter 151. These clauses include all the provisions of Chapter 151 and Ordinance No. 10 of 1938. Then follow the new provisions.

Clause 16 provides penalties for committing an act of contempt of any Commission whether committed in the presence of the Commission or not.

Clause 17 empowers the Commission to bring before itself any one accused of having committed a contempt not in the presence of the Commissioners sitting in Commission.

Clause 18 authorises payment of interpreters and witnesses before a Commission.

Clause 20 gives Commissioners legal protection for any act done by them as Commissioners.

Clause 21 enables the Governor to withdraw from any Commission appointed by him any powers granted by the Ordinance which he may consider unnecessary in any particular case.

Clause 22 vests in the Secretary of State the same powers to appoint Commissions as are vested in the Governor under the Ordinance and a Commission so appointed by the Secretary of State would then exercise any powers given by the Ordinance.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a first time.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1939.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled "An Ordinance to amend the Wild Animals Preservation Ordinance".

This Bill will amend the Wild Animals Preservation Ordinance (Chapter 99 of the Laws) to give effect to the 1933 International Convention for the Preservation of Flora and Fauna in Africa to which Great Britain has adhered.

Clause 2 will insert in Chapter 99 definitions of "animal," "species" and "trophy" taken from the Convention.

Clause 3 will repeal section 9 of Chapter 99, which empowers the Governor to grant permission for the sale, purchase or export of animal trophies including ivory and will substitute for it a provision vesting that power in a Collector of Customs subject to a certificate being produced, issued by an Administrative Officer stating that the trophy has been lawfully obtained.

Section 9A will require trophies which are exported to be marked with an identifying mark, which will identify the place of origin of that trophy as Nigeria.

Clause 4 will insert a section numbered 13A in Chapter 99 prohibiting the use of motor vehicles or aircraft for hunting or frightening or stampeding them. This would not apply to the capture or destruction of game found on land occupied by an individual or by the Government for public purposes.

Clause 5 will deprive the Governor of the power contained in subsection (3) of section 16 of Chapter 99 to exempt any named bird or animal in a game reserve from protection and clause 6 will limit his power to grant special licences to kill or capture game in a game reserve to killing or capture for scientific or administrative purposes in exceptional cases.

Clause 7 will extend the objects for which a Resident may authorise the killing of any protected animal which has become a pest to man living a civilised life and his cultivated plants and domestic animals. It will enable, among other things, the licensing of killing of protected animals to relieve famine.

Clause 8 will increase the purpose for which Regulations may be made under section 37, mainly to prohibit the use of devices to kill animals in large numbers. In the Committee stage of this

- The Director of Marine,
Commander the Honourable A. V. P. Ivey, R.D., R.N.R.
- The Comptroller of Customs,
The Honourable A. E. V. Barton, C.B.E.
- The Deputy Chief Secretary,
The Honourable T. Hoskyns-Abrahall.
- The Senior Resident, Plateau Province,
The Honourable E. S. Pembleton.
- The Senior Resident, Kano Province,
The Honourable J. R. Patterson, C.M.G.
- The Senior Resident, Ilorin Province,
The Honourable F. de F. Daniel.
- The Senior Resident, Niger Province,
The Honourable P. G. Harris.
- The Resident, Benue Province,
The Honourable D. M. H. Beck, M.C.
- The General Manager of the Railway,
The Honourable J. H. McEwen.
- The Director of Public Works,
The Honourable S. J. W. Gooch.
- The Director of Agriculture,
Captain the Honourable J. R. Mackie.
- Colonel the Honourable H. C. T. Stronge, D.S.O., M.C.,
Assistant Commandant (Extraordinary Member).

UNOFFICIAL MEMBERS.

- The Member for the Egba Division,
The Honourable A. Alakija, C.B.E.
- The Member for the Colony Division,
Dr. the Honourable H. Carr, D.C.L., O.B.E., I.S.O.
- The Member for the Ibo Division,
The Honourable B. O.-E. Amobi.
- The Member for the Rivers Division,
The Honourable S. B. Rhodes.
- The Member for the Warri Division,
The Honourable A. Egbe.
- The Member for the Oyo Division,
The Honourable N. D. Oyerinde.
- The Banking Member,
The Honourable D. D. Gibb.
- The Commercial Member for Lagos,
The Honourable R. M. Williams.

- The Commercial Member for Calabar,
The Honourable L. A. McCormack.
- The Member for Calabar,
The Reverend and Honourable O. Efioug
- The Member for the Ibibio Division,
The Honourable Nyong Essien.
- The Member for the Ijebu Division,
Dr. the Honourable N. T. Olusoga.
- The Second Lagos Member,
Dr. the Honourable K. A. Abayomi, M.D.
- The Third Lagos Member,
The Honourable O. Alakija.
- The First Lagos Member,
The Honourable H. S. A. Thomas.
- The Mining Member,
Lieutenant-Colonel the Honourable H. H. W. Boyes,
M.C.
- The Member for Shipping (Provisional),
The Honourable G. H. Avezathe.

ABSENT.

OFFICIAL MEMBERS.

- The Commandant,
Brigadier the Honourable G. R. Smallwood, M.C.
- The Senior Resident, Cameroons Province,
The Honourable A. E. F. Murray.
- The Secretary, Northern Provinces,
The Honourable A. E. V. Walwyn.
- The Senior Resident, Oyo Province,
Captain the Honourable E. J. G. Kelly, M.C.
- The Resident, Bornu Province,
The Honourable P. G. Butcher.
- The Resident, Ogoja Province,
The Honourable K. V. Hanitsch.
- Captain the Honourable A. W. N. de Normann,
Commissioner of Lands and Surveyor-General.
- The Resident, Katsina Province,
The Honourable R. L. Payne.

UNOFFICIAL MEMBERS.

- The Commercial Member for Port Harcourt,
The Honourable P. H. Davey.
- The Commercial Member for Kano (Provisional),
The Honourable F. P. Mackenzie.

(d) Does the fact of a clerk not applying for an advertised vacancy in a higher post which may occur in the Department in which he is serving preclude him, if deserving, from advancement to such a vacancy?

Answer:—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) Recommendation for the filling of the vacancy was made by the Acting Accountant-General in a communication which is confidential and which, therefore, cannot be divulged.

(c) Does not, therefore, arise.

(d) No, Sir.

The Member for the Ijebu Division (Dr., the Hon. N. T. Olusoga):

5. (*Question No. 9 of the 5th of December, 1939*). (a) Is it a fact that 100 cocoa bearing trees and 256 kolanut trees belonging to farmers of Ishara in the Ode Court Area in Ijebu Remo Division of Ijebu Province were deliberately cut down and destroyed by six agents of one Gbasemo of Ishara, without any legal authority or any order of the Court, and that representations from the aggrieved parties were made to the Resident, Ijebu Province? If so, to ask whether an investigation has been made into the complaint and if no investigation has been made to ask for a statement of what Government intends to do in the matter?

(b) Also to ask if Government is aware that many farmers who have settled and worked in Isoso-Iyankan farm of Ishara town for over fifty years have been and are still being disturbed from carrying on their normal farm work from which they derive their livelihood and pay tribute tax to the Native Administration revenue, despite the fact that farm rent is collected from them, and to ask if Government is prepared to allow this unsatisfactory conditions of things in Ishara Town to continue?

Reply not yet ready.

The Second Lagos Member (Dr., the Hon. K. A. Abayomi):

6. (*Question No. 11 of the 5th of December, 1939*). (f) How many of these Inspectors have secondary education?

(g) How many rank and file are in the Police Force to-day with secondary education?

(h) How many of these have been given the opportunity to compete for or have been promoted Sub-Inspectors? If none, why not?

Answer:—

The Hon. the Chief Secretary to the Government:

(f) Four.

(g) Eighty-eight.

(h) Two have been so promoted; the remainder are eligible for promotion and their claims will be considered when vacancies occur.

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

7. (Question No. 12 of the 5th of December, 1939). (a) To ask whether Government is aware of the fact:—

- (i) That several Interpreters do about 70% of clerical work apart from their ordinary interpreters' duties?
- (ii) That on several occasions Second Class Qualified Interpreters of all grades have taken over duties from clerks in charge of offices when the latter are on leave?
- (iii) That several Second Class Qualified Interpreters have been kept perpetually on a salary of £88 per annum, yet doing over 70% of clerical duties, simply because they cannot speak a second language as provided in past General Order 613?

(b) To ask Government to be pleased to give such Second Class Qualified Interpreters consideration upon mergence into clerical service, their lack in the second language having been supplied by their ability to do 70% of clerical duties?

(c) To ask whether Government is also aware of the fact:—

- (i) That 75% of the questions in the Interpreters' Examination are based on general education and intelligence?
- (ii) That a Qualified Interpreter qualifies in the educational part of the test (Parts A, B, C) once for all and he only sits Part D the next year to qualify only for the second language?

(d) Is it a fact that only Interpreters who have qualified in the second language are given the privilege to enjoy full benefits of clerical service?

If so, to ask whether it is because the favoured class of "Qualified Interpreters" has succeeded in the second language and the other has not, even though educationally they may be equal or the other may be superior though has not obtained a second language?

(e) In the circumstances will Government consider the advisability of granting Second Class Qualified Interpreters mergence or conversion into Clerical Service, if they have served as much for eight years with good record and in such a case they may not be required to pass Middle VI Examination which is the present standard required to enter Government Service, as this standard was not the criterion when they were originally employed and their increment be not impeded?

(f) Whether Government is aware of the fact:—

- (i) That there are clerks in the Service who originally joined up from the status of Native Court Clerks, Unqualified Interpreters and Office Messengers who, upon the introduction of the past Clerical Entrance Examination have not been asked to qualify for same before receiving their regular increment and promotion?
- (ii) That as far back as 1932, when the past Clerical Entrance Examination was abolished some clerks have been

employed without even such standard of education as required of the present Qualified Interpreters seeking conversion into the Clerical Service?

- (iii) That upon the introduction of Middle Class VI, these Qualified Interpreters have not been asked to qualify for regular increment?

Reply not yet ready.

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

8. (Question No. 13 of the 5th of December, 1939). (a) Is it a fact that Sub-Inspectors of Sanitation are not given transport fare when proceeding on leave and that they have no pay during the tenure of their leave?

(b) Is it a fact that some of the 2nd Class Inspectors of Sanitation who have served for seventeen to twenty-four years have no prospect of promotion, even when recommended for same?

(c) Is the Government in possession of their petition of the 15th June, 1937, and if so, what steps have been taken to remedy their grievances?

Reply not yet ready.

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

9. (Question No. 14 of the 5th of December, 1939). Is it a fact that the majority of the elders of Afikpo in the Ogoja Province have petitioned the Government to the effect that one Interpreter and the Court Scribe of their district have become a real menace to the growth of the Native Administration and happiness of the people? If so what has Government done to remove the source of this grave discontent and unrest, which might lead to serious development?

Reply not yet ready.

The Hon. the Chief Secretary to the Government:

Sir, I lay on the table the Report of the Finance Committee on the Resolution regarding taxation.

The Hon. the Financial Secretary:

Your Excellency, I beg to move that the Report of the Finance Committee, which was laid on the table to-day, be adopted. The Select Committee, consisting of the Finance Committee, sat the whole of yesterday and considered in detail the new taxation proposals. They have made recommendations for a few changes in the Report. These changes are put in a form so that they can be embodied in the main resolution, but in order that the position may be fully understood, I have had circulated a brief memorandum explaining what is the effect of the changes recommended,

In brief they are: as regards import duties, that surgical and dental apparatus, etc., shall remain on the free list; that ice chests and refrigerators should be subject to duty at ten per cent instead of fifteen per cent as proposed in the Resolution; and that fish taken in Nigerian fishing vessels should be added to the list of exempted provisions. As regards export duties, they recommend that the export duty on rubber should not apply when the c.i.f. price London is sixpence or less; and consequential on that, that when the price is between sixpence and sevenpence, the duty should be limited to the amount by which the price exceeds sixpence. They also recommend a measure of remission of duty in respect of stocks sold forward, limiting this to a definite date and also subject to the same limitation in regard to price.

They also recommend that groundnuts from French territory which are simply in transit through Nigeria should be exempted from export duty.

As regards income tax, the Committee felt that there might possibly be some ambiguity to the public regarding the exact rates payable, for example where it says income exceeding £1,000 is liable to four per cent. It might be thought by the public that that meant that the whole of the individual's income was subject to that percentage. Therefore, the Committee recommend that the schedule should be amplified and should show examples in order that there may be no possible doubt.

The only change that they recommend in regard to the actual rates is in respect of income between £3,000 and £4,000, for which they recommend that the percentage should be eleven per cent instead of twelve and a half per cent, such income having already paid one and a half per cent under the ordinary income tax.

In the course of the discussion, Sir, I was asked if I could give an assurance that this taxation would be removed when normal times returned. I replied, of course, that it was impossible to commit Government to such a statement, but that these measures of taxation could be taken as being emergency ones and not necessarily a revision of the whole of our taxation system.

Your Excellency, I beg to move that the Report of the Finance Committee be adopted.

The Member for the Egba Division (The Hon. A. Alakija, C.B.E.):

I beg to second.

The report was adopted.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Financial Secretary, seconded by the Honourable the Deputy Chief Secretary, the Bill was read a third time and passed.

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1939.

The Hon. the Financial Secretary:

Your Excellency: I beg to move that a Bill entitled "An Ordinance to amend the Townships Ordinance" be read a second time.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a second time.

Council in Committee.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Financial Secretary, seconded by the Honourable the Deputy Chief Secretary, the Bill was read a third time and passed.

THE BARTON PENSION ORDINANCE, 1939.

The Hon. the Financial Secretary:

Your Excellency: I beg to move that a Bill entitled "An Ordinance to make special provision in regard to the pension of Arthur Edward Victor Barton, C.B.E.," be read a second time.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a second time.

Council in Committee.

The First Lagos Member (The Hon. H. S. A. Thomas):

Your Excellency, I rise to support this Bill but, in doing so, would like to make an observation. The impression I had at the Finance Committee was that the former Comptroller gave notice of retirement—voluntary retirement—and subsequently withdrew it, but before he withdrew it, arrangement had been made to fill his post and it was considered desirable that his successor should proceed to Nigeria. I feel, Sir, in the circumstances of the case,

not to oppose this Bill, but I should like Government to take such steps as would prevent the tax-payer having to pay such pension in future as a result of an officer changing his mind.

I submit that if an officer wanted to go on retirement and gave notice to the effect and an arrangement to fill his post had been made, it should not be possible for him to change and thus involve the Colony and Protectorate in extra expense. In this case, a sum of £600 had been paid as salary in excess of what we should ordinarily have paid and now we have to face this additional pension. I feel that it is hardly fair that the tax-payer should be mulcted in this way merely because of a change of mind on the part of an officer.

The Hon. the Financial Secretary:

Your Excellency, in the first place it is important to remember that our late Comptroller of Customs came under the Pensions Law before it was modified, as it has been quite recently. Under that Pensions Law an officer could retire at the age of 50, or he could stay on until he was 55, and in respect of that intervening period he had the right to decide, but Government had not.

The Pensions Law as it now stands has been modified, and when an officer attains the age of 50, not only has he the option of retiring, but Government can call upon him to retire. Our late Comptroller of Customs was however in a different position, and Government had not the power under the Pensions Ordinance to request him to retire.

It may be urged that having once stated that he wished to retire, the Government could have required him to implement that undertaking, but I am sure my honourable friend the First Lagos Member will agree with me that such—I might almost say harsh—treatment is not consistent with the ordinary procedure of Government.

In the second place, Sir, I would like to mention that although the Government of Nigeria has paid salary to two individuals in respect of that period, it has also received services from two people and I am sure that my honourable friend will agree with me that the interests of Nigeria have best been served by obtaining the services of our present Comptroller without waiting for such a period as would have avoided this overlapping.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Financial Secretary, seconded by the Honourable the Deputy Chief Secretary, the Bill was read a third time and passed.

The Member for the Egba Division (The Hon. A. Alakija, C.B.E.):

Your Excellency, I am not pressing the point; I only mention it in case difficulty arises when the Commissioner is dealing with a man of straw. The Commissioner is not often a lawyer.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Deputy Chief Secretary, the Bill was read a third time and passed.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1939.**The Hon. the Acting Attorney-General:**

Your Excellency: I beg to move that a Bill entitled "An Ordinance to amend the Wild Animals Preservation Ordinance", be read a second time.

The Hon. the Deputy Chief Secretary:

I beg to second.

Bill read a second time.

Council in Committee.

Clause 8.**The Hon. the Acting Attorney-General:**

Your Excellency: I should like to move an amendment in connection with clause 8, that the sub-clause numbered 16, which has been printed and circulated, be inserted at the end of clause 8, namely, "prohibiting any specified kind of lamps, or any other kind of articles used in hunting".

The amendment was adopted.

The Bill having passed through Committee with one amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Deputy Chief Secretary, the Bill was read a third time and passed.

THE IMPORTATION OF TEXTILES (QUOTAS) (AMENDMENT) ORDINANCE, 1939.**The Hon. the Comptroller of Customs:**

Your Excellency: I beg to move that a Bill entitled "An Ordinance to amend the Importation of Textiles (Quotas) Ordinance, 1934", be read a second time,

The Hon. the Financial Secretary:

I beg to second.

Bill read a second time.

Council in Committee.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Comptroller of Customs, seconded by the Honourable Financial Secretary, the Bill was read a third time and passed.

ADJOURNMENT.

The Council adjourned at 10.25 a.m. sine die.