



NIGERIA

Legislative Council Debates

FIFTH SESSION

*1st, 2nd, 3rd, 5th, 6th, 7th, 8th, 9th,
17th and 19th March, 1951*

HOUSE OF REPRESENTATIVES
LIBRARY—NIGERIA

Debates in the Legislative Council of Nigeria

Thursday, 1st March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 10 a.m. on Thursday, the 1st of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.

- The Third Nominated Member,
The Honourable N. B. Edwards.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.
- The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

PRAYERS

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

OATHS

The Honourable H. F. Marshall, C.M.G., Acting Chief Secretary to the Government; Dr the Honourable S. L. A. Manuwa, O.B.E., Director of Medical Services; the Honourable R. J. Mason, O.B.E., Acting Director of Education; Major the Honourable J. G. C. Allen, Acting Commissioner of the Colony; the Honourable B. E. Sharwood-Smith, C.M.G., E.D., Senior Resident, Kano Province; the Honourable D. A. F. Shute, Senior Resident, Cameroons Province; the Honourable P. V. Main, Senior Resident, Oyo Province; the Honourable L. N. Mbanefo, Temporary Member for Eastern Provinces; and the Honourable G. H. H. O'Dwyer, Temporary Member for Eastern Provinces, took the oath as members of the Council.

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 16th of September, 1950, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

His Excellency :

I believe that there are no formal announcements, but the Clerk of the Council has two telegrams which I am going to ask him to read. They are from the Honourable the Third and Fourth Members for the Eastern Provinces, and I propose to refer to them by name, in spite of Standing Orders. Sir Francis Ibiyam has not been able to get back from the United Kingdom in time for this meeting, and the Honourable A. Ikoku, who has been representing Nigeria, and, I think, West Africa, at the Commonwealth Parliamentary Association Conference in New Zealand, has got as far as the United Kingdom on his way home. It is characteristic of these two Honourable Members that they should have remembered us and timed their telegrams so well. I should also like to take this opportunity of extending a hearty welcome on behalf of this Council to the two Temporary Members for the Eastern Provinces, Mr Mbanefo and Mr O'Dwyer, who are competent reserves for the strong-battling Eastern team. I now ask the Clerk to the Council to read the two telegrams.

The telegrams were then read by the Clerk as follows:—

“ SIR JOHN MACPHERSON GOVERNMENT HOUSE LAGOS NIGERIA
“ WISHING PRESIDENT AND EVERY MEMBER COUNCIL ABOUT COMMENCE
“ BUDGET SESSION DIVINE GUIDANCE AND BEST OF LUCK
IKOKU THIRD EASTERN ”

“ CLERK LEGISLATIVE COUNCIL LAGOS
“ WISHING COUNCIL HAPPY DELIBERATIONS AND SUCCESSFUL BUDGET
“ SESSION IBIAM ”

PAPERS LAID**The Honourable the Acting Chief Secretary to the Government :**

Your Excellency, I beg to lay on the table the following papers :—

- Sessional Paper No. 23 of 1950—Annual Report on the Department of Chemistry for the year 1949.
- Sessional Paper No. 24 of 1950—Annual Report of the Mines Department for the period 1st January, 1949 to 31st March, 1950.
- Sessional Paper No. 25 of 1950—Annual Report of the Public Works Department for the financial year, 1948-49.
- Sessional Paper No. 26 of 1950—Annual Report on the Nigerian Post Office Savings Bank for the year ended 31st of March, 1949.
- Sessional Paper No. 29 of 1950—Annual Report on the Department of Labour and Resettlement of Ex-Servicemen, 1949-50.
- Sessional Paper No. 30 of 1950—Annual Report of the Survey Department for the year 1949-50.
- Sessional Paper No. 1 of 1951—Annual Report of the Posts and Telegraphs Department for 1949-50.
- Sessional Paper No. 7 of 1951—Annual Statement on Government Activities presented by His Excellency, the Governor, to the Legislative Council on the 1st March, 1951.
- Annual Report and Accounts of the Northern Regional Production Development Board 1949-50.
- Annual Report and Accounts of the Western Regional Development Board—Tabled in the Western House of Assembly on 14th August, 1950.
- Annual Report—Western Regional Development Board of 23rd June, 1950.
- Annual Report and Accounts of the Western Regional Production Development Board tabled in the Western House of Assembly on the 14th of August, 1950.
- First Annual Report of the Eastern Regional Development Board, 1949-50.
- Report on the Administration of the Cameroons under United Kingdom Trusteeship for the year 1949.
- Enquiry into the Disorders in the Eastern Provinces of Nigeria—Proceedings of the Commission from 12th December, 1949 to 5th January, 1950.
- Nigeria Trade Summary, Volume 35—January to March, 1950.
- Nigeria Trade Summary, Volume 35—April to June, 1950.
- Nigeria Trade Summary, Volume 35—July to September, 1950.
- Western House of Assembly Debates of 13th to 15th and 18th February, 1950.
- Northern Regional House of Chiefs Debates, Fourth Session, 21st August, 1950.
- Regional Council Debates, Northern House of Assembly, Fourth Session, 18th to 19th August, 1950.

Legislative Council Debates, 12th to 16th September, 1950.

Subsidiary Legislation made since the last meeting of the Council.

Annual Report by the Registrar of Companies for the year ended 31st December, 1950.

Report and Statement of Accounts of the West African Airways Corporation for 1949-50.

Resolutions under section 53 (1) of the Nigeria (Legislative Council) Order in Council, 1946, adopted by :—

1. The Northern House of Chiefs
2. The Northern House of Assembly
3. The Western House of Assembly
4. The Eastern House of Assembly.

Certificates of Urgency under section 53 (3) of the Nigeria (Legislative Council) Order in Council, 1946, in respect of the following Bills :—

1. An Ordinance further to amend the Townships Ordinance.
2. An Ordinance to make provision with respect to the date of commencement of the Manilla Prohibition Ordinance, 1949, and for the validation of acts done and legal proceedings taken in purported exercise of powers conferred by the said Ordinance.
3. An Ordinance to provide for the establishment of an Industrial Council for the purpose of regulating the conditions of employment and the remuneration of certain workers employed by the Nigerian Coal Corporation.

The Honourable the Financial Secretary :

Your Excellency, I beg to lay on the table the following papers :—

Report of the Northern Regional Joint Standing Committee on Finance for the period August, 1950 to November, 1950.

Report of the Standing Committee on Finance of the Eastern House of Assembly for the period August to November, 1950.

Report of the Standing Committee on Finance of the Eastern House of Assembly for the month of December, 1950.

Report of the Standing Committee on Finance of the Western House of Assembly for the period August to November, 1950.

Estimates of Regional Expenditure for the financial year 1951-52, together with the Statement of Apportioned or Assigned Revenues, approved by His Excellency the Governor in accordance with paragraph 52 of the Nigeria (Legislative Council) Order in Council, 1946, in respect of—

- The Northern Region
- The Western Region
- The Eastern Region.

Memoranda on the Estimates of Regional Expenditure for the financial year, 1951-52.

Draft Railway Estimates for the financial year, 1951-52.

Memorandum on the Draft Railway Estimates for the financial year, 1951-52.

Draft Estimates for the financial year, 1951-52.

Memorandum on the Draft Estimates for the financial year, 1951-52.

The Honourable the Development Secretary :

Your Excellency, I beg to lay on the table the following paper :—

Sessional Paper No. 6 of 1951—The Revised Plan of Development and Welfare for Nigeria.

SPEECH BY HIS EXCELLENCY THE GOVERNOR

HONOURABLE MEMBERS :

Next month I shall complete three years as President of this Council, but this is the first occasion upon which I have presided at a Budget Meeting in the capital. This is because the Council, since its first Budget Meeting at Lagos in 1947, has perambulated round the country, meeting in turn at Kaduna, Ibadan and Enugu. All of us—and particularly those of us who reach this Council otherwise than through Regional Councils—would wish to pay a sincere tribute to the Regions for their hospitality and their care for our comfort on those occasions. When the revised Constitution comes into being I do not think that we shall continue the practice of holding meetings outside Lagos, if only because the arrival in a Regional capital of one hundred and forty-eight Members, not to mention their wives, would, I think, tax even their warm-hearted capacity. Nevertheless, I feel sure that those visits have been of value in leading to a closer understanding between the Regions and in underlining the essential unity of Nigeria.

Since we met together last September we have lost the services of Sir Hugh Foot, our Chief Secretary for the past three years. We rejoice with him on his promotion to be Captain-General and Governor-in-Chief of Jamaica, and most particularly do we congratulate Jamaica on their good fortune. But for ourselves—and I know that I speak for Nigeria—our hearts are heavy because of our loss. It is not easy for me, who owe him so much, to give public expression to my feelings. His brilliance was everywhere recognised, but those of us who worked closely with him know how much more there was than that. Honourable Members of this Council quickly learned to appreciate his worth : my mind goes back to the African Conference in London at the end of 1948 when representatives from this Council, under his leadership, showed what team spirit meant, and how unity and strength could come out of diversity. Those of us who worked in close daily contact with him—I refer particularly to the senior Secretariat officers and most of all perhaps to Mr Marshall, who is now so ably holding the fort until the arrival of Sir Hugh's successor—have a full knowledge not only of his brilliance but of his robustness of mind and body, his insatiable appetite for work, his clearness of vision and honesty of purpose, and his complete confidence in the future of Nigeria and in the success of the policy we are following, in the formulation of which he played so significant a part.

[H.E. the Governor]

[Speech]

We have today reason for gladness as well as sorrow. It gives me very great pleasure to welcome as a Member of this Council Dr Manuwa, our new Director of Medical Services. Those of us who know Dr Manuwa as a man, as a surgeon, and as a senior official know that this is an appointment made on merit, and on merit alone. We know that if he had followed his own personal inclination Dr Manuwa would have continued with his brilliant work as a surgical specialist, and that it was only the call of service to his country which induced him to give up the operating theatre for medical administration. We honour him for his decision. I personally am very glad to have his advice at the centre on the country's health problems, and I am proud to think that when Nigeria participates in international conferences on medical matters she can be represented by so worthy a son.

Before leaving the subject of personalities, I should like to pay a brief but sincere tribute to an officer who has recently retired. I refer to Miss Plummer, who made so great a contribution to the cause of women's education in Nigeria. All of us know that no country truly progresses unless its women progress too. We have still a long way to go in Nigeria, but Miss Plummer has given great impetus to the advancement of women, and I am happy to recall that as Acting Director of Education she sat in this Council and was for a time a member of my Executive Council. We wish her well in her richly-earned retirement.

This will be the last Budget Meeting held by this Council and the last Budget Meeting in this Chamber. The Budget for 1952-53 will be considered by the new House of Representatives sitting in the more commodious building now under construction. While on the subject of Legislative Chambers, I should like to say that I propose, on another occasion during this meeting, to report to Honourable Members on the ceremony of the opening of the new Chamber of the House of Commons, at which—by your wish—I had the honour to represent this Council. I should also like to mention a letter which I received some two weeks ago from the Governor of the Falkland Islands, Sir Miles Clifford, who is known to many of us here. He wrote to convey the thanks of one of the smallest of the Colonial Territories to the largest for their gift of panelling for their new Legislative Council Chamber. Approval for this gift was given by the Standing Committee on Finance, and Sir Miles has asked me to convey to the Committee, and through them to this Council, an expression of the warm gratitude and appreciation of the Falkland Islands for their generous gesture.

It had been our intention that this should be the last meeting of this Council, but we now find that it will be necessary to have one further meeting, probably in July or August. This is due to the fact that a great deal of legislation is in preparation which could not, despite our best endeavours, be ready for this meeting; and it would not be fair to

speaking. I believed in first things first. Our main pre-occupation was with the constitutional review; the people had been consulted; good progress was being made in an atmosphere of tolerance and co-operation; and there were good hopes for a major advance at an early date. If, however, we allowed our attention to be diverted by attempting to tackle difficult boundary questions there might be a serious set-back. I urged that we should all devote all our energies to getting the constitutional review completed. Later, in an atmosphere of calm deliberation, thought could be given to what was necessary and what could be done. And I made the matter one of confidence.

Since the last meeting of the Western House of Assembly, I have given further anxious consideration to this question: but I find myself still of the same mind. I said then, and I repeat now, that in my view the first and vital task before us is to get the new Constitution into being, allowing nothing to divert us from that task. When it has been successfully accomplished the difficult and delicate question of boundaries, which can give rise to so much turmoil and unhappiness, can be considered. In the revised Constitution, as in the present Constitution, any question of the alteration of Regional boundaries will be for the Governor's decision, and I give a pledge that when the new Constitution is in being I shall personally examine the question of boundary revision and decide whether, and if so what, action should be taken. I am convinced that the overriding national interests make this the best course to follow, and I ask for the confidence and support of Honourable Members of this Council in following this course.

The decision to hold one further meeting of this Council before it dissolves will enable us, at this meeting, to concentrate our attention mainly on the Budget, as is right and proper. Following the practice adopted last year, a Printed Memorandum, reviewing the events and progress of the past year, has been placed in the hands of Honourable Members, and I intend to keep my Address as short as possible. I have in the past resisted the temptation, in my opening speech at the Budget Meeting, to touch on the salient features of the Budget and the country's economic position. It is more than ever desirable now that I should refrain from stealing the Financial Secretary's thunder when it is realised that next year he will be introducing the Budget as Finance Minister. I shall not mention figures of revenue or expenditure, but I wish to make a brief reference to the general position in order to lead up to some remarks on the subject of local food supplies. Our revenues are buoyant and there are good hopes that they will continue to be so for some time at least. But there are no grounds for complacency because expenditure keeps on overtaking revenue, the main factors responsible for this at present being that our Development Plan is getting into top gear (the recruiting position to which I referred in serious terms last March has improved), and the payment of temporary additions to rates

[H.E. the Governor]

[Speech]

of pay. Since the war, we have had no difficulty in selling all the export crops and minerals we can produce, and the prices which they fetch have recently increased sharply because of the international situation. The Western Democracies, which at the end of the war disarmed and placed their trust in the United Nations, have been reluctantly forced to a decision to re-arm to meet the threat to peace, and to their way of life, by aggression from a totalitarian and expansionist regime of armed despotism. We pray that peace and our democratic way of life may be preserved with honour.

All of our people do not benefit directly from the high prices received for our exports, but the producers benefit and so does Government revenue. The world demand which brings this prosperity to the country brings difficulties, too, because the supplies that we need from outside will become dearer and less plentiful. This in turn will increase the inflationary pressure in Nigeria. The biggest single worry that I have today is the rising cost of living. There is, in the Press and elsewhere, considerable criticism of Government's failure to control rising costs. Contrary to what is sometimes said, Government does heed criticism, and I frankly confess that so far we have not had much success in tackling this problem—although this is not for want of the will to do so. Today, I wish to mention only one aspect of the matter, and that is local foodstuffs, because the availability and price of such foodstuffs affect all of the people, and particularly the wage-earners in the lower brackets and because the supply of these is not affected by external factors over which we have no control.

Nigeria has always been able to feed herself and there are many countries in the world who would like to be able to say that. Our population is increasing, and improved health measures help to raise the birth rate and lower the death rate. For that reason, and because we have an increasing urban population and because there are areas in which the farm land is already short, we must increase the production of local foodstuffs, while maintaining or improving the fertility of the soil. The need to do this becomes even greater when high prices for export crops tend to divert attention and labour from food farming. No longer can we be content with subsistence farming; our farmers must grow surpluses for those in less fortunate areas; and they get good prices for such surpluses. Taking the long-term view, we think that we have the solution to the problem of greatly increasing our production of foodstuffs. It lies in land settlement and food production schemes, the use of fertilisers, increased mixed farming and mechanisation where appropriate, irrigation, especially for dry season farming, and so on. Schemes of this kind are already in hand in all Regions, and as they succeed and are copied widely we believe that Nigeria can remain self-sufficient in food supplies. Our short-term problem is much more difficult—it has been aggravated by irregular rains in the

[H.E. the Governor]

[Speech]

with this list, but I shall mention only one more activity : the continued good work of the Marketing Boards, with their Representative Committees, and the Regional Production Development Boards. Speaking in this Council in August, 1948, when we first considered the policy relating to the marketing of edible oils and oilseeds and cotton, I said :

“ Let us be under no illusion regarding the magnitude of the task involved. I do not believe that any more important, bold and far-reaching economic undertaking has ever been considered by a Colonial legislature. I commend to the careful consideration of this Council the policy proposed in the Statement, knowing that it is conceived solely in the interests of the country in general and of the producers of these commodities in particular, and that if it is adopted and wisely applied it can dramatically change for the better our whole economic future.”

I see no cause now to qualify those words ; indeed, I believe they were prophetic.

There is a tremendous amount still to do in Nigeria, and there are difficulties and even dangers in our way. But my faith in the future of this country is stronger than ever. And I sense a growing confidence between the Government and the people, a growing inter-racial tolerance, a growing sense of responsibility and of confidence in the country's potential strength. On occasions such as this I sometimes have the temerity to offer advice. Today, I suggest that we should, all of us, pledge ourselves to three things. First, we should pledge ourselves, whatever our job, to give greater effort and service and to secure greater productivity. Second, we should pledge ourselves to maintain higher standards of honesty and fair dealing. Third, we should pledge ourselves to think and act not as belonging to this or that Region or race or tribe but as Nigerians. If we carry out these pledges Nigeria will prosper.

And now, in the words of the Prayer that we use here each day, I pray that God's heavenly wisdom may guide and direct us in all our consultations.

The Hon. the Acting Chief Secretary to the Government :

With your permission, Sir, I should like to suggest that there now be an adjournment before we continue with the business of the day.

His Excellency :

Council will adjourn for ten minutes.

Council adjourned at 11.20 a.m.

Council resumed at 11.40 a.m.

NOTICE OF MOTIONS

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I rise to give notice that I shall move the following motion at the present session of the Council :—

“ Be it resolved :

“ That this House having considered the Report of a Commission appointed to enquire into the Kalabari—Okirika disputes over fishing rights in the Rivers Province humbly advises His Excellency not to implement the same.”

QUESTIONS

NOTES.—Replies to Questions Nos. 14 and 18 by the Honourable the Second Member for the Eastern Provinces ; Nos. 20-23 by the Honourable the Fourth Member for the Eastern Provinces ; Nos. 24-29 by the Honourable the Second Member for the Western Provinces ; Nos. 31-39, 41-53, 55-58, 60-62, 64-74, 85 and 88 by the Honourable the Second Lagos Member ; Nos. 86 and 87 by the Honourable the First Lagos Member are not yet ready.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

1. To ask the Honourable the Chief Secretary to the Government :—

How soon will the report of the African Conference Delegation to London be released for public information ?

Answer—

The Hon. the Chief Secretary to the Government :

The Report of the African Conference Delegation to London was laid on the table of the Council at its meeting on the 12th of September, 1950.

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

2. To ask His Honour the Chief Commissioner, Western Provinces :—

(a) If it is a fact that the Ogoga of Ikere was deposed or forced to go to exile at Akure ?

(b) What tribunal heard and decided offences preferred against him ?

(c) By whom was he accused ?

(d) Will the Government place before the members of the Legislative Council full record of the criteria that led to his being ordered away from his country ?

(e) Has Government sanctioned the installation of another man in his stead ?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) Adewunmi, Alowolodu II, was deposed from the office of Ogoga of Ikere on the 4th of March, 1950, but he was not required to leave Ikere.

(b) An Order of Deposition was signed by the Resident, Ondo Province, in exercise of the powers vested in the Governor under section 4 of the Appointment and Deposition of Chiefs Ordinance (Cap. 12), such powers having been delegated to the Resident.

Answer—

The Hon. the Chief Secretary to the Government :

(a) A copy of Circular No. 43 of 1948 together with copies of the amending Circulars 56/1948 and 3/1949 have been forwarded to the Honourable Member for his information under cover of the Civil Service Commissioner's Letters Nos. 09833/559 of 25th February, 1950 and P9879/S.2/T/1 of 1st February, 1951, respectively.

(b) Scribes are employed in the Sleeping Sickness Services and in the Medical Field Units to record the names and numbers of patients and others who are medically examined, and to keep simple registers recording the results of the examination. The only qualification required is that they should be literate and should have a knowledge of the vernacular. Scribes, Grade I are paid in Scale K 4. Scribes, Grade II are paid in Scale K 1, 2, 3.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

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

(a) Whether the members of the Staff of the Oji River Leper Settlement who are patients are fed by the Hospital Authorities ?

(b) Whether it is correct that the following patient-staff are paid £1 a month ? :—

Junior Ward Attendants.

Junior Watchmen.

Assistant Washerwomen.

(c) If the answer to (b) above is in the affirmative, does Government expect that these workmen will feed and clothe themselves out of this salary ?

(d) Is the Government aware that the patient-staff have since 1948 been demanding a basic wage of 45s a month ?

(e) Does not Government consider this a very reasonable and modest demand ?

(f) Will Government agree to use this sum as a basis for computing the wages of the various grades of patient-staff at Oji and elsewhere ?

(g) Is it a fact that some arrears of wages were paid to the patient-staff at Oji in January, 1950 ?

(h) On what basis were these arrears computed ?

(i) Is it a fact that Hospital Ward Attendants at Oji are sometimes employed in Nurses' jobs and that they work 48 hours a week ?

(j) Are they paid any overtime ; if so, at what rate ?

(k) Is it a fact that a demand for overtime allowance resulted in the termination of the employment of some of the patient-staff in January, 1950 ?

(l) If any members of the patient-staff lost their employment in connexion with the demand for overtime, would Government consider their reinstatement ?

Answer—

The Hon. the Director of Medical Services :

(a) No, Sir, not unless they have been admitted to the Settlement's hospital for special treatment and are on sick leave.

(b) No, Sir, it is not correct : these most subordinate categories of patient-staff are paid £13 per annum plus T.A.R.P.

[D.M.S.]

[Answer]

(c) No, Sir, not necessarily ; this salary enables patients, who might not otherwise be able to afford to do so, to maintain themselves while under treatment for leprosy.

(d) Yes, Sir.

(e) No, Sir. The figure mentioned is higher than the General Labour Rates with T.A.R.P. at present in force in this part of Onitsha Province. It must be remembered that the amount paid is not in the nature of a basic wage to a healthy person in full employment but as remuneration for subordinate service rendered during the period spent in the Settlement under treatment as a patient. In addition such patient staff receive free quarters, uniforms and treatment and are allotted one-quarter acre of farm land.

(f) No, Sir.

(g) Yes, Sir.

(h) The Chief Secretary's permission for payment of the new rates of pay with effect from 1st July, 1949, and involving a special warrant, was received on 9th January, 1950, and arrears were thus computed with effect from 1st July, 1949. The new rates of pay were fixed by a calculation of two-thirds of the aggregate wages attaching to similar posts for unestablished staff of the Medical Department. This is in conformity with the general rule that all patients give two days a week of unpaid work for the maintenance of the Leprosy Settlement.

(i) No, Sir.

(j) No, Sir.

(k) No, Sir.

(l) See (k) above.

The Second Nominated Member (Major the Hon. J. West, M.C., E.D.) :

8. To ask the Honourable the Development Secretary :—

With reference to my question No. 498 of 21st November, 1949, in view of the fact that much congestion is still alleged at Port Harcourt, will Government state what has been done since that date :—

(a) To expedite the despatch of goods ?

(b) To provide extra covered storage ?

Answer—

The Hon. the Development Secretary :

(a) The following steps have been taken to expedite the despatch of goods from Port Harcourt :—

(i) the number of railway waggons allocated to the Eastern District has been increased ;

(ii) extra mobile cranes have been made available in the wharf area ;

(iii) the outside stacking area is being enlarged ;

(iv) the road approaches to the port are being improved, thereby facilitating clearance of imports by lorry ;

(v) increased goods-shed and siding accommodation is being provided at Jos, which should speed up the turn-round of waggons used for the carriage of freight between Jos and Port Harcourt.

(b) Two new sheds each with 1,000 tons capacity are under construction and are expected to be completed by the end of March, 1951 ; these will provide 11,500 square feet of additional storage space. Plans for a new

[Dev. Sec.]

[Answer]

*Answer—***The Hon. the Development Secretary :**

Funds for this project, which was first mooted approximately twelve months ago and in respect of which a detailed survey and investigation was necessary before estimates could be prepared, have been provisionally provided in the draft estimates, 1951-52. It is expected that if the estimate is approved work on this project, which has been awarded high priority, will start soon.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

13. To ask the Honourable the Director of Public Works :—

Would Government please consider favourably the scheme for a road to connect Ahoada and Brass Divisions and so bring Brass Division in closer contact with the Nigerian mainland ?

*Answer—***The Hon. the Director of Public Works :**

A road connecting Ahoada with Yenagoa in the Brass Division has been under consideration and a survey has already been made. The survey has shown that, owing to the nature of the terrain and other factors, difficulties of a most formidable character are likely to be encountered in the construction of such a road. In these circumstances and in view of the extremely high costs of construction it has been decided that the project is not at present a practical proposition.

Supplementary Question to No. 13 by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Could we have an idea of the nature of the difficulties of a formidable character likely to be encountered in the construction of such a road ?

*Answer—***The Hon. the Director of Public Works :**

Swamp and water difficulties.

Further Supplementary Question to No. 13 by the Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

Is the Honourable the Director of Public Works aware of the fact that the people concerned are doing very excellent voluntary work, at various stages, along the projected road, with hopes that their strenuous laudable efforts will attract the requisite aid of the Public Works Department or Government to overcome whatever obstacles may be anticipated ?

*Answer—***The Hon. the Director of Public Works :**

Your Excellency, no, I was not aware of the fact that they had started work themselves and I think it is a very good thing that they should have done so. If it does enable us to get over difficulties of swamp and water in due course it will be all to the good.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

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

[Hon. H. Buowari Brown]

[Question]

(a) Despite previous decisions given by Government in respect of the incessant complaints of Pharmacists and the dissatisfaction still existing in the Department, whether Government will be pleased to make further inquiries about the matter ?

(b) Cannot something be done to satisfy, even partially, the demands of these employees of the Medical Department ?

Answer—

The Hon. the Director of Medical Services :

(a) The Honourable Member will recall that during the meeting of the Legislative Council held in March last year, several questions were asked relating to the salary conditions of Pharmacists, and Government gave an undertaking to review the position and to communicate its views to the Standing Committee on Finance. Government subsequently gave careful consideration to the question and its views were presented to, and noted by, Finance Committee, and the Nigerian Union of Pharmacists was informed that in the light of this review, it had been decided that no change in the salaries attached to their posts could be justified. The Union has renewed its representations and I have convened a Committee under the Chairmanship of Sir Kofoworola Adekunle Abayomi to examine completely the conditions of service and salary scales of Pharmacists and to submit a report thereon to me.

(b) This must await consideration of the report.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

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

(a) What are the approved fees to be paid and being paid by out and in-patients attending Government Hospitals ?

(b) Is it intended that paupers must pay for their medical treatment, etc., in Government Hospitals ?

(c) In cases of childbirth of twins and/or triplets by paupers who attend Government Hospitals for delivery, etc., should fees be demanded or made a condition for requisite assistance and attention from such paupers ?

(d) What happens where such paupers are unable to comply with demands for fees, sometimes too high, for the average poor man and or woman especially from rural areas where it may be difficult to obtain adequate timely assistance ?

Answer—

The Hon. the Director of Medical Services :

(a) The approved fees are those laid down in the regulations under section 3 of the Hospital Fees Ordinance, Cap. 86, which are to be found at pages 174 to 183 of Volume VIII of the Revised Edition of the Laws of Nigeria.

(b) No, Sir. Under regulation 10 (c) of the Hospital Fees Regulations no charges are made for accommodation or maintenance in a Government hospital, for medical advice or treatment or surgical aid given or for medicines dispensed in a Government hospital to any person who produces a certificate signed by an authorised person stating that the person named in the said certificate is by reason of poverty unable to pay the fees and charges therefor. Under regulation 16 no charge may be made to an out-patient at a Government hospital or dispensary if he produces a certificate signed by an

[Hon. T. A. Odutola]

[Question]

The Second Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.) :

How long ?

Answer—

The Hon. the Director of Public Works :

It will probably take at least six weeks.

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

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

(a) What is the present position regarding mail-running between Bamenda and Bansa ?

(b) Is the distance not too far as to necessitate either the provision of motor lorry or entrusting the mail to private lorry owners ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) The main service between Bamenda and Bansa (Nsaw Postal Agency) is maintained by a mail runner provided by the Nsaw Native Administration. The service operates once weekly in each direction.

(b) The distance between Bamenda and Nsaw is approximately 50 miles but the volume of mail handled is very small and does not merit consideration of the provision of departmental transport, which would be costly to provide and maintain. The alternatives of substituting either a contract motor mail service operated by private transport or a Departmental service operated by Rural Postmen on bicycles are under consideration.

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

54. To ask the Honourable the Commissioner of Labour :—

How many Nigerian workers are at present engaged outside Nigeria under the supervision of the Labour Department, and where are they so engaged ?

Answer—

The Hon. the Commissioner of Labour :

About 10,000 Nigerian workers are employed on the island of Fernando Poo and on the mainland in Rio Muni under the terms of an agreement, made first in 1942 and revised in 1950, between the Governments of the Spanish Territories of the Gulf of Guinea and of Nigeria. Before the agreement was made many Nigerians had already proceeded to the Spanish territories on their own initiative and there is no doubt that many others have, since the agreement, found their way there without having entered into contracts of employment before their departure. It is impossible to do more than give a conjectural estimate of the number of Nigerian workers in the territories as a result of these unsupervised movements, but it may be as high as 20,000.

At the end of 1950, 820 Nigerian workers were employed in the Gabon, a part of French Equatorial Africa, under the terms of an agreement made in 1949 between the respective Governments.

The agreements referred to make provision, in each case, for the posting to the territory concerned of an officer of the Government of Nigeria with the rights and powers necessary to satisfy himself as to the well-being of Nigerian workers employed in the territory.

[Dr the Hon. N. Azikiwe]

[Question]

Supplementary Questions to No. 54 by the Second Lagos Member (Dr the Hon. N. Azikiwe):

Are you satisfied that the interests of these Nigerians are sufficiently protected by the present arrangements ?

Answer—

The Hon. the Commissioner of Labour :

Yes.

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

If the answer is in the affirmative what is the basis for such a conclusion ?

Answer—

The Hon. the Commissioner of Labour :

The chief basis is the continued reporting of the British Vice-Consul and Labour Officer who is stationed in the territory, and secondary basis is my own recent visit to the territory.

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

59. To ask the Honourable the Chief Secretary to the Government :—

(a) Is it a fact that Eugene da Silva petitioned the Legislative Council praying to be reinstated in the Civil Service ?

(b) If so, what was the decision of the Legislative Council on this petition ?

(c) Has the decision been executed by the Civil Service Commissioner ?

(d) If so, in what manner ; otherwise, why was it not executed ?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) The Council agreed that a Select Committee should be appointed to consider the petition. The Council subsequently adopted a recommendation by the Select Committee to the effect that, if a suitable opportunity arose, consideration should be given to the re-employment of the officer concerned.

(c) and (d) The Government considered the recommendation made by the Select Committee against the background of the record of the officer, and came to the conclusion that, in view of his general record (of which the Select Committee was not aware), it was not possible to offer him re-employment. In this connection, the Honourable Member's attention is invited to the first part of the speech made by the Honourable the Chief Secretary to the Government in moving the motion on discipline in the Civil Service at the meeting of the Council held on the 15th September, 1950.

Supplementary Questions to No. 59 (c) and (d) by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Has any department of the civil service the power to amend or reject a decision of this House ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

The position I think is that appointments and dismissals are matters for the Governor and while the Governor might take note of a decision of this House, the decision as to whether he should appoint or dismiss an officer still remains with the Governor.

[Dr the Hon. N. Azikiwe]

[Question]

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

If that is so, of what value then are the deliberations of this House, if its decision can be flouted in the manner explained ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

I think perhaps when I said "decisions" I was wrong. I think it can only be a recommendation of this House, and this was a recommendation.

Further Supplementary Question to No. 59 (c) and (d) by the Fourth Member for the Western Provinces (The Honourable A. Soetan) :

Why was not the general record of the officer, referred to in (c) and (d), made available to the Select Committee considering the petition to enable the Committee to be in possession of all necessary particulars before making its recommendation ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

Some of the information was, I understand, in files in the Northern Provinces where the officer in question had previously served and was not available at Enugu when the Select Committee met.

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

63. To ask the Honourable the Chief Secretary to the Government :—

(a) Does the Government of Nigeria recognize the distinction between a political prisoner and any other prisoner ?

(b) If so, how would you, as representative of such Government, define a political prisoner ?

(c) Is such definition in concert with that which is in vogue in the United Kingdom ?

(d) Why are political prisoners treated like common criminals in certain prisons of this country ?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Under the laws of Nigeria no provision is made for discrimination in the application of Prison Rules in relation to the offences for which prisoners have been convicted and imprisoned ; it follows that there is under the Laws of Nigeria no category of prisoners which can be styled "political prisoners" and that being so, special treatment cannot be extended to any prisoners on account of the nature of the offences for which they have been imprisoned. Such differences of treatment as may be accorded to prisoners are determined solely by the standard of living they normally enjoyed at the time of their conviction.

(b) Does not arise.

(c) I repeat that under the laws of Nigeria there is no category of prisoners styled "political prisoners" and therefore there is no definition of the expression.

(d) See the answer to (a) above.

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

75. To ask the Honourable the Director of Public Works :—

[Dr the Hon. N. Azikiwe]

[Question]

(a) How many miles of roads are tarred (bituminous surfaced) in the (i) Northern Provinces, (ii) Eastern Provinces and (iii) Western Provinces, (iv) Cameroons under United Kingdom Trusteeship?

(b) Are more roads being tarred and is it contemplated to tar more roads in the above regions? If so, what are their respective mileages?

Answer—

The Hon. the Director of Public Works :

(a) The mileage of bituminous surfaced trunk roads on the 31st March, 1950 was 906. There were in addition 98 miles of Township roads and 20 miles of road maintained by the Native Administrations. The Regional break-down of the trunk roads is shown below:—

	<i>Miles</i>
Colony	42.5
Western Region	403.6
Northern Region	210.2
Eastern Region	215.7
Cameroons	34.0
	906

(b) The bituminous surfacing programme to be carried out under the Development Plan 1950-56 is as follows:—

<i>Road</i>	<i>Miles</i>	<i>Miles</i>
COLONY :		
1. Lagos-Ikorodu	8	8
WESTERN REGION :		
2. Ife-Ilesha-Benin	120	} 441½
3. Oshogbo-Ilesha	14½	
4. Benin-Sapele	14½	
5. Warri-Sapele	27½	
6. Benin-Asaba	85½	
7. Akure-Ondo	32	
8. Ede-Ife	24	
9. Otta-Idiroko	36½	
10. Shagamu-Asha-Ibadan	42½	
11. Oyo-Ilorin	44½	
<i>Road</i>	<i>Miles</i>		Miles
NORTHERN REGION :		
12. Gusau-Sokoto	136	} 588
13. Jos-Maiduguri	230	
14. Katsina-Yashe	52	
15. Kano Eastern	170	
EASTERN REGION :		
16. Port Harcourt-Aba	23	} 206
17. Onitsha-Aba-Oron	92½	
18. Enugu-Abakaliki	49½	
19. Port Harcourt-Owerri	41	

[D.P.W.]

[Answer]

CAMEROONS :

20. Beau-Kumba	53	53
Grand Total		1,296½

Work is in hand on all these projects with the exception of Items 7, 8, 11, 18 and 19.

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

76. To ask the Honourable the Development Secretary :—

In view of the extreme shortage of water particularly in (i) Asaba Division of Benin Province, (ii) Nsukka Division of Onitsha Province and (iii) certain parts of the Northern Provinces, what are the specific plans of Government to provide sufficient water supplies in these areas within the next five years ?

Answer—

The Honourable the Development Secretary :

The Rural Water Supply Scheme in the Ten Year Plan of Development and Welfare is designed to provide improved water supplies to as many villages as possible throughout Nigeria by means of wells, tanks, dams, etc., including the areas specifically mentioned in the question. During the remaining five years of the Plan the sum of £2,892,000 has been earmarked for expenditure for this purpose.

Supplementary Question to No. 76 by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Are the Asaba and Nsukka Divisions to be benefited under this scheme ?

Answer—

The Hon. the Development Secretary :

Yes, Sir. But I would like to say that the order of priority of work under the Rural Water Supply Scheme in the Regions is left to the decision of the regional authorities.

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

77. To ask the Honourable the Development Secretary :—

(a) Has Government considered the possibility of building large water reservoirs at strategic parts of the country in order to make good, clean and healthy water easily accessible to hundreds of thousands of villagers who suffer from water shortage during the dry season ?

(b) In what way ?

Answer—

The Honourable the Development Secretary :

(a) and (b) The building of large reservoirs for the purpose suggested is not a practical proposition. The many miles of pipe line required together with the pumping and boosting stations necessary to carry the water from the reservoir to the villages would make the cost of such schemes prohibitive. The ideal arrangement is for each village to have its own source of supply—i.e., tanks, wells, boreholes or dams and it is this policy that is being carried out under the Rural Water Supply Scheme.

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

78. To ask the Honourable the Development Secretary :—

[Dr the Hon. N. Azikiwe]

[Question]

Has Government considered the possibility of constructing a net-work of miles of pipes to draw water from the Rivers Niger and Benue and Lake Chad, etc., in order to provide areas within a radius of 100 miles of these natural water sources with water supply for purposes of irrigation and consumption ?

Answer—

The Hon. the Development Secretary :

No, Sir. Such schemes would be too expensive to be practicable.

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

79. To ask the Honourable the Development Secretary :—

What progress has been made in connection with the project to manufacture petroleum, etc., locally from our coal and lignite deposits ?

Answer—

The Hon. the Development Secretary :

The final results of the experiments being carried out by Messrs Powell Duffryn Technical Services Limited are not yet available, but a report is expected early in 1951. A variety of experiments have been carried out in the Consultants' laboratories and at a pilot plant erected for this specific purpose. The object of these experiments is to investigate the possibilities of extracting liquid fuel and of producing chemical by-products such as detergents and waxes.

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

80. To ask the Honourable the Development Secretary :—

(a) Is it still contemplated to manufacture cement locally, as was officially announced ?

(b) If so, what progress has been made in this direction ?

Answer—

The Hon. the Development Secretary :

(a) and (b) Yes, Sir. The possibility of manufacturing cement in Nigeria is under active consideration. The limestone deposits near Lokoja have proved to be too isolated to make the manufacture of cement therefrom commercially possible at present but it is hoped to work the deposits at Nkalagu.

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

81. To ask the Honourable the Financial Secretary :—

Is Government now in position to state the number of people in Nigeria in the following income groups per annum ?

- (a) £100 and under
- (b) £200 and above £100
- (c) £300 and above £200
- (d) £400 and above £300
- (e) £500 and above £400
- (f) £600 and above £500
- (g) £700 but not above £1,000
- (h) £1,000 but not above £2,000
- (i) £2,000 but not above £3,000
- (j) £3,000 but not above £4,000
- (k) £4,000 but not above £5,000
- (l) £5,000 but not above £10,000
- (m) Above £10,000.

[F.S.]

[Answer]

*Answer—***The Hon. the Financial Secretary :**

No, Sir.

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

82. To ask the Honourable the Chief Secretary to the Government :—

What is the total number of passengers (first, second, third) and freight traffic carried by the railway from 1931-50, year by year ?

*Answer—***The Hon. the Chief Secretary to the Government :**

Passenger and freight statistics covering the financial years 1931-32 to 1949-50 are as follows :—

	<i>Total Paying Freight Tonnage</i>	<i>1st Class Passengers</i>	<i>2nd Class Passengers</i>	<i>3rd Class Passengers</i>
1931-32	667,224	10,166	14,125	2,456,686
1932-33	646,054	8,448	12,466	2,357,024
1933-34	627,475	8,641	13,866	5,156,699
1934-35	660,615	8,438	13,997	5,057,581
1935-36	709,102	9,018	17,656	7,912,321
1936-37	891,848	8,592	18,832	8,398,292
1937-38	881,976	8,375	18,818	7,329,573
1938-39	700,376	6,694	14,310	6,686,413
1939-40	712,087	7,621	16,454	4,804,628
1940-41	829,772	9,976	19,418	4,278,337
1941-42	1,042,422	13,814	21,594	4,774,351
1942-43	1,144,111	24,628	22,907	3,900,360
1943-44	1,238,965	23,329	27,980	5,191,046
1944-45	1,339,110	15,913	30,933	5,294,699
1945-46	1,157,345	12,706	29,848	4,219,866
1946-47	1,393,648	14,873	36,263	6,204,533
1947-48	1,245,440	12,960	39,417	6,531,057
1948-49	1,384,660	11,664	44,204	5,141,181
1949-50	1,299,395	11,052	41,404	5,499,324

This information is published and circulated annually in the Annual Report of the Nigerian Railways.

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

83. To ask the Honourable the Chief Secretary to the Government :—

In view of the increased passenger and freight traffic in the last twenty years, has the time not arrived when the principal main lines should be operated on a daily scheduled basis, instead of at present ?

*Answer—***The Hon. the Chief Secretary to the Government :**

[C.S.G.]

[Answer]

Passenger trains have been for many years, and still are, operated on a daily scheduled basis. It is appreciated that this principle of operation is most desirable and its application was extended to mainline goods trains in October, 1949, when a new timetable came into force. Its success, however, depends on reliable locomotive power and the principle has recently had to be abandoned temporarily because of engine failures, the reasons for which are under examination. Regular daily goods trains will be re-introduced as soon as possible.

Supplementary Questions to No. 83 by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Is your answer applicable in case of express passenger trains ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

I think, Sir, that the Honourable Member and myself have both been using the term of "scheduled daily service" in a sense that we did not properly understand. I understand that a daily scheduled service is merely a schedule of the trains which leave on any one day. If that schedule for each day of the week is identical then you have a daily service. The schedule of passenger trains for long distance passenger trains has never provided for a daily service but for a daily scheduled service. The daily scheduled service has not recently been adhered to ; it has been adhered to in the case of passenger trains but not in the case of goods trains owing to failure of locomotives.

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

Would you be able to let me know whether the answer given to me is applicable to express trains ? If not now, then at a later date ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

I am not quite clear what the Honourable Member is asking.

His Excellency :

An express train must be a passenger train. If there is any ambiguity I think the Honourable Member will be able to clarify by correspondence with appropriate Government department.

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

84. To ask the Honourable the Chief Secretary to the Government :—

What is responsible for the discrimination in the amenities available to first class passengers in coaches serving the Eastern Region, as compared to those of the other lines, with particular respect to wash bowls in the compartments ?

Answer—

The Hon. the Chief Secretary to the Government :

The number of first class passengers travelling on the Eastern Line does not warrant the use of coaches comprising first class sleeping saloons only and for this reason the Eastern Line is served by composite first and second class sleeping coaches. There has been a great deterioration in the condition of these composite coaches and some have had to be withdrawn from service in advance of the arrival of replacements. As a temporary expedient they

[C.S.G.]

[Answer]

have been replaced by old coaches which are not equipped with washbasins in each compartment, but the situation will improve with the arrival of three new composite sleeping coaches now on order and expected during the coming financial year.

Supplementary Question to No. 84 by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

In view of this reply is it contemplated to reduce the fares to the Eastern Provinces ?

Answer—

The Hon. the Acting Chief Secretary to the Government :

I shall require notice of that question.

The Third Nominated Member (The Hon. N. B. Edwards) :

89. To ask the Honourable the Attorney-General :—

Is the Honourable Member prepared to make a statement indicating the circumstances in which a strike is illegal ?

Answer—

The Hon. the Attorney-General :

Yes, Sir. I welcome the opportunity of making such a statement, but Honourable Members will appreciate that it can only be in somewhat general terms and that each case must depend upon the facts. Section 518A of the Criminal Code only protects persons from criminal proceedings for conspiracy where—

- (1) an act is done in contemplation or furtherance of a trade dispute ; and
- (2) the act if committed by one person would not be punishable as an offence (the term "offence" in this context does not include an offence punishable only by a fine).

In my opinion, the question in each case turns upon the motive and *bona fides* of the persons promoting and taking part in the strike or lock-out. I have no doubt, for example, that any attempt by two or more persons to procure a general stoppage of work throughout Nigeria designed to coerce the Government, by holding the Government and the country to ransom, would constitute a criminal conspiracy punishable under the Criminal Code.

In order to have the protection of section 518A of the Code, the act must be done in contemplation or furtherance of a trade dispute, and in my opinion if two or more persons seek to use a trade dispute as a cloak beneath which to interfere with impunity in other people's work or business, the Court would be justified in concluding that what was done was in contemplation or in furtherance, not of a trade dispute, but of other designs, political or purely mischievous, as the case may be. Here again, I am of opinion that the persons concerned would render themselves liable to prosecution for criminal conspiracy.

It is to be observed that section 518A (1) contains the following proviso—

"And provided further that nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or sedition, or any offence against the State or the sovereign".

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

90. To ask the Honourable the Chief Secretary to the Government :—

[Dr the Hon. N. Azikiwe]

[Question]

(a) Will the nature of the evidence which convinced His Excellency the Governor that it was time the Zikist Movement was banned, be made available to this Honourable House ?

(b) If not, why is it not deemed desirable to take the legislature into confidence on such an issue ?

(c) Is His Excellency disposed to receive representations for the reviewing of his decision in order to cancel the ban ?

Answer—

The Hon. the Chief Secretary to Government :

(a) Yes, Sir. There was in Government's possession conclusive evidence that the Zikist Movement was being organised to pursue seditious aims by lawlessness and violence. Amongst the documents of the Movement found in possession of members, in the course of searches which led to prosecutions, were "The National Programme", "Operation Order No. 1" and "Programme of Work 1950-51". The first of these documents stated, *inter alia*, that the Movement would carry its reprisals "bordering on the assassination of British Officers, *viz.*, the Commissioners, Residents, the Governor, the Chief Secretary to the Government and so on" and that the Movement would endeavour to destroy oil storage centres, essential Government houses, Government Departments, etc. The second document instructed the Movement to organize for civil disobedience, disorder generally and looting of shops, and the "Programme of Work 1950-51" included underground activities aimed at institutions rather than personalities, such as law courts, Government offices, police stations, foreign churches, foreign shops, telegraph wires, cables and railway lines and suggested the use of explosives and other scientific devices for these purposes.

(b) Does not arise.

(c) No, Sir.

Supplementary Question to No. 90 (c) by the Second Lagos Member (Dr the Hon. N. Azikiwe) :

Why.

Answer—

The Hon. the Acting Chief Secretary to the Government :

I presume, Sir, that the Honourable Member is referring to part (c). I think the answer is very clear from the reply to part (a).

MOTIONS

The Hon. the Financial Secretary :

Sir, I rise to move the following motion standing in my name :—

"WHEREAS it was provided under section 2 of the 1950-51 Appropriation Ordinance, 1950, that the Accountant-General might on the warrant of the Governor pay out of the revenue and other funds of Nigeria during the year ending on the 31st day of March, 1951, the several sums set forth opposite Heads 46, 47 and 48 in the First Schedule to the said Ordinance in respect of Regional Services and works within the Northern, Western and Eastern Regions respectively ;

[F.S.]

[Motion]

AND WHEREAS financial provision supplementary to that set forth opposite the said several Heads has from time to time been approved by the Legislative Council in respect of the said Regional services and works ;

AND WHEREAS the said provision includes provision for expenditure on Temporary Addition to Rates of Pay and grants in aid of education made under section 27 of the Education Ordinance, 1948 ;

AND WHEREAS it is desirable that any amounts so provided which shall not have been utilised before the said 31st day of March, 1951, other than the amounts provided in respect of Temporary Addition to Rates of Pay and in respect of grants in aid of education made under section 27 of the Education Ordinance, 1948, shall be available for expenditure upon Regional services and works thereafter ;

NOW BE IT RESOLVED that all such sums appropriated for Regional services and works under the 1950-51 Appropriation Ordinance, 1950, and all such further sums approved by the Legislative Council for expenditure upon Regional services and works in the year ending on the 31st day of March, 1951, as have not at the end of the said month of March been utilised (save and except sums provided in respect of Temporary Addition to Rates of Pay and in respect of grants in aid of education made under section 27 of the Education Ordinance, 1948) shall be appropriated and transferred, in respect of the Northern Region to the Northern Regional General Revenue Balance Account, in respect of the Western Region to the Western Regional General Revenue Balance Account and in respect of the Eastern Region to the Eastern Regional General Revenue Balance Account ;

- AND BE IT FURTHER RESOLVED that, for purposes of accounting, the amounts from time to time standing to the credit of each of these Accounts or any part of such amounts may, by resolution of this Council, be transferred to General Revenue in order to supplement the annual vote for Regional services and works in the Region to which the Account relates."

Your Excellency and Honourable Members will recall that at the Budget Session last year a similar resolution was passed to provide that the unexpended balances of their votes left with the Regions at the end of the financial year should not be returned to the Central Government, but should instead be credited to special Regional General Revenue Balance accounts in the name of each Region. From these accounts the amounts standing to the credit of each Region can then be drawn upon from time to time, with the approval of this Council, signified through its Standing Committees on Finance, to supplement the funds otherwise at the disposal of the Region concerned. Under this procedure, supplementary provision amounting to £250,000 in the case of the Northern Region, £70,000 in the case of the Western Region and £193,502 in the case of the Eastern Region, has been made during the current financial year.

Honourable Members may well enquire why, when this Council has already voted a fixed sum for the service of a particular region, that sum will not become the property for all time of the Region concerned without need for any further resolution concerning the balance unexpended at the end of the year. The principal reason for this is that, on the accepted tenets of Government accounting, money is appropriated for the service of a particular

[F.S.]

[Motion]

year ; and in the Appropriation Ordinance, Council makes this clear. If that service is not completed before the end of the year, then the money voted must lapse into the general revenue since a major condition on which the money was voted has not been fulfilled. The same principle applies with all the Departments of Government ; it has its roots in the very foundations of constitutional government, since it provides that the Government of the day may not render itself independent of the Legislature by voting sums to be available for its recurrent services without limitation as to time. Government must come annually to the Legislature for supply and must outline fully the reasons for and scope of the services which the supply is designed to meet.

It is not yet possible to give even approximate figures of the balances which will be left at the end of the financial year 1950-51 in respect of each Region and the resolution has therefore been framed in general terms.

Honourable Members will have noted that though the Motion is largely similar to that introduced at the Budget Session of last year, there is one innovation. It is proposed that moneys provided by the Central Government in the form of grants in aid in respect of Temporary Addition to Rates of Pay and of Education are to be excluded from the terms of the Motion. That is to say, it is not proposed that any unexpended balances derived from these grants in aid should accrue to the Regional General Revenue Balance Accounts. Hitherto, in the case of Educational grants in aid, the Revenue Allocation included a sum provided by the Central Government for this purpose, and if the expenditure was less than was anticipated, the unspent balance accrued to the Region and was available for spending on purposes other than education. This is entirely contrary to the principles under which recurrent grants in aid should be administered. A grant in aid from the Central Government is a grant made to some body or person in order that some object of policy which the Legislature thinks desirable should be achieved, and which would not have been achieved unless additional funds had been granted. In such cases, it would be quite wrong that the Central Government should contribute to the Regional General Revenue Balance Accounts if by any chance the cost of the grants in aid was over estimated and there was found to be an unexpected balance at the end of the year.

In the constitutional changes now proposed, each Region will have its own balances and it will be our aim to devise machinery which will pass to the Regions absolutely the annual allocations of revenue made under such system as may be adopted after considering the recommendations of the Revenue Allocation Commission. There will therefore be no need, in respect of allocations so made, for Resolutions such as this but Honourable Members will, I trust, be prepared to extend for a further period of a year on the terms given in the Motion the operation of a procedure which has proved so helpful to the Regions and which by increasing the financial independence of the Regions is in close conformity with the accepted trend of constitutional development in this country.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Sir, I rise to move the motion standing in my name which reads as follows :—

[F.S.]

[Resolution and Order]

RESOLUTION AND ORDER

MADE UNDER

The Stamp Duties Ordinance
(Cap. 209)

In exercise of the powers conferred by section 114 of the Stamp Duties Ordinance, it is hereby resolved by the Legislative Council, in so far as this Resolution relates to the Colony and the Southern Provinces, and ordered by the Governor, in so far as this order relates to the Northern Provinces, as follows :—

Short title.

1. This Resolution and Order may be cited as the Stamp Duties (Amendment of Schedule) Resolution and Order, 1951.

Amends
Schedule to
Cap. 209.

2. The Schedule to the Stamp Duties Ordinance is hereby amended by the deletion therefrom of the following item :—

“ Bond given pursuant to the directions of any Ordinance, or of a Commissioner, or of the Accountant-General, or of any of their officers for or in respect of the duties or revenue of Nigeria or for preventing frauds or evasions thereof, or for any other matter relating thereto.

Where the penalty of the bond does not exceed £150.	} the same <i>ad valorem</i> duty or a bond for the amount of the penalty.

	s	d
In any other case	10	0”

and the substitution therefor of the following item :—

“ Bond given pursuant to the directions of any Ordinance or of a Commissioner, or of the Accountant-General, or any of their officers, for or in respect of any of the duties or revenue of Nigeria or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.

	s	d
Where the penalty of the bond does not exceed £100	5	0
In any other case	10	0”

RESOLVED by the Legislative Council, in so far as this Resolution relates to the Colony and the Southern Provinces, and ordered by the Governor, in so far as this Order relates to the Northern Provinces, this day of , 1951.

Clerk of the Legislative Council.

The present wording of the legislation in respect of the rate of duty on bonds in the schedule to the Stamp Duties Ordinance is obscure. In particular, the words “ the same *ad valorem* duty or a bond for the amount of the penalty ” as a definition of the rate of penalty or a bond which does not exceed £150 is vague and ambiguous. The actual rate charged is 5s on the first £100 of penalty on the bond and 10s thereafter, and no variation in this rate is intended. The Resolution before you in the terms proposed will, however, effectively resolve the present ambiguity of the Law in this matter. Sir, I beg to move.

The Hon. the Development Secretary:

Sir, I beg to second.

Resolved in the affirmative.

[H.E. the Governor]

[Business of the Council]

His Excellency :

That concludes the formal business, but I think I will ask the Acting Chief Secretary to say something about the hours of work.

The Hon. the Acting Chief Secretary to the Government :

Before we adjourn I would like to say something about the programme of work for the next few days. That programme centres round the First Reading of the Appropriation Bill and the Financial Secretary's Budget Speech. I believe that in the past it has been customary for the Financial Secretary to make his Budget Speech on a Saturday and for Council to go into debate on the Monday, but Honourable Members have, I understand, complained that that programme does not give them sufficient time to digest the contents of the Budget Speech. It is therefore suggested, Sir, that we should take the First Reading of the Appropriation Bill tomorrow morning, followed by the First Reading of six other Bills, and that on Saturday we should attempt to dispose of as many of the minor Bills as time will permit : that is if the House agrees to suspend the Standing Rules and Orders of the House to take the Second and Third Readings on one day.

That is a heavy programme and I would like to suggest to the House that we meet at 9.30 in the morning in order to try and dispose of that programme. It is not necessary for me to remind the House that tomorrow being Friday we finish at midday.

His Excellency :

The proposal is that we adjourn now and resume at 9.30 tomorrow morning.

ADJOURNMENT

Council adjourned at 12 noon.

APPENDIX TO FIRST DAY'S PROCEEDINGS**Annual Statement on Government Activities****HONOURABLE MEMBERS,**

I have pleasure in presenting to you a printed statement reviewing the work accomplished during the past twelve months by all Departments of Government. In accordance with the practice adopted last year, the statement no longer purports to be a personal report by the Governor. This survey makes no claim to be complete or comprehensive ; its object is to describe the outstanding events of the year and the more important results of the Government's activities. It is hardly necessary for me to say that there is no reduction in the complexity of the Governmental machine or in the manifold problems that confront it ; on the contrary, it is a symptom alike of the progress we are making and of the widening scope of our activities that the estimated expenditure of the Government when I first had the honour to open a Budget meeting two years ago was put at £26,192,510 for 1949-50, whereas in the draft estimates that we shall shortly be considering it is £33,324,180.

J. S. MACPHERSON

Governor.

The Financial Situation

The finances of Nigeria have been strongly influenced by the high level of economic activity prevailing in the world in general, which in turn have been due in a large measure to the Korean War, and the decision of the major Western powers to re-arm against aggression. There has been strong overseas demand for Nigeria's primary products. The result of this boom has been reflected in the finances of the country, which have been maintained in a healthy state. The revised ordinary revenue for the year 1950-51 is estimated at £28,499,100. In addition, subsidies from the Colonial Development and Welfare Plan will amount to £3,198,760. The major increase in revenue has come from export duties. These duties were revised at the September meetings of the Legislative Council with a view to varying the duty in accordance with movements of world prices. Revenue arising from the sustained demand for Nigeria's export products will amount to £4,200,000, an increase of £700,000 on the original estimates. This increase has been due to the high prices which Nigeria's export crops have been fetching in world markets and to the unprecedented high prices of tin, which have touched record levels.

During the year a sum of £403,030, being Nigeria's share of the profits of the West African Currency Board, was received into revenue. This was some £200,000 in excess of the estimate. Expenditure, on the other hand, has shown a rapid increase, and it is now expected that total expenditure for the year will amount to £28,219,240, excluding the contributions under the Colonial Development and Welfare Act and sums transferred from Regional General Revenue balances. The surplus at the end of the year is expected to be £307,360. Up to the end of February, 1951, the major items of unforeseen expenditure, not included in the approved estimates and financed from current revenue during the past year have included £220,000 for Military Buildings, the writing-off of the loss of £125,000 on the Colliery prior to that organisation being taken over by an independent Board, £111,000 for a new Legislative Council Chamber, and the sum of £109,000 as a capital contribution to the Marine Renewals Fund. In addition the Standing Committee on Finance approved a grant of £500,000 towards the Endowment Fund of Ibadan University, and will be invited to approve the setting aside of £350,000 for special expenditure on road communications in the Trust Territory of the Cameroons.

Ordinary revenue in the forthcoming year, excluding grants from the Colonial Welfare and Development Fund, is expected to amount to £27,589,460, and it is estimated that there will be a contribution of £3,936,940 from the Colonial Development and Welfare Fund. It is

expected that Import Duties, which account for 30 per cent of revenue, will show a drop of £400,000 owing to the decreasing imports of manufactured cigarettes. Supplies of manufactured articles may not be forthcoming in the latter half of the year with quite the same ease as has been experienced this year. On the other hand Export Duties at £4,200,000 should be maintained at the revised estimate of the previous year. While it is difficult to estimate the size of crops which, at the time of writing, have not been sown, it is not expected that world prices of such crops will show any marked diminution during the next twelve months. Excise Duties on locally produced cigarettes, on the other hand, are expected to increase and balance out the loss on Import Duties. Company Tax receipts at £3,500,000 are expected to show an increase over the previous year of £200,000. The expected recession in trading conditions in Nigeria in the past year, which is the year of assessment in respect of payments to be made in 1951-52, did not materialise. On the other hand there will be a fall of £75,000 in receipts from individual Income Tax, which were inflated during the past year by claims for back duty. It is estimated that there will be an increase of £109,000 in receipts from the Marine Department.

Expenditure—other than that financed from Colonial Welfare and Development Grants—is estimated at £33,324,180. The major items of increased expenditure will be £600,000 on development under the Revised Development Plan and £2,000,000 on the Temporary Addition to Rates of Pay. Other major items of additional expenditure include £42,570 on the Medical Department, £224,220 on the Posts and Telegraphs Department and £31,280 on the Department of Commerce and Industries. Public Debt Charges will, in view of additional loans which are expected to be raised in 1952, require an additional £366,600, making total Debt Charges £1,240,000. This is an item which will increase in future years as additional money is raised by way of loan to meet the cost of the Ten Year Development Plan and other loan projects.

Included in the expenditure for 1951-52 is an item of £2,750,000 for the Revenue Equalisation Fund. This is set aside as an addition to that Fund in order to provide against the time when, on the completion of the Ten Year Development Plan, the country will have to bear the full cost of financing the recurrent expenditure which has been incurred by the extension of Government activities through that Plan, and against less fortunate times when a recession in world prices will leave the revenues of this country in a less prosperous position than at present.

Military expenditure will amount to £1,083,570. This includes an amount of £273,000 in respect of Military Buildings, which Nigeria has been asked to make towards the cost of extension to present military

establishments in Nigeria. The Nigerian contribution only covers part of the full cost of the Forces which are maintained in Nigeria; the balance is found by the United Kingdom.

In addition expenditure amounting to some £3,900,000 will be made under the Colonial Development and Welfare Act.

As a result of the above expenditure there will be a deficit of £1,795,000 in next year's Budget and this will have to be met by fiscal measures which the Financial Secretary will submit in connection with the Budget proposals.

It had been hoped to raise a loan during the year but it has not been found possible to do so. No loan has yet been raised under the Development Loan Ordinance No. 3 of 1946, now Chapter 53, which makes legislative provision for raising a loan under this Ordinance in the early months of this year, and it may be necessary to make further borrowings before the end of the year. In any further borrowing, however, advantage will probably be taken of the generous offer of the Cocoa Marketing Board to lend Government £5,300,000 in addition to the £2,700,000 which Government has already borrowed from the Boards. The terms of any such additional loans would of course be subject to a Resolution in Legislative Council.

Cameroons Development Corporation

The Cameroons Development Corporation, which now numbers three local men amongst its membership, has completed the fourth year of its activities with no small measure of success. The work of rehabilitating the plantations, factories, railway, marine craft and other ancillary services is now well in hand and agricultural production has shown a very large increase.

Production.—During the four years 1947 to 1950 palm oil production has increased from 1,320 to 2,077 tons and palm kernels from 788 to 1,157 tons. Rubber has remained around 1,300 tons but the total banana exports from the Cameroons have shown an increase from 1,281,330 stems to 4,680,419 stems. The exports of bananas in 1950 would probably have exceeded 6,000,000 had it not been for a serious setback caused by widespread damage to the banana plantations through a series of tornadoes during the spring. Banana developments are being continued and it is expected that the total exports from the Cameroons will approach 7,000,000 stems in 1951.

Welfare.—The Corporation has been giving special attention to the welfare of its employees and its medical and hospital services have been improved and are in process of extension on a wide scale. Attention has also been given to improvements in the housing of employees and a scheme of permanent housing at Bota and Tiko, involving the erection not only of houses of up-to-date type but community halls, sports facilities and schools, is now well in hand but will necessitate large capital expenditure.

Finance.—The Corporation was created without capital but in spite of this has been sufficiently successful in its commercial operations for over £500,000 worth of capital expenditure out of a total of about £750,000 to have been financed out of revenues by the end of 1950. In spite of this heavy but necessary drain on revenues, the Corporation has provided a total of £77,000 to the Governor for expenditure on the people of the Cameroons out of its 1948 and 1949 operations. The amount which will be provided out of its 1950 operations has not yet been decided.

The needs of the Corporation for the financing of its current and future capital expenditure have been the subject of special discussions during the past year and its requirements have been partially met by a loan of £500,000 from Government for a period of twenty years and by other short-term loans taken through commercial channels.

While the Corporation has not yet overcome all of its initial problems in respect of commercial activities, it has nevertheless reached a stage where such work can be considerably accelerated while simultaneously implementing the scheme of improved housing for its 22,000 employees and the provision of further medical and welfare facilities.

Scholarships.—The Corporation is providing scholarships to universities and technical institutions for persons of British Cameroons origin; nine have already been granted and other applications are under consideration. In addition to this, scholarships at all levels are provided for its own employees and for children of its schools. Provision is being made for two large new primary schools and assistance given to existing schools for improvement and extension of buildings, as well as maintenance where such schools provide facilities for the children of Corporation employees.

Agricultural Development.—Current agricultural developments include the establishment of new oil palm plantations, including the breeding of palms to provide seed of high-bearing types, expansion of the rubber plantations with high-yielding budded trees from budwood obtained from Malaya and an annual expansion of bananas in order to reach an export target for the Cameroons of between 8,000,000 and 9,000,000 annually.

Colonial Development Corporation

The Colonial Development Corporation has advanced steadily during its second full year of operations in Nigeria, both in the build up of existing undertakings, and in the formation of new schemes.

Niger Agricultural Project.—At Mokwa the Niger Agricultural Project Limited, a Company in which the Corporation is in equal partnership with the Nigerian Government, has built up a solid administrative foundation on which it can safely base its agricultural experiments. By the end of the year, 4,900 acres of bush land had

[Annual Statement on Government Activities]

[Colonial Development Corporation]

been cleared. 2,225 acres were under experimental crops from which valuable lessons had been learnt. A trial plot of 234 acres of *Hibiscus Cannabinus* was planted, at the request of the Colonial Office, for experiments by the Mechanised Jute Production Mission.

Work is progressing on the building of houses for the first settlement village, and the Survey Department is at present engaged on the demarcation of the farm areas.

L.E.D.B.—The Corporation has lent its support to the Lagos Executive Development Board with a loan of £1,250,000 of which the first instalment of £800,000 has already been paid.

Omo Sawmills.—By the formation of a Subsidiary Company, Omo Sawmills of Nigeria Limited, the Corporation is associated with Messrs A. Norman Rushforth Limited, a group of African businessmen headed by the Honourable T. A. Odutola, O.B.E. and the British Timber Importers, Messrs William Mallinson and Sons. This association of British and African interests in the development of new business has been welcomed as a desirable step forward for the benefit of Nigeria. By operating as a single unit a large area of the Omo Forest Reserve in Ijebu Province, this Company is implementing the Forest Management policy which the Chief Conservator of Forests Nigeria, has long sought to bring about in this area. (See Forestry pages 54-57).

In the first seven months of operations over 200,000 cubic feet of logs have been shipped to markets in the United States of America, United Kingdom, South Africa, Holland, Sweden and Ceylon whilst local sales have accounted for a further 50,000 cubic feet. In addition to these logging operations, plans have been drawn up for the installation of a modern sawmill at Fowa from which both home and export markets will be served with sawn timber.

Fisheries.—At Port Harcourt the buildings for a Cold Storage and Ice Plant are under construction for West African Fisheries, an Executive Undertaking of the Corporation, and two 120-foot Trawlers are scheduled to commence deep sea trawling operations in the first half of 1951. A similar base is planned at Lagos for which construction will start shortly. This undertaking is aimed to supplement the protein deficiency in diet of the population of Nigeria by increasing the supply of fresh and chilled fish. The fish will be distributed through the Cold Stores at Lagos and Port Harcourt, and sent to inland centres by refrigerated vehicles. Fishing operations will be conducted outside the range of the local fishermen and will not interfere with their livelihood.

Engineering.—Colonial Development Corporation (Engineering) has opened a sub-Depot at Kano, with a view to undertaking Civil Engineering and constructional work. This Company has also provided a

survey unit and equipment for the preparations by the Government to extend the Railway from Nguru to Maiduguri.

Nigerian Fibre Industries (See also Marketing Boards page 8).—

A new Company, Nigerian Fibre Industries, is in the process of formation in partnership with the Nigeria Cocoa and Cotton Marketing Boards, to undertake at Onitsha the manufacture of jute sacks, and the high grade spinning of Nigerian Cotton for local consumption. The pilot scheme will aim at a yearly production of 6,000,000 sacks and 2,000,000 lbs of cotton yarn.

Oil Palm Estate.—Under consideration, in conjunction with the Eastern Provinces Regional Production Development Board is a scheme for the establishment of a 10,000 acre oil palm estate near Calabar.

Other Projects.—Many other schemes have come up for detailed examination of which a few, including the manufacture of cement and the building of an hotel, remain under constant review.

Coal Corporation

On the 31st December, 1950, the Colliery Department and the Enugu Colliery Board ceased to exist and the whole Nigerian coal industry came under the Nigerian Coal Corporation which has been established by the Nigerian Coal Corporation Ordinance, No. 29 of 1950. The members of the Corporation are Dr C. Raeburn, C.B.E. (Chairman); the Development Secretary (*ex-officio*); the General Manager of the Nigerian Railway or his representative (*ex-officio*); Mallam Ahmadu, Sardaunan Sokoto; L. N. Obioha, Esq.; L. P. Ojukwu, Esq.; Malomo Shrouder, Esq.; I. C. D. Stuart, Esq.

The Colliery output for the calendar year 1950 was 580,857 tons, an increase of 30,344 tons on 1949. The monthly output rose from 40,279 tons in January to 57,501 tons in November, but fell away again in December owing to engineering mishaps in the mines and to shortage of railway wagons. There was a substantial increase in the output per man shift although it is still below the level of past years.

The position with regard to mine rolling stock and other equipment improved and is now satisfactory. The construction of the coal storage bunker at Iva has been completed.

The programme of drilling ahead of the workings to ascertain coal reserves has been restarted, a contracting firm being employed to do the work. Progress and results are encouraging.

Welfare work has been continued and expanded. The clinics for ante-natal treatment and for after-care of mothers and children remain popular. A new clinic has been opened in Ngwo Village.

Joint Consultative Committees with representatives of men and management were established at the mines and did much good work in improving relations.

Electricity Corporation

The Electricity Corporation of Nigeria Ordinance (No. 15 of 1950) received assent on 22nd May, 1950.

Mr J. Houston Angus was appointed Chairman and the inaugural meeting of the Corporation took place at the office of the Development Secretary in the Secretariat, Lagos, on the 15th of October, 1950. Unfortunately, the progress towards the change-over from the old Electricity Department to the new Corporation, which is almost wholly a financial matter, did not proceed as quickly as anticipated, mainly owing to the shortage of skilled accountants. This resulted in the vesting date being deferred to 1st April, 1951. The work of the Electricity Department in 1950 is summarised on pages 53-4 below.

Gaskiya Corporation

Gaskiya Corporation has published educational and general literature in English, Hausa, and a dozen other vernaculars. It has printed and published the bulk of the material required for the adult literacy campaigns, amounting to over a million pamphlets. It also publishes the following newspapers and periodicals: *Gaskiya Ta Fi Kwabo* (in Hausa), *The Nigerian Citizen* and *The West African Annual* (in English), *Jakadiya* (in simple Hausa for the newly literate in rural areas), *Mwanger u Tiv* (in Tiv). It also undertakes a large quantity of commercial printing. To achieve this, it has trained its own staff of writers, journalists, and technicians, and is now in a position to satisfy all present demands in the field it serves. It is, however, meeting with serious difficulties in making its literature available to those who need it. The lack of suitable distributing organisations, particularly in the North, is the main factor which limits its activities.

Gaskiya Corporation is now a self-supporting commercial undertaking, and receives no subsidy from Government or any other source. Its policy is controlled by a Board consisting of Dr R. M. East O.B.E. (Chairman) who is also Managing Director, and six other members, of whom the majority are non-officials.

Marketing Boards

The formation in April, 1949, of three new Marketing Boards to handle groundnuts, oil palm produce and cotton constituted one of the major developments in the economic field in Nigeria. Together with the earlier established Nigeria Cocoa Marketing Board, these organisations represent Nigeria's first line of defence against the worst effects of any future slump in world prices for her main export crops.

These Marketing Boards have been established by Ordinance as independent bodies. They are composed each of six members (three officials and three non-officials). The Chairman of all the Boards is Sir Sydney Phillipson, C.M.G. They are required under their Ordinances to produce Annual Reports which must be laid on the Table of

this Council. In these Annual Reports are to be found full and detailed accounts of the Board's activities. Since they play such an important part in the economic life of Nigeria, a summary account of the work of each of them during 1950 is given below.

Nigeria Cocoa Marketing Board.—Contrary to early expectations, the 1949-50 season turned out to be most favourable: when it closed, the Board's General Reserve had been increased by over £4,500,000. This result was largely due to the devaluation of the £ sterling in September, 1949, and the consequent increase in the price of cocoa in terms of sterling.

Taking long-term considerations as well as its immediate selling prospects into account, the Board increased its basic buying prices for the 1950-51 season to £120 per ton for Grade I and £100 per ton for Grade II cocoa. The Board has guaranteed that the producer price for the 1951-52 season will not be less than £100 per ton for Grade I cocoa. In these prices is to be found the best illustration of the Board's producer price policy.

Total purchases for the 1949-50 season were 99,108 tons, of which nearly 90 per cent was Grade I cocoa. This and the fact that only Grades I and II are being purchased in the current season show the success achieved in improving the quality of Nigerian cocoa; this has been due in large measure to the Board's price structure, which has been deliberately designed to offer incentive to the production of high grade cocoa. This improvement in quality has been generally recognised in the world's markets.

In the field of development, the Board welcomed the decision of the Government to revise its policy for dealing with swollen shoot disease and to concentrate on restoring the stricken areas to economic prosperity. The Board agreed to finance the revised five-year Agricultural plan involved at an additional cost of over £500,000.

The Board has also increased to £500,000 its contribution to the improvement and maintenance of communications in the cocoa-growing areas of the Western Region. It has provided £1,000,000 for the endowment of the Faculty of Agriculture at Ibadan University College, and financed a special accountancy training scheme. During the year, a start has been made with the Survey of the Economy of the Cocoa Producing Areas in Nigeria, the cost of which is being borne by the Board. Together with the Nigeria Cotton Marketing Board, the Board is participating with the Colonial Development Corporation in the establishment of a combined sack factory and cotton spinning plant at Onitsha. Altogether, the Board has set aside over £3,500,000 since its establishment for development and research projects.

Up to now, the Nigeria Cocoa Marketing Board has been directly responsible for development activities. With the agreement of the

Board, it is proposed shortly to introduce legislation under which the Western Regional Production Development Board, suitably re-constituted, will in future handle cocoa development affairs in the Western Region. Like the Oilseeds Marketing Boards, the Cocoa Marketing Board's main role in development affairs will then be the making of grants to the Regional Production Development Boards. This change will enable future problems of development to be handled by bodies more continuously in touch with local conditions.

Nigeria Oil Palm Produce Marketing Board.—A substantial increase in the selling price for the 1951 export production of palm oil and palm kernels was obtained in the recent negotiations under the three-year agreement with the Ministry of Food. As a result, the Nigeria Oil Palm Produce Marketing Board was able to fix producer prices for 1951 at levels approximately 23 per cent higher than those ruling for 1950.

In accordance with its policy of encouraging the production of higher grades of palm oil, proportionately greater increases have been announced for Grades I and II. At the same time, palm oil of a quality inferior to Grade IV will not be purchased in 1951. Details are given in the following table:—

	Price per ton naked ex-scale delivered Bulk Oil Plant					
	1950			1951		
	£	s	d	£	s	d
Grade I	42	15	0	55	0	0
Grade II	37	2	6	43	0	0
Grade III	33	0	0	34	0	0
Grade IV	29	12	6	30	0	0
Grade V	26	5	0	No longer purchased.		

During 1950, the Board introduced marketing arrangements for the purchase of Special Grade Oil, *i.e.*, oil containing less than 4½ per cent free fatty acids, at time of purchase, at a price of £53 per ton. This price has been increased to £71 per ton in 1951 to encourage the production of this high grade oil.

These measures are part of the Board's policy to endeavour to improve the quality of Nigerian palm oil. In taking these steps, the Board has in mind that, when the supply position ceases, Nigerian palm oil will have to face the competition of high grade oil produced under scientific plantation methods in the Congo and the East Indies.

Production for export was at record high levels. A total of 380,000 tons of palm kernels was purchased for export in 1950, showing an increase of 20,000 tons over the figure for 1949. 163,000 tons of technical palm oil were purchased for export in 1950 compared with 160,000 tons in 1949.

In the field of development, the Nigerian Oil Palm Produce Marketing Board has announced that 22½ per cent of its margin accruing in 1950 and 1951 (estimated at £1,250,000 in each year) will be allocated as

development grants. Of these grants, the Eastern and Western Regional Production Development Boards, representing the main areas of production, will receive the major shares. Already £800,000 is being distributed as an advance payment for 1950. The Nigerian Oil Palm Marketing Board has under consideration a scheme under which, for the four years after 1951, it will guarantee minimum annual development grants totalling £800,000. The size of these sums is both a measure of the Board's contribution to the economic development of the producing industry and the areas of production and an assurance that the Regional Production Development Boards will have sufficient funds to tackle their tasks and plan ahead with confidence.

Nigeria Groundnut Marketing Board.—For its first marketing season (1949-50) the Nigeria Groundnut Marketing Board had fixed the basic producer price for the Kano Area at £21 4s per ton—an increase of £2 on the 1948-49 crop price. It is desirable that each season's price should be announced before the planting season in May. At its meeting held at the end of February, 1950, the Board decided in the light of the then existing selling prospects to reduce the producer price to £20 per ton. In view, however, of the subsequent upward movement in oilseed prices on world markets and the effects of the previous poor crop, the Board at its September Meeting decided to restore the producer price for the 1950-51 season to its previous level of £21 4s per ton.

Because of unfavourable climatic conditions, the 1949-50 purchases in all areas totalled only 188,100 tons against 328,000 tons in 1948-49. Thanks to the improved carrying capacity of the Nigerian Railway the railment of the 1949-50 groundnut crop was completed by September, 1950. Thus, for the first time for four years, there was no carrying-over of previous season's stocks when the 1950-51 season opened in November, 1950.

Unfavourable reports from crushers on the quality of Nigerian groundnuts have been received. Much of the decline has undoubtedly been due to the long storage awaiting railment which has been a feature of previous seasons. At the same time, it is clear that some improvement in methods of decortication is called for. The Board has accordingly authorised investigations into the possible use of mechanical decorticators. Although there was no major attack of *trogoderma* or other insect pest of the 1949-50 crop, the pest infestation control schemes introduced to deal with this menace in 1949 were continued on a permanent basis and as a protective measure in 1950.

Purchases of benniseed for export in 1949-50 totalled 14,277 tons compared with 15,671 in the previous marketing year.

During 1950 soya bean and sunflower seed were added by the Governor-in-Council to the schedule to the Nigeria Groundnut Marketing Ordinance. These products will in future be handled by

the Nigeria Groundnut Marketing Board in the same way as groundnuts and benniseed. It is hoped that stable prices and marketing arrangements, coupled with the efforts of the Department of Agriculture, will lead to an increase of production of these crops in the Middle Belt.

The quantity of groundnut oil purchased by the Board for export from local expressers continues to increase. An investigation into the economics of local expression will take place shortly. The costs of this investigation will be borne jointly by Government and the Board.

In the field of development, the Board at its March meeting will consider proposals for future allocation of funds to the Northern Regional Production Development Board on lines analogous to those adopted by the Nigeria Oil Palm Produce Marketing Board.

Nigeria Cotton Marketing Board.—The Nigeria Cotton Marketing Board commenced its operations with the purchase of the 1949-50 seed cotton crop. For this season, it fixed the same prices as had been paid for the 1948-49 crop, and these prices have been maintained unchanged for the current (1950-51) season. Details are as follows:—

Grade					Price per lb of seed cotton		
					d		
N.A.1	..	..	..	..	4	}	at all markets
N.A.2	..	..	..	..	3·9		
Benue ungraded			..	..	3·5		
I.N.1	..	..	..	..	4	}	delivered ginnery
I.N.2	..	..	..	..	$3\frac{3}{4}$		
I.N.3	..	..	..	..	$3\frac{1}{2}$		

Purchases in the 1949-50 season totalled 33,379 tons of seed cotton which compared very favourably with the total of 27,374 tons in 1948-49. Of the total tonnage of N.A. seed cotton purchased in 1949-50, 85 per cent was of Grade I quality.

To meet the likely demand of Nigerian Fibre Industries Ltd. for cotton lint, the Board has decided to purchase N.A.3 cotton in the 1950-51 season. The purchase of this grade of seed cotton will, it is hoped, make possible a better control of the seed distributed for planting.

Like the Nigeria Cocoa Marketing Board, the Nigeria Cotton Marketing Board is directly responsible for development measures. The Board has appointed a Cotton Co-ordinating Officer with the general responsibility for planning such measures and supervising their execution. Schemes for the increased and accelerated distribution of a higher yielding strain of seed cotton, for the utilisation of fertilisers, for training the farmers in better cultivation methods, and for improvements in communications in the main cotton growing areas are among those being financed by the Board, which has set aside over £150,000 for development projects.

Public Service Boards

Following on the acceptance by the Legislative Council of the Report of the Commission appointed to make recommendations about the recruitment and training of Nigerians for Senior Service posts, the necessary machinery was established to ensure that Government's declared policy could be carried out as effectively and as expeditiously as possible. As recommended in the Report, one Central and four Regional Public Service Boards were set up, all of which have a majority of unofficial members. The duties of the Central Board are to advise the Governor on the appointment of Nigerians to Senior Service posts, both from direct applicants for such posts and by promotion of suitable Junior Service officers; and also to make recommendations on the selection of candidates to be awarded scholarships and training courses, with a view to their becoming qualified by higher education or training for the Government Senior Service and for posts of similar status in the Service of Native Authorities, other Local Government bodies, and Voluntary Agencies.

Departmental Selection Boards were also created as recommended in the Nigerianisation Report, with the duty of reviewing Government's Junior Service staff and making recommendations for consideration by the Central Public Service Board both for promotions to the Senior Service and for selection of junior officers for training with a view to accelerated promotion. These Departmental Boards already play a vital part in the new machinery. In the larger Departments three or sometimes four meetings are held each year and the claims of all suitably qualified members of the Junior Service to accelerated promotion are kept constantly and carefully in mind.

The Central Public Service Board has now held ten meetings and the following figures of the progress of Nigerianisation since the Commission submitted its Report show that it has approached its duties with a commendable determination to see that Government Policy is carried out.

Promotions to the Senior Service	..	..	..	..	268
Direct appointments to the Senior Service	..	..	..	..	67
Scholarships awarded	..	..	..	..	206
Training Courses awarded	..	..	..	..	102

In order to assess an individual's suitability for appointment or promotion to the Senior Service, an interview before the Central Public Service Board was felt to be indispensable. Some difficulty arose, therefore, in the case of Nigerian private students in the United Kingdom who wish to apply to enter Government Service. To meet this difficulty an Overseas Branch of the Board has been set up in London, the Nigerian Members of which are drawn from suitable persons at present seconded to the Colonial Office or to the Nigeria

Office or who may themselves be in the United Kingdom on leave for purposes of further study. This Overseas Public Service Board, which has now begun to function, meets as may be required to deal with applications. The Secretary of State has agreed that his professional advisers should attend the Board in all cases where candidates are being interviewed for posts requiring defined professional qualifications.

Regional Production Development Boards and Regional Development Boards

Western Region

Western Regional Production Development Board.—The most important projects financed by the Board were as follows :—

- (1) Ijebu farming project—£200,000 (proposals approved in general, but amount to be allocated not yet finally fixed).
- (2) Upper Ogun Agricultural Project—£100,000.
- (3) Assistance to private plantations and farming ventures—£50,000.
- (4) Purchase and operation of fifteen palm oil mills—£134,500.
- (5) Future expansion of oil mill scheme—£196,000.

Further notes on some of these projects are given below :—

(1) The Ijebu Farming Project. This has already made some progress and has the warm support of the Native Authority concerned and of the people. A good start has been made, and there is every reason to hope that a real contribution will be made to the local agricultural economy, not least in food production.

(2) The Ogun River Scheme. This is an even more ambitious project ; it links together the possibilities of hydro-electric power and a land usage scheme employing improved cropping and stock-keeping methods. Experts have recently come from the United Kingdom to examine the hydro-electric possibilities. Should these prove to be up to expectations, a large part of the country within a radius of 60 miles of the dam site at the Amaka Gorge should be supplied with electric power at very reasonable rates within the course of the next ten years. Should the hydro-electric possibilities prove disappointing, the other parts of the scheme will go forward independently.

Smaller farming schemes in each of the six provinces, to be undertaken on a co-operative basis with assistance from the Production Board, are under consideration, and will be investigated in detail when the Board has recruited the necessary staff.

Three oil mills are in successful operation in Warri Province, and a fourth has just started operations at Asejire, between Ibadan and Ife. A fifth, which has been completed near Abeokuta, is lying idle owing to the attitude of the local people. The full programme of the

Production Board provides for forty mills in the Western Region, of which thirty will be in Benin and Warri Provinces.

Western Regional Development Board.—Up to the 31st March, 1950, the Western Regional Development Board had approved loans of a total value of £46,062. Since then, further loans totalling £66,335 have been approved. These include loans for the erection of rice-mills, for the purchase of passenger motor-coaches, the erection of a tyre-retreading factory, the development of piggeries and the development of a launch service in Warri Province. The Board is also starting an experiment with a limited number of loans to farmers.

Northern Regional Production Development Board.—The Nigeria Groundnut Marketing Board for 1949-50 made an allocation to the Northern Regional Production Development Board of £1,710,900 7s 6d. The following schemes have been approved since September, 1949 :—

	Amount
	£
(1) Fertiliser Scheme	252,000
(2) Rice Cultivation with mechanical aid in Sokoto Province	136,000
(3) Pool of Agricultural Equipment	57,000
(4) Grant towards Shendam Resettlement Scheme ..	8,000
(5) Purchase of Windmill Pumps and Dam Scrapers ..	15,000
(6) Pool of Heavy Mechanical Equipment	40,000
(7) Grant towards Land Settlement Scheme at Kontagora	8,600
(8) Grant towards Jema'a Resettlement Scheme ..	8,000
(9) Irrigation with Mechanical Aids	6,940
(10) Improvement of Groundnut Evacuation Roads ..	10,000
(11) Improvement of Shendam-Kurgwi Road ..	5,000
(11a) Shendam Resettlement	2,000
(12) Irrigation with Mechanical Aids—Purchase of 'Brimac' Animal-drawn Water Pumps	1,000
(13) Pool of Agricultural Equipment—Purchase of spare parts and of new tractors and implements ..	10,000
(14) Pool of Heavy Mechanical Equipment	1,000
(15) Grant for Boat Building on the Benue	1,000
(16) Improvement of Benniseed Evacuation Roads : Grant for Katsina Ala-Takum Road	11,000
(17) Grant to Bauchi Native Administration towards cost of all-season road Jos Boundary-Gumo-Rishi-Tulu	2,500
(18) Grant to Kano Native Administration for Heavy Road Maintenance Equipment	8,6000
(19) Grant for Experiment in use of Heavy Mechanical Equipment for road construction in Zaria Province	2,000
(20) Aerial Surveys of Development Areas	1,000

Northern Regional Development Board.—Up to the 31st March, 1950, the Northern Regional Development Board had approved loans of a total value of £67,135 5s 6d. Since then further loans to a total sum of £82,575 have been approved by the Board subject to approval by the Chief Commissioner. This figure includes loans to the value of £74,275 which have been approved since the 1st October, 1950. These latter loans include the following :—

	£
Poultry	550
Corn Mill	500
Transport	2,400
Tailoring	500
Textile Training	2,000
Rebuilding Markets	11,900
Oil Mill	12,000
	(additional loan)
	£
Sugar Crushing	2,700
Cattle Fattening	1,725
Purchase of Ox-Ploughs	10,000
Panyam Fish Farm	31,000

Eastern Regional Production Development Board.—During 1950 the Eastern Regional Production Development Board allocated funds for the following purposes :—

	£
Erection of additional Pioneer Oil Mills	400,000
Palm Oil Estate, Calabar Division	300,000
Palm Oil Estate, Afikpo Division	60,000
Cashew Nut Industry	200,000
Cattle Ranch at Obudu	76,000
General Investigations	50,000
Marketing Publicity	3,000
Calabar-Arochuku Road	125,000
Obanliko-Old Iqwette Road	124,000
Artificial Manures Scheme	200,000
Kwa Falls Palm Oil Estate	119,744
Concentrates for Livestocks	2,400

In considering how best to expend the funds at its disposal the Eastern Regional Production Development Board decided that it was justified in regarding the whole of the Eastern Region as a producing area within the meaning of Ordinance No. 12 of 1949 in that the whole economy of the Region is related to the palm produce trade. The Board further considered that it could best assist the industry and the producers by improving the quality and quantity of oil palm products,

by the introduction of new and alternative cash crops and by the improvement in quantity and quality of food crops. With these objects in view the allocations detailed above were made.

At the close of the year eight Pioneer Oil Mills were in operation and a further ten under construction. The first cattle had arrived at the Obudu Ranch and work on the Obanliko-Old Iqwette Road (which gives access to the Ranch) had started. Clearing and planting of the Kwa Falls Palm Oil Estate were under way and concentrates for livestock had been made available to farmers at convenient distributing centres.

Eastern Regional Development Board.—The Eastern Regional Development Board is a joint successor with similar boards in the Northern and Western Regions to the Nigerian Local Development Board. By the 31st of March, 1950, approximately four-fifths of the funds at its disposal had been allocated, leaving £69,199 for distribution. Outstanding applications exceed £600,000. New projects include a grant of £1,000 to finance an experimental scheme of cattle grazing on the Cameroon mountain, small loans to mixed farmers, loans to help the establishment of fisheries and the extension of sawmills and garages and a substantial loan for the improvement of the Onitsha market.

Northern Provinces

The Region has suffered the loss of Mustafa, Emir of Dikwa, and Usman, Emir of Hadejia, who died after serving terms in office of thirteen and twenty-five years respectively, and the retirement of two Residents—Mr E. K. Featherstone, C.M.G. and Mr G. H. Payton, the former having subsequently been appointed as the first Commissioner for Nigeria in London. Thirty-two Cadets have been added to the Administrative staff and, as the result of the improvement in establishment, some improvement in continuity of service in the Provinces has been possible.

Local Government.—At the meeting of the Northern House of Assembly in August, a resolution was passed recommending that a Commission of Enquiry should be appointed to enquire into the system of local government in the Northern Provinces as it operates today. It was decided by the Governor on the recommendation of the Chief Commissioner, Northern Provinces, that a detailed review of the existing system should be carried out as an essential preliminary to taking decisions on future policy. Provincial conferences were accordingly held for this purpose in all twelve Northern Provinces. Their results, which were embodied in a report by two Administrative Officers which is being printed, are now being examined.

In the interests of efficient administration and as a result in many cases of legitimate local aspirations, some reorganisation of district boundaries has taken place. In Bauchi Province particularly there

have been changes, and in other Provinces alterations have occurred or are contemplated. The reorganisation of the administration of the Igbona area of Ilorin Province on a conciliar basis is being consolidated. One minor boundary dispute between the Igala and Kukuru people is outstanding.

Law and Order.—Law and Order have been little disturbed except on the Benue-Ogoja frontier, when an affray took place between the Tiv and Obudu peoples, and in the Gwoza District, of Bornu Province, Northern Cameroons, where armed Police had to be used and two men were killed. This incident was a recrudescence of the turbulence and tribal vendettas of which the villages in this area have a long record, and, but for the timely, firm and tactful handling of the situation by the officers concerned, might have developed into serious loss of life.

Native Courts.—A Commission of Enquiry to investigate the working of the Native Court system and to review the law being administered in the Native Courts of this Region was held during the year. The report, which is not yet available, is eagerly awaited and it is hoped that its recommendations will be of considerable value in settling a number of unsatisfactory details in present practice and procedure and in evolving a policy which will enable law and procedure operating in the North to develop along lines best suited to the Region.

Development Projects.—A number of major development projects have been undertaken in the Region during the year, which it is hoped will bring increased prosperity in their wake. They include the survey of a line suitable for a Railway extension from Nguru eastwards to Maiduguri; this survey is being made on contract by the Colonial Development Corporation (Engineering) Limited. A possible line for an extension beyond Maiduguri into French Territory will also be surveyed. Another important Development project is the deep-drilling for water which began in October at Maiduguri. The third of these great projects is the proposal for a hydro-electric scheme at Shiroro Gorge in Niger Province. The Consulting Engineers, who examined the proposal, considered that such a scheme is technically possible, although the commercial success of the scheme depends upon the creation of a demand for the electricity to be generated.

Progress continues to be made in settlement schemes. At Kontagora, farmers are showing more enthusiasm for the scheme and taking greater pride in their farms. At Tungan Maidubu, the best farmer had an estimated income of over £81 from last year's crops. At Shendam two more settlements were started this year. The experimental crops at the older settlements are progressing well and the simple dams which have been constructed have stood up well in the rains. The seven Native Authorities in the Shendam Division have set up a Development Council to take Administrative control

of the Resettlement area. The Niger Agricultural Project (*see* Colonial Development Corporation) is making progress. It is hoped next year to instal settlers to work their own farms and a standard plan for the design of a settlement village has been approved.

One of the most encouraging successes of the year has been the distribution of 3,225 tons of super-phosphate to farmers under a scheme sponsored and financed by the Regional Production Development Board. Farmers have been greatly impressed by the results achieved this year and well over 17,000 56-lb bags of this fertilizer have been ordered and will be paid for by the farmers themselves. The Loans Board has approved loans for two further palm oil mills, a rice mill, a transport company, a tailoring company, silk-weaving in Okene, and other local industries and communal enterprises.

Finance.—As the deliberations on the constitutional review progress, so the problems of the financial relationships of the Regions in the Central Government have assumed a growing importance. These problems have now been investigated by an expert commission which visited Northern Nigeria in August of this year. Native Authorities increased their reserve funds by £200,000, the total being almost a million more than the estimate. The introduction of Temporary Addition to Rates of Pay has not affected Native Treasury finances yet, as all expenditure this year is being reimbursed by Government. Most Native Authorities have now made Development Plans extending up to 1954 and after prolonged consideration a large number have now been approved.

Eastern Provinces

Local Government.—The Eastern Regional Local Government Ordinance, enacted in March, paves the way for major reforms in Local Government, but it was realised from the beginning that it would be impossible to introduce the new system simultaneously throughout the Region, and that full implementation would take a matter of years. It was decided to start in the thickly populated Provinces of Calabar and Onitsha. Full consultation with the people at village level is a prerequisite of a change of this magnitude, and such consultation makes enormous demands on an administrative staff already insufficient for other duties. In the Onitsha Province, staff difficulties have caused delay in formulating proposals for the first county. In the meantime a great deal is being done with the existing Native Authorities, by introducing a system of committees where they were not already functioning, and an office organisation similar to that which will be used when the reformed system is introduced. In the Calabar Province during the closing weeks of the year elections were held in Ikot Ekpene Division for Local Government Councils, which will be established by Instrument on the 1st of April, 1951. The system of election provides

for election by acclamation where there is no dispute, but for secret oral voting where the election is contested. In the few cases where contested elections have occurred, the system of secret oral voting has worked well and has been understood and accepted by the people.

Port Harcourt Town Council is still suffering from the inexperience of its members and the lack of tradition. The first elections provided a striking object lesson on the evils of apathy. Subsequently three members failed, in October, 1949, to re-register themselves as voters. Bye-elections had therefore to be held early in 1950 and it was clear that they had not been alone in failing to appreciate the necessity of remaining on the register. Less than a quarter of the persons registered initially had re-registered, and of these only a few came to the polls. Some responsible people realise that all is not well and there is active support for a proposal to extend the Eastern Region Local Government Ordinance to Port Harcourt in place of the present Ordinance. Nevertheless, the majority of the people, while occasionally outspoken about the shortcomings of their representatives, do little to ensure that such shortcomings will be set right at the next election.

Visiting Mission to Cameroons.—The report of the visiting mission of the United Nations Trusteeship Council, which visited the Cameroons and Bamenda Provinces at the end of last year, has now been accepted and endorsed by the Trusteeship Council. On the whole this report was very favourable to the administering authority, though it contained criticisms on matters of detail. The Mission in particular commended the freedom of speech with which the people are able to express themselves, whether in public or private.

House of Assembly.—The new building for the House of Assembly was formally opened in August. But it had been used for an extraordinary meeting the month before when, after the issue of the Report of the Commission of Inquiry into the disturbances of November, 1949, a vote of confidence in His Honour the Chief Commissioner and his administration was passed.

Native Courts.—In all provinces the reform and reorganisation of the Native Courts has continued and in most areas is nearly completed. This has taken the form of the closing of redundant courts and the reduction in the panels of court members. Membership is based on personal fitness for appointment.

The Brooke Commission of Inquiry into Native Courts obtained the views of many sections of the public and of the administration in all provinces except Bamenda and Cameroons, which will be visited by the members of the Commission shortly. The Report of the Commission is expected in the middle of 1951.

Labour.—Recruitment from the Region of labourers for the Spanish territories continued. A new treaty was concluded in November with

the Spanish authorities which improves considerably the conditions of employment of the labourers and gives further authority to the British Vice-Consul in his supervision of the welfare of the workers. Recruitment also started for work in the French Gabon.

Public Finance and Taxation.—It is becoming increasingly apparent that the Eastern Region will have to exercise severe economy in the near future. The recommendations of the Revenue Allocation Commission have not yet been published but in considering the Region's finances in the current year possible future commitments under the new Constitution cannot be overlooked. Unexpectedly large funds have been made available this year from the General Revenue Balance Account, but for which it would not have been possible to undertake any major capital works. Much of the past savings that swelled this account was due to the inability to fill posts, a state of affairs that is fast disappearing.

The Native Administrations are on the whole reasonably secure for existing needs. The decision of Government to reimburse them for expenditure on account of the 12½ per cent increase in pay that came into force on the 1st April has meant no immediate increase in the expenditure from Native Administration funds on personal emoluments. In the last financial year increases in direct taxation rates, which now range from 4 shillings to 13 shillings, materially assisted the financial well-being of many Native Administrations. Economies effected by the reduction of staff consequent upon financial federation and the abolition of redundant Native Courts have also contributed and there have been welcome signs that people are beginning to realise that local needs must be paid for by local effort. Certain Native Administrations for instance have now adopted rating schemes for the establishment of leper segregation villages, maternity services and other projects. Others, while not going to the formality of levying a rate, have collected several hundreds of pounds for the furtherance of village water supply projects.

Community Development.—Under the Community Development scheme projects of many different kinds are being undertaken. In one division where twelve months ago there were two maternity clinics, fifteen are now building or built; seven of these have been taken over by Native Administrations, Missions having undertaken to manage the rest. Eleven leper segregation villages have been built in one province. At one village a self-supporting Trade Training Centre was constructed and is now established as a centre of leather working whose products find ready sale. Other projects include road construction, village halls, domestic science centres, schools, market reconstruction, water supply improvement schemes, footbridge building, cattle track construction, bicycle paths, postal agencies, bookshops,

farm improvement and swamp-reclamation schemes, sports pavilions and piers. The essence of all these schemes is that they should be carried out by the people themselves, the Government providing some financial assistance, which in no case exceeds one-third of the aggregate cost of the scheme.

Plans for the establishment of an "Outward Bound" school in the Cameroons have now crystallized. This is one facet of the programme for the rehabilitation of the Bakweri.

Disturbances.—The record of the year was marred by two major disturbances. One was between the people of the Obudu Division in Ogoja Province and the neighbouring Tivs of Benue Province, during which twenty-one people were killed.

The other incident was connected with the long standing dispute between the Okrika and Kalabari communities on the Rivers Province. Early in August an attack was made on Okrikan fishermen resulting in twenty-three known deaths, and altogether some 116 Okrikans are missing. A Commission of Inquiry had made an exhaustive investigation into the disputes between the communities in Degema Division, and the attack took place two days after the Kalabaris had declined to take part in discussions with representatives of the other clans on the constructive recommendations contained in the Report. Rigorous investigations are still being made with the aid of additional police.

Certain disaffected and self-seeking persons have attempted to exploit the imagined grievances of the "Unemployed Ex-servicemen", which in this Region means ex-servicemen not employed in Government service or by one of the big commercial firms. The leaders of an illegal procession held in March at Aba in protest against the payment of tax were prosecuted. At the trial disorder broke out and extra police had to be moved in to restore order. The leaders were convicted. On four other occasions disorders have threatened; each time police reinforcements have had to be drafted to the affected areas in the Owerri Province. On one occasion a company of Royal West African Frontier Force had also to be sent into the area, but fortunately they did not need to be used. Threats, intimidation and physical violence have not prevented members of the Native Courts from proceeding with the prosecution of tax defaulters.

Western Provinces

Local Government.—Early in the year Mr R. S. Hudson, C.M.G., of the Local Government panel in the Colonial Office toured the Western Provinces and gave advice on the improvement of the Native Administrations. Further progress has been achieved in making Native Authorities more representative in many areas, particularly in the Benin and Warri Provinces, the object being to ensure the wide

possible basis of representation from the primary units to the divisional council. Further summary information is given below of the main changes during 1950 in the various provinces.

Egba Division.—In accordance with a vote of majority of the Egba Central Council in December, 1950, the Alake of Abeokuta resumed his duties, which he abdicated two years ago. He was also reappointed to the Western House of Assembly.

An important development in the Division during the year has been the establishment of District Councils. Otta and Imala have had their District Councils for some years, but the rest of the Division, outside Abeokuta town, has now been divided up into ten Districts, each with a Council having an elected membership of one representative to every hundred taxpayers.

Egbado Division.—The constitution of the Egbado Native Authority has been revised during the year so as to provide for the inclusion in the Council of a limited number of Obas, representative of each of the five Subordinate Native Authority areas. Elected Councillors still constitute by far the greater part of the Council.

Benin Division.—The Benin Native Authority is now making progress, after set-backs due to internal differences. During the year the Oba, the Iyase, and the Administrative Secretary have all visited the United Kingdom.

Asaba Division.—The new Native Authority at Asaba has been very active, particularly in the tightening up of tax collection from members of the higher income groups. This has enabled the administration to meet the cost of new development projects, notably a modern market.

Ishan Division.—The Divisional Native Authority has been reorganised, and there is a democratically elected Council, representing all classes of the community. Of fifty-one members forty, including Chiefs and educated members of the Progress Unions, are elected. The remainder hold office as Clan Heads.

Kukuruku Division.—Political reorganisation has included the setting up of a federation of fifteen Native Authorities forming the Akoko-Igarra Federal Native Authority. There are twenty elected members, four Clan Heads, and five appointed members.

The Awujale having relinquished his position as sole Native Authority, the new Native Authority is the Ijebu Council, which consists of the Awujale and one hundred and thirty members, sixty-eight of whom are elected.

Ondo Division.—The Ondo District Native Authority has been strengthened by the addition of eleven elected members who come from Ondo and the villages.

Owo Division.—The Owo District Council has been reorganised. Town and village heads are permanent members, and of the other members of the Council approximately 40 per cent are elected.

Ilesha Division.—His Excellency the Governor addressed the inaugural meeting of the revised Ilesha Native Authority Council on the 10th of July, 1950. The new Council consists of forty-eight chiefs and thirty literate commoners from Ilesha and the District who were elected on a territorial basis, each unit being represented in proportion to its size.

Local Government Pamphlet.—During the year the Administration issued a pamphlet entitled "Local Government in the Western Provinces of Nigeria 1939-49" to show what progress had been made in the last ten years.

Finance.—In the financial year 1949-50, the provisional figures for expenditure were £1,735,794 against the regional allocation of revenue of £1,938,200, leaving an unexpended balance of £202,406, which will in the normal course of events be transferred to the Regional General Revenue Balance Account; this will bring the total funds in that account to £376,578 as at the 1st of April, 1950.

The revenue allocation for 1950-51 amounted to £2,189,000. The revised estimate of expenditure for the current year, exclusive of Temporary Addition to Rates of Pay, is £2,093,495, plus £88,000 contributed from Regional funds to the cost of Temporary Addition to Rates of Pay, total £2,181,495, leaving a revised estimated balance of £7,505 on the year's account.

The first provisional allocation of revenue for 1951-52 was £2,101,000, a reduction of £88,000 on the previous year's allocation. To this is to be added the estimated cost of Temporary Addition to Rates of Pay, of the increase in statutory Educational Grants in Aid, and of certain works and services to be transferred to the Region with effect from the 1st of April, 1951.

The general financial position of Native Authorities and Townships has shown steady improvement. The margin between estimated Ordinary Revenue and Ordinary Expenditure in 1950-51 is £129,786 or 10.5 per cent of Ordinary Revenue, which compares favourably with the corresponding figures of £85,576 or 8.2 per cent in the previous year, and 4.8 per cent in 1948-49. No Treasury showed a budget balance of less than 2½ per cent of Ordinary Revenue. Ordinary Expenditure is estimated at £1,106,381 in 1950-51, compared with £959,874 in 1949-50, an increase of £146,507. In addition to this, Works Extraordinary programmes are projected to cost £291,839, or more than double the previous year's programme of £137,011. Estimated Ordinary Revenue for the current year is £1,236,167, an increase of £190,717 over the previous year's figure of £1,045,450.

After providing for these substantial increases in Ordinary Expenditure on Capital Works, estimated surplus funds at the 31st of March, 1951, will amount to £676,576, which is equal to 55 per cent of the Ordinary Revenue.

The measures which are finally adopted as a result of the enquiry by the Revenue Allocation Commission will to a large extent determine the future financial resources of the Region and the degree of expansion of regional works and services which it can afford.

Community Development.—Provision on a generous scale was voted from Nigerian Development Funds, and the conditions attached to the grants have been restricted to a minimum. Funds have been sub-allocated to District Officers, who are authorised to issue grants equal to one-third of the total value of any improvements carried out by the people themselves either by voluntary labour or by contributions. Response to this scheme was at first slow, but during the past year a great deal of useful and encouraging work has been done. Among the works which have been assisted are community centres, markets, lorry parks, anti-erosion measures, improvements to village roads, bridges and culverts, maternity homes, and reading rooms. Several villages are being removed to new sites where planned layouts have been prepared.

Colony

Lagos Town Council.—The Lagos Local Government Ordinance was passed in the March 1950 session of Legislative Council. The new law introduced a fully elected council, presided over by a mayor, and universal adult suffrage. In anticipation of the extension of the franchise and to assist the preparation of electoral rolls, a census of the population of Lagos Township took place on 16th February, 1950, under the direction of the Government Statistician. (See Statistics pages 104-105 below). The ascertained total population was approximately 230,000.

The first election under the new Ordinance took place on 16th October. Twenty-four thousand five hundred and fifty-three voters recorded their votes out of an electorate of one hundred and fourteen thousand. There was congestion at the polls owing to an unexpectedly high illiterate poll and a miscalculation of the necessary polling facilities. Two members only of the former council were returned at the election; one of these, the Hon. Dr Olorun-Nimbe, was later elected Mayor of the Town.

The new council inherited a financially strong position from the old council; assets at £465,000 in March, 1950, were nearly three times those in the same month in the year 1946. The Treasurer's department in common with that of the other main departments suffered from staff shortage throughout the year. In the Council's Works Department staff shortage was most acute; two engineers performed the work

normally undertaken by six. The enforcement of building regulations placed a heavy burden on the Town Engineer; contraventions and evasions, mainly a by-product of the housing shortage in Lagos, were a commonplace throughout the year.

Health.—The gradual improvement in the sanitary condition of Lagos was maintained in 1950. Most progress was apparent in the improving conditions under which food is offered for sale to the public. The problem of filth in streets and public places continues to tax the resources of the Public Health Department; slum clearance and improved housing is probably the only satisfactory and complete solution to the problem. Control of mosquito breeding was well maintained throughout the year.

Smallpox and tuberculosis continue to be the most important notifiable diseases in Lagos. There were 442 cases of smallpox and 369 of tuberculosis. 91,188 vaccinations were performed during the year.

It was necessary to apply Rabies Orders from July to the end of the year. During this period it is known that 795 dogs died or were destroyed; twenty-four were shown to have been rabid. Fortunately, there were no human cases but these recurring annual epidemics of rabies are a matter of growing concern and there is the danger that sooner or later human cases will appear.

Lagos Executive Development Board.—During February and March the Board's contractors, the Westminster Dredging Company, brought out their dredging plant of two suction dredgers and a floating generating station. The first stages in the reclamation of 150 acres of land at Apapa, an important feature in the Apapa Scheme, were reached a month later. By the end of the year 600,000 cubic yards were placed out of the total of five million which the company have contracted to place by February, 1952. The first section of the road system—nearly 4 miles of concrete carriage-way—was constructed during the year and the contract for the construction of the next section of the road system and for the construction of nearly 10 miles of concrete drains were placed in December.

Applications have been invited for leaseholds of a small part of the scheme area which was ready for immediate occupation and for a further part of the area which will be ready for occupation in 1951. The response in respect of favourably situated plots was good and, for others, satisfactory.

A scheme for slum clearance in central Lagos has been for some years a much cherished objective of the Board. In 1949 it appeared to the Board that, without a subsidy, the scheme was financially impracticable.

Loans at low rates of interest were then raised and in 1950 work on the scheme was renewed and steps taken to frame a rehousing scheme for Suru Lere.

Colony Development Board.—At the beginning of the year the Colony Development Board decided to concentrate on enterprises in the rural areas of the Colony. Applications for loans from these areas were very numerous but many applicants could offer no security for loans and possessed only a rudimentary knowledge of business. Most applications needed much revision before they could be put in a form for the board to consider ; between six and seven thousand pounds were granted in loans to farmers, cornmillers and others engaged in rural economy in the Colony Districts and a further £25,000 to two major enterprises financed by the Board (£10,000 additional capital for a textile mill and £15,000 for a pottery).

Festival of Arts.—The Nigerian Festival of the Arts was inaugurated in Lagos in April, 1950. The success which the Festival achieved was due to the hard work of a small committee of voluntary workers. This hard work found a response in the enthusiasm and ardour of competitors. It is hoped to make the Festival an annual event attracting participants and raising cultural standards in all parts of Nigeria.

H.M. Ships.—Two visits were paid by His Majesty's ships to Lagos in 1950. In March the H.M.S. *Actaeon* spent four days in port and in November the H.M.S. *Nereide* spent a similar period. On both occasions a full programme of hospitality and recreation was prepared for officers and men.

Colony Districts.—In 1950 social, political and economic progress in the Colony Districts was well maintained.

The creation of Native Authority works organisations in all divisions has contributed greatly to the speedy execution of works proposals.

At Badagry, crop systems have been attempted ; an interesting and possibly significant discovery is that millet can be successfully cultivated in the Colony. Experiments in market gardening to meet the Lagos demand continued throughout the year and some farmers have now successfully cultivated vegetables for sale. The Ikeja Native Authority, to solve the problem of farm labour shortage, established a mechanical cultivation unit to help in the preparation and manuring of land. The Native Authority is now engaged in preparing 150 acres of leased land which in turn it lets to farmers in plots of six acres. The scheme is operated under the close supervision of the agricultural officer and careful costs records are maintained. Agricultural activity in the Colony was brought to its annual climax with the successful Agricultural Show which was held in Agege in November.

In the Ikeja Division, the Ikeja Area north of Lagos has attracted many wage-earners and traders. Subordinate councils to give these newcomers the opportunity to express themselves were set up during the year within the framework of the Native Authority.

The Native Authority areas of the Ikeja Division east of Carter Bridge—Ikorodu, Ijede and Eti-Osa—have little in common with the Ikeja Area. In Eti-Osa, a low-lying area east of Victoria Beach, a council was created and formally vested with the powers of a native authority, a Native Court was opened, and two thousand pounds raised for the improvement of inter-village paths. In the other two areas progress is taking place with improved road communications.

In the Native Authority councils in the Epe Division, in the western extremity of the Colony, illiteracy continues to be a drag on progress. In two of its councils there is not one literate member; in others not more than one-tenth are literate. The greatest progress was seen in Epe Town Council.

Accountant-General

The policy of decentralisation was continued during the year by the delegation of further powers and duties to the Regional Treasurers.

The staff position generally is still not good. Several of the senior members of the Department are retiring and it is by no means easy to find suitable men to fill vacancies in the senior posts. As regards the Junior Service, the fact that out of a total establishment of over 300 Third-class Clerks only twenty-seven have more than five years experience is sufficient to indicate the difficulties with which the Department is faced.

Out of the six Accountants appointed during the year, three were promoted from the Junior Service and another non-expatriate Accountant was promoted Senior Accountant.

Five specially selected Junior Service officers in the Department have been sent to the United Kingdom to undertake special courses of instruction with the Crown Agents and Local Authorities and the intention is to send others from time to time as vacancies exist. Reports have shown that the officers selected have taken a keen and intelligent interest in the duties allotted to them and are clearly making every effort to benefit by the courses.

A scheme has also been drawn up for the training of Accountants locally in the Treasury and Audit Departments. The proposal is that this scheme will be available to a limited number of graduates from Ibadan and other recognised Universities and to outstanding younger men already in the Department. During training their status will be that of Accountants-in-Training in the Senior Service.

The policy of relieving the Provincial Administrations of the responsibility for staffing local Treasuries has been pursued and seven more stations have been taken over by the Treasury during the year; others will be similarly transferred as the staff position permits.

Office accommodation, particularly at Regional Headquarters at Enugu and in the Lagos and Colony Treasury, leaves much to be desired.

Accounting.—Electrically operated accounting machines have been brought into use in all Regional Headquarters as well as in Lagos and as circumstances permit, the application of mechanised methods is being extended. The changes of procedure entailed in this innovation inevitably resulted in some dislocation in the earlier stages and the full benefit of mechanisation has consequently not yet materialised.

The shortage of senior men and the very high proportion of inexperienced clerks are other factors which have prevented the expeditious completion of the monthly accounts. Intensive efforts are being made, however, to reduce the time-lag by improving the system; a definite improvement should become apparent later in the year. Since the figures cannot be produced until the Regional and other accounts are received at Treasury Headquarters and the Regional Treasurers in their turn are dependent on the prompt submission of accounts from the smallest Local Treasury upwards, intensive co-ordination throughout is an essential feature; delay in one district or department retards the whole process.

The position in regard to the subsidiary accounts is far from satisfactory. This is in large part a legacy of the war when these accounts fell badly into arrear. Here again, special arrangements have been made in an endeavour to cope with arrears and the position is slowly improving.

Currency.—The currency in circulation has increased from some £5½ million in 1940 to £35½ million at the 31st December, 1950.

Withdrawals for the current groundnut and cocoa seasons have reached their peak, however, and the indications are that the flow back to the Banks has commenced. The heavier demands are the result of higher prices rather than larger crops.

Stocks which amounted to over £13 million before the commencement of the groundnut season had been reduced to £9 million by the 1st December last but should now increase again as the money comes back through the Banks. In any case, £9 million, which represents 25 per cent of the total circulation, is considered ample for all current requirements and will be supplemented by new supplies for the 1951-52 season.

One pound notes and shilling coins continue to be far the most popular denominations. One pound notes now represent 32 per cent of the total circulation compared with 4 per cent ten years previously. This increase applies particularly to the West. Demands in the North and to a lesser extent in the East continue to be mainly for shillings and the smaller value nickel coins. Shilling coins constitute 60 per cent of the total circulation. There is little demand for ten shilling notes, sixpenny and threepenny pieces.

Administrator-General

The volume of work undertaken by the Department continues to grow although the Staff position in the Junior Service remains unsatisfactory.

Another building has now been secured for the Department at Ikoyi Road, and it is hoped that this will be occupied before the beginning of the new financial year.

One thousand five hundred and forty-five estates were under administration during the period under review. There were six hundred and fifty-two applications to the Probate Registrar for grants of Letters of Administration and Probate of Wills; two hundred and eighty-two Letters of Administration and thirty-five Probates were granted. There were two hundred and ninety-four trusts under the Public Trustee with one thousand and sixty-two *cestui qui* trusts. One hundred and forty-one properties were under his management and the value of trust funds held by him was £105,598 1s.

Seventy Companies were registered during the period under review bringing the total in the Register at the end of December, 1950, to four hundred and seventy-seven. The number of Trade Unions registered was twenty-five. Nine Unions were prosecuted for offences committed under the Trade Unions Ordinance. Two thousand eight hundred and thirty-seven business names and sixteen patents were registered. Four hundred and sixty-six trade marks were registered and renewed.

Agriculture

Agricultural Schools.—The extension of the period of training of Agricultural Assistants from a two-year course to one of two and a half years became fully operative during the year. It is now possible to give a more practical training which includes a systematic course on mechanical cultivation. At the Ibadan School, three women students taken for training as Agricultural Assistants have completed their first year of training. Preparations were made for the one-year course of training for thirty Field Overseers who are due to start the course early in 1951. The School year at Samaru started with ninety-six trainees compared with fifty-three in the previous year. Of these

ninety-six, thirty were Northerners starting the new Junior Course for Native Administration staff and twenty-five were Northerners starting their first year of training as Agricultural Assistants. Both at Ibadan and Samaru additional buildings and classrooms have been erected to accommodate the increased numbers of trainees.

Principal Agricultural Products.—(See also under Regions, Marketing Boards, Regional Production Development Boards).

Local Food Crops.—In spite of an unprecedented drought lasting to the end of June in the Northern Provinces, prospects for most crops turned out to be reasonably good. Millet yields were a little below average while guinea corn was satisfactory except in parts of Zaria Province where the crop was affected by army worm and stem borer. The rice crop was below average due to excessive floods in Sokoto Province and insufficient rain in Niger Province.

In the Western and Eastern Provinces the rainfall was below average with a long break in the rains in July and August. This adversely affected the early maize crop in the West and the rice crop in the East. On the whole, however, crops have been good and yam yields were reported as being most satisfactory.

Export Crops.—(See under Marketing Boards for details of purchases for export and prices paid for Cocoa, Palm Produce, Groundnuts, Cotton).

Benniseed.—There was a reduction in the area under benniseed in the Benue area in 1950, and, due to late planting with excessive rain in May and early June, yields were below average. Purchases were approximately 45 per cent less than in the previous year.

Ginger.—Purchases in Southern Zaria of ginger for export amounted to only 26½ tons compared with 82½ in 1949. Very high prices, up to 2s 3d per lb, were paid for the crop and this has resulted in a considerable increase in acreage of the current year's crop. Yield prospects are good.

Soya Beans.—This crop is rapidly gaining in popularity in the Tiv Division of Benue Province and it is estimated that the area planted has increased four-fold compared with 1949 when 1,200 tons were purchased for export.

Virginia Tobacco.—Purchases of Virginia Tobacco by the British American Tobacco Company in Gusau and Zaria totalled 300,715 lbs compared with 217,120 lbs in 1949. There is a further substantial increase in the average of the 1950-51 crop and the yield prospects are good. Small-scale experiments with tractor ploughing in co-operation with British American Tobacco Company, who have also supplied fertilizers, are in progress in Gusau and Zaria.

Birdseye Chillies.—At the close of the 1949 buying season the price of chillies rose to £170 per ton, which stimulated the demand for pure seed. It is anticipated that supplies of chillies for the next buying season may be in excess of demand as there is only a limited market.

Tetracarpidium Conophorum.—The Western Regional Production Development Board is undertaking the planting of 50 acres of this wild forest vine on a plantation basis as its Ijebu-Ode project. There is still much to be learnt about the commercial possibilities of producing from it a drying oil which can compete with linseed oil. Arrangements have been made for the installation of two drying plants for the 1951 harvest season, from which it is hoped to obtain 40 tons of dried nuts for shipment to the United Kingdom for further processing.

FIBRES

Jute and Jute Substitutes.—Small-scale trials have been continued with jute, mainly with the object of multiplying seed. Results indicate that best growth is obtained in heavy soils with good humus content and with adequate water available. A mill trial with *Clappertonia Ficifolia* fibre grown in Calabar Province which was undertaken in Dundee during the year did not fulfil the early promise of this fibre and it is now considered doubtful whether it will prove a suitable substitute for jute. Trials with ramie fibre (*Boehmeria Nivea*) are being undertaken in the Cameroons.

PRODUCTION METHODS

Soil Fertility.—There was encouraging progress in the Northern Region with the major scheme financed by the Regional Production Development Board, to encourage the widespread use of superphosphates in the shortest possible time. No other single measure of agricultural improvement offers such an excellent opportunity to secure a rapid substantial increase in productivity. An organisation, headed by a senior Administrative Officer, operated seven fertilizer teams in Kano, Katsina, Sokoto, Bornu, Bauchi and Adamawa Provinces, while distribution on a smaller scale also took place in Zaria and Plateau Provinces. Despite unfavourable weather conditions due to the late onset of the rains, results have been generally satisfactory. Spectacular responses with all crops were evident in many areas, particularly in Bornu, Zaria and Sokoto Provinces, and farmers in these districts showed considerable enthusiasm.

Orders have been placed for a further 3,225 tons of superphosphates in various forms, for sale to farmers in the 1950 demonstration areas and for free issue in the new areas in 1951.

Results obtained from fertilizer demonstration plots on farmer's own land, and in school gardens, numbering about 950 have been most satisfactory. Eight experiments were laid down on farmers' land in

areas selected to give a wide range of soil conditions in order to determine the optimum level of artificial manuring for yams, while other similar experiments have been carried out with rice and cassava.

Irrigation.—With the assistance of two experienced Irrigation Engineers, it has been possible to proceed with the work on a number of large and small irrigation projects throughout the Northern Region. Mechanised earth moving equipment is expected shortly for the first large pilot project in Niger Province, while a survey of an area near Badeggi has confirmed the feasibility of a much larger project there. Owing to the highly technical nature of irrigation work which necessitates specially trained staff a disproportionate amount of time has had to be given by the Irrigation Engineers to the technical training of Junior Staff. A training school was established at Sokoto where two courses have already been held, with the assistance of the Survey Department.

Mechanisation.—Satisfactory progress has been made in the investigation of mechanisation problems. Experience has shown that few implements designed for European conditions are suitable locally without some modification and special attention is being given to the design of suitable implements. The best prospects for early large scale development of mechanisation lie in the exploitation of *fadama* lands and crops. A major mechanisation cultivation project was started in the Sokoto and Rimi valleys, the capital for this venture being provided by the Northern Regional Production Board, while the project is being operated by three neighbouring Native Administrations. Despite initial difficulties, 2,200 acres of *fadama* land were ploughed for which an arbitrary charge of 35 shillings per acre was made to the cultivators. This is well below the cost of hiring labour for initial cultivation, the main limiting factor to greater exploitation of *fadama* land. The project was enthusiastically welcomed by the people and the prospects were considered sufficiently promising to justify expansion by the use of heavier equipment. Accordingly twelve Caterpillar D. 7 tractors with ploughs were ordered and have since arrived. A target of 25,000 acres has been set for 1950-51. Pilot projects for mechanised cultivation of *fadama* land in preparation for rice were also started near Badeggi in Niger Province and Shemankar in Plateau Province, with promising results and reactions from the local people. At Fashola in Oyo Province in the Western Region satisfactory progress has been made with mechanised equipment where an area of some 600 acres has been ploughed and cultivated. A small experimental group farm run by nine men with the use of a tractor has been started in the Ikeja Division of the Colony.

PROCESSING

Rice Mills.—The value of rice mills has now been amply proved. Two mills in the Eastern Region have passed into private ownership.

Other mills there will be erected and sold as soon as they have proved profitable. Mills operating have been equally successful in the Western Region where in addition several privately-owned mills have been installed.

Palm Oil Presses.—Over 1,000 new presses have been purchased in the Eastern Region during the year. It is estimated that between 2,000 and 3,000 presses are now in operation. Owing to the demand exceeding the supply, a system of permits to purchase has been inaugurated.

Oil Palm.—The Plant Breeding Section of the Oil Palm Research Station has devoted much of its time to the introduction of seed of many species of palms from South and Central America to provide material for interspecific and intergeneric hybridization. The greatest importance is being attached to a palm known as *Elaeis melanococca* which among its characters has that of dwarfness. It would be of the greatest value if these characteristics could be combined with those of the oil palm by suitable hybridization. The total hand pollinated and open pollinated seed produced and distributed during the year was 804,192 and 184,000 seed respectively. This should provide sufficient material for planting over 5,500 acres of palm plantations in 1952.

Cocoa.—The propagation of selected types of cocoa obtained from Trinidad and South America has been continued to enable improved planting material to be offered to farmers in the future. Special attention has been given to establishing new cocoa where it has been found that an application of a mixture of Sulphate of Ammonia and Superphosphate produces early vigorous growth.

Cotton.—Many new types of cotton have been introduced in collaboration with the Cotton Breeder seconded by the Empire Cotton Growing Association. Although good progress has been made in the evolution of further improved strains of Allen Cotton, no better strain than Samaru 26C is yet available for distribution.

PLANT DISEASES AND PESTS

Cocoa, Swollen Shoot Disease.—Early in the year the Deputy Director of Agriculture (Cocoa) submitted a report—“An assessment of the swollen shoot problem in the Ibadan Division of the Western Provinces”—for the consideration of Government and the Nigeria Cocoa Marketing Board. The report recommended the abandonment of cutting out in areas where the disease has proved to be endemic, work being concentrated on “sealing off” the infected area to prevent the disease spreading to adjacent clean areas. The endemic area would call for special attention so that the economy of the area could be restored; this could be achieved by a land utilisation plan which would provide for the planting of alternative crops on the marginal cocoa lands and the establishment of improved strains of cocoa on the

cocoa soils which had been clear felled of all cocoa trees. In other localities an active campaign should be adopted for the planting up of new areas and the replacement of old age classes. In this manner the losses from swollen shoot and senility would be offset and the cocoa industry maintained at its present levels or even expanded. To achieve these objectives it was recommended that a permanent cocoa service, within the Department of Agriculture, should be maintained for disease control, rehabilitation and development. These recommendations were adopted by Government and the Nigeria Cocoa Marketing Board, and funds have since been allocated by the Nigeria Cocoa Marketing Board on a five-year basis for the maintenance of such a service. The study of Black Pod disease of cocoa has been continued. Experiments have demonstrated that fungicidal sprays can reduce the incidence of the disease when circumstances are favourable.

Chrysops Investigations.—At the Oil Palm Research Station, investigations into the two most important vectors of *loiasis* have shown that the larvae are confined to the top three inches of damp and saturated mud. It has been established that the flight range of the adult flies is at least three-quarters of a mile.

Locusts.—During a survey in Northern Bornu undertaken in the early part of the year an increase in the number of the Migratory Locust was observed over a wide area, but there appeared no tendency to swarm formation.

Over the past four years there has been a marked decline in the Red Locust ; there were no reports that this particular locust had been seen during the year. Disquieting news was received of swarms of the Desert Locust in the countries bordering Nigeria. Precautionary measures were immediately put into operation to combat an invasion.

Kashin Yawo.—The thorny weed Kashin Yawo (*Acanthospermum Hispidum*) continues to be a serious menace in Kano and other Provinces along the Northern border. Large-scale mechanical spraying trials using the chemical 2.4D were partially successful in destroying the weed, but the treatment is expensive. Unfortunately, Kashin Yawo seed can remain dormant in the soil for a considerable period and it has still to be ascertained how often an affected area requires to be treated in order to secure complete eradication.

LIVESTOCK IMPROVEMENT

Cattle.—Steady progress was maintained in the important work on cattle at Shika, Ilorin, Daudawa, Maiduguri and Yola in the Northern Region and Fashola in the Western Region. Complete lactation records at Shika confirm the capacity of the selected strains of both White Fulani and Sokoto bulls to transmit to their offspring the factors for high milk yield.

In the Eastern Region work has been concentrated upon the building up of a herd of cattle at the Agricultural Farm near Bamenda suitable for mixed farming. An essential part of this work has been the improvement of pastures with the introduction of new grasses and the control of grazing areas. At the Ndama Stock Farm at Fashola, the Ndama herd has increased from ninety-three head in 1946 to over 250 at the end of 1950, the cattle having displayed a satisfactory resistance to trypanosomiasis. Bulls are now being distributed to various Provincial centres to improve the local cattle, while it is hoped at a later date to distribute cows as well.

Mixed Farming.—The encouragement of mixed farming remains the most important line of extension work in all areas in the Northern Region where conditions are suitable. During the twelve months period ending September, 1950, there were 6,995 practising mixed farmers compared with 5,763 at the same date last year. Interest in mixed farming is particularly keen in Bauchi Province, which is rapidly catching up with Katsina and Kano as one of the chief centres of mixed farming. Now that ploughs are available in sufficient quantities the limiting factors to expansion are the supply of suitable cattle and the amount of supervision required for their purchase and training. Demonstrations and propaganda to encourage fodder conservation including the making of silage were intensified.

Settlement Schemes.—The settlement scheme in Shendam Division has been extended by the formation of a third village area. The three centres and the farms continue to promise well and the settlers are retaining their enthusiasm. Progress in extending the settlement of Biroms from the Jos Plateau in Jema'a has been disappointing but a second village area has been started. There has been considerable improvement in the efficiency of farming operations at the Native Administration settlement near Kontagora where groups of mixed farmers have been established on new land.

Market Gardening.—A Pilot Market Garden was started in March at Enugu as a training centre for men who will start other similar market gardens at main Urban Centres in the Eastern Region, and also as a source of high grade vegetable seed.

Oil Palm Research Station.—Good progress was made with the construction of permanent buildings at the Main Station during the first part of the year, but later, work almost came to a standstill owing to the countrywide shortage of cement and an acute labour shortage.

The staff position has still been far from satisfactory. On the administration side two important posts, out of a total of four have remained unfilled. On the research side, only four out of eleven posts have been filled. Despite this, a planting programme of 170 acres was carried out, bringing the total planted area on the Station up to 905 acres,

of which 400 acres are in bearing. The greater part of the planting took the form of a "Unit Plantation", one hundred acres in extent, from which it is hoped to provide valuable information for the Regional Development Boards which are contemplating large-scale planting schemes.

Construction of buildings has started at the sub-station at Abak in Calabar Province, where a small area has been planted up.

Antiquities

On 2nd September, Dr William R. Bascom of North-western University, Illinois, presented to the Oni of Ife two bronze heads which he had purchased when in this country in 1938. These heads, together with the other Ife antiquities excavated at the same time, are, in the opinion of Sir Kenneth Clark, the Director of the National Gallery, the outstanding art discovery of the present century. Dr Bascom had arranged during the years while they were in his possession for them to be exhibited at many universities and art exhibitions in the United States and had done much to make these works of Nigerian art better known on the American continent. His generous action in presenting the heads has been much appreciated by the Oni and his people.

Audit

During 1950 there was a further expansion in the activities of the Audit Department.

The volume of financial transactions both in Government and in Native Administration continued to grow without proportionate increases in Audit Staff and concern has been felt in particular regarding the audit of the accounts of Native Administrations.

The audit of Native Administrations is far more than a mere checking of accounts. It is of an educational nature and includes the rendering of advice on financial matters and accounting procedure. The responsibilities of the Department for this work are becoming increasingly important with the development and expansion of Local Government activities in Nigeria.

It will be necessary to increase the staff in the Senior Service Establishment to meet this growing need. It is hoped that this will enable visits of inspection to Native Administrations to be made at least once a year, instead of only once in two or more years as at present.

It will also be necessary to increase the staff in order to deal with the audit of the accounts of the Coal Corporation, the Eastern Regional Production Development Board (Pioneer Oil Mills), the Electricity Corporation and the Railway Administration. The cost of these audits is reimbursable to Government.

Chemistry

Over 7,000 analyses and investigations were carried out during the year for other Government Departments and to a small extent for firms and private individuals.

The majority of the samples were examined in connection with Public Health or Criminal Investigation. Those of interest included:—

- (a) Samples of confiscated illicit gin. The liquor, in cleverly sealed bottles with new Martell Brandy labels, is coloured and scented to simulate genuine brandy and its appearance might well deceive an inexperienced observer; the flavour however would not deceive anyone who had tasted brandy.
- (b) Samples of imports of artificial silk textiles made to appear like woollen worsted materials, probably on account of the great increase in the price of wool. A number of such samples have been received for examination for Customs purposes.

One of three projected new provincial laboratories was completed and equipped at Ibadan and opened in charge of an Assistant Government Chemist in July. Three useful tours were undertaken during the year with the mobile laboratory which has now been stationed at Ibadan. Equipment and supplies are now being delivered more quickly but it still remains very difficult to recruit fully qualified and experienced Analysts and the full programme of touring cannot be undertaken until the Senior Staff position improves.

Civil Aviation

During the year a separate Department of Civil Aviation was formed. One of its first tasks has been to review existing aeronautical facilities, particularly those concerned with aircraft and personal safety. A great deal of the equipment in use today was taken over from the Royal Air Force at the end of the war and has now reached a state where early replacement can no longer be avoided. Urgent consideration is being given to the telecommunications requirements of the air traffic control service, which has extensive commitments to international traffic.

Civil Aviation cannot be considered as a purely domestic activity. Nigeria is situated in a strategic position on the international air routes and in consequence has to fulfil certain international obligations. During the year Nigeria became a member of the Southern Africa Air Transport Council and will be represented at the first meeting to be held early in 1951.

Air Traffic.—The increase of air traffic during the previous year has been maintained and both domestic and international operators are operating to greater capacity. During the year the British Overseas Airways Corporation withdrew the "York" aircraft on the United

Kingdom-West Africa service and introduced the "Hermes" aircraft on the United Kingdom-West Africa and South Africa services, both operating through Kano. There are now seven services a week in each direction between Kano and London and for several months during the year an additional weekly service was required in order to carry the extra traffic from London. Kano Airport has shown a 14 per cent increase in revenue, entirely due to the activities of international operators.

Runways.—A new runway at Lagos Airport is almost completed and preliminary work has begun on a new runway at Kano, where improvements to the terminal buildings are already in hand. The runways at Calabar and Tiko are being hardsurfaced, the runway at Mamfe has been extended and work begun on hardsurfacing of a runway at Sokoto.

Commerce and Industries

Staff. Office of Commissioner for Nigeria.—The expansion of the Department, proposals for which had been approved by the Legislature during the second half of the financial year 1949-50, gathered momentum in the succeeding months and the staff position was materially improved by the intake of a number of newly recruited officers. Difficulty in attracting men of the required calibre to several of the senior technical appointments has persisted.

Early in the year it became necessary, owing to shortage of qualified staff, to close the Trade Office of the Department at Aba. With the recent improvement in the staff position it is hoped to reopen the Aba office early in 1951 and also to post a Senior Commercial Officer to Ibadan. The Kano Office has continued to operate throughout the year.

The office of the Commissioner for Nigeria in the United Kingdom was opened in London and a Trade Commissioner for Nigeria, whose activities are not solely restricted to the United Kingdom, was appointed. Through the Trade Commissioner the Department has been enabled to establish close touch with United Kingdom and Continental manufacturers and suppliers, and Nigerian merchants have been assisted in the expansion of their connections overseas.

Supplies. Controls.—Supplies generally became progressively easier during the year and the quantity and value of imports exceeded that of the previous year. The Korean War and general rearmament which has now become necessary have not yet had their effect on imports.

The Supplies and Services (Transitional Powers) Act was revoked in Nigeria with effect from the 10th of December, 1950. The Customs Amendment Ordinance, which enables the control of imports and exports to be continued, came into operation on that date. With the

lapsing of the various wartime regulations there is no longer a Director of Supplies. The Director of Commerce and Industries is now responsible for the control of both imports and exports. Food and Price Controls had become unnecessary and were discontinued. Only three commodities still remained subject to price control when the regulations ceased to be effective.

Lagos Trade and Industrial Advisory Committee.—The first meeting of the Lagos Trade and Industrial Advisory Committee took place at the end of August. The members of this Committee consist of representatives from the Lagos Chamber of Commerce and other Nigerian trade associations and prominent Nigerian business men. The Committee meets regularly under the chairmanship of the Director of Commerce and Industries, and enables Nigerian business men and industrialists to bring their views to the notice of the Director.

INDUSTRIAL PROJECTS

The main developments in 1950 affecting the industrial projects, investigations, and training schemes which the Department is now operating are briefly described in the following paragraphs:—

Boat Building.—Two training schemes were started by the Department during the year. At Opopo in the Eastern Region, a medium-speed launch was constructed, and plans laid for making two flat-bottomed powered barges, for use in the shallowest of the Nigerian deltas and rivers. At Makurdi, where the object is to develop craft suitable for carrying freight on the Benue River, a small sailing boat was built as a preliminary to the construction of an adapted version of a Norfolk Wherry.

Bricks and Tiles.—A pilot plant has been delivered in Nigeria, and installation is waiting the recruitment of an expert.

Canning.—The Department has an experimental canning plant in Lagos. During the year a number of experiments were carried out with a variety of local products. Up to the present a total of sixty-eight packs are listed for investigation. Some of the experiments were particularly successful and show excellent prospects for large-scale production, plans for which are being drawn up.

Charcoal.—Charcoal from coconut and palm kernel shells burned in experimental kilns set up by the Department was sent to the United Kingdom for tests and proved satisfactory.

Conophor Nuts.—The Department is co-operating with the Agricultural Department and the Department of Marketing and Exports, in an experimental scheme for supplying conophor nuts to the United Kingdom paint industry (*see* under Agriculture and Marketing and Exports, pages 70 and 111). Drying-plants for heating the nuts so as to prevent the development of free fatty acids have been set up at two stations in the Western Region,

Citrus.—An investigation was carried out during the year by a visiting expert who reported favourably on the quality of Nigerian citrus fruit, particularly lemons and grapefruit. He also commended the quality of the orange juice but considered the appearance of the fruit itself was against its being able to compete as such in overseas markets. The establishment of plantations and a large processing factory was recommended.

Dairying.—The year's production of butter at the Vom Dairy was 257,610 lbs, of cheese, 44,621 lbs, and 33,585 lbs of clarified butter fat. The modernisation of the dairy industry is planned, with the particular objects of improving the quality of the products, and of enabling them to be more widely distributed.

Fishing.—A 45-foot motor vessel commenced sea fishing during the year and has been experimenting at different depths with various types of gear. It has been established that there are good prospects, especially during the dry season, for powered fishing vessels, and arrangements are in hand for testing several smaller fishing boats operating as a team. Fishermen all along the coast have used with notable success an improved type of shark net which had previously been demonstrated by the Department.

A Fish Farmer was recruited during the year and has carried out extensive investigations, following which a plan has been considered in detail for the establishment of a 500 acre commercial fish farm.

Groundnut Oil Mills.—The Department has obtained delivery of the plant and machinery for six mills and an ancillary workshop, which are to be erected in the Sokoto and Katsina Provinces of the Northern Region.

Market Gardening.—The lack of sufficient manure precludes the large-scale development of the site in the Lagos area, on which experiments have been proceeding, and it is proposed to start operations again on a suitable site in the Northern Region.

Pioneer Palm Oil Mills.—The aim of the Department is the construction by the end of 1952 of a total of 112 mills, at a capital cost of over £1,250,000. Nineteen mills are in operation and a further eighteen are in various stages of construction. Each mill is capable of handling 200 tons of fruit per month, from which is extracted oil 40 per cent higher in quantity and of better quality than is possible by the traditional hand methods.

Pottery.—A pottery training centre was established by the Department during the year at Okigwi, in the Eastern Region. The use of a locally-made potters wheel is being taught, and success has been achieved in constructing from easily obtained local materials kilns capable of firing at high temperatures. Clay selection and mixing, throwing, design, glazing and kiln stacking and firing are among the

branches of the art being taught, and the success so far achieved has earned the approbation of all who have visited the centre and seen the work produced. A number of applications have been received for the establishment of village industries based on the new methods which contrast greatly with the old but will not necessarily supersede them.

Rice Mills.—Arrangements were made and indents for machinery placed, for an increase in the number of small rice mills, of which there are now seventeen in the country.

Textiles.—The erection of two 50-loom weaving mills, one at Kano and one in Lagos, was nearly completed by the end of the year. These mills, with the establishment of which the Department has been concerned at all stages, will be operated for a time by the Department on behalf of private owners. Several small power-loom weaving sheds were started. There are plans for the introduction of a spinning mill and for future power-loom weaving factories. Seven training centres at which hand loom weaving is taught were in operation during the year; instruction in power-loom weaving will be given at centres to be set up shortly. At these, trainees will receive courses in weaving, bleaching, dyeing, slasher-sizing, etc. for varying periods up to five years (for an overseer). Work on the development of jute substitutes, coir and other fibres has continued during the year. The Dye Chemist has carried out a number of demonstrations and investigations.

Co-operative Societies

During 1950 Co-operative societies grew in numbers and membership. There are now eleven hundred societies, with a total membership exceeding 70,000 and working capital approximating £450,000. This growth can now be attributed more to inherent vitality, particularly in the Calabar Province, and less to direct assistance from the co-operative staff employed by Government. The paragraphs below describe the main activities of the various kinds of co-operative associations.

(a) *Co-operative Credit Societies.*—These have continued to show exceptional vigour in Calabar. The number of societies during 1950 increased from 347 to 408, and membership has expanded in like manner. It is the third successive year during which an exceptional rate of development has been recorded, and the Credit Societies have now displaced the Marketing Societies in the forefront of the movement. Their assets at 31st March, 1950, were £44,669. Loans granted to members amounted to £72,396 for purposes which included petty trading, the redemption of farming land, the purchase of farming and fishing requisites and bicycle repairs.

The Calabar Union of Credit Societies in September, 1950, organised in Uyo a most successful annual conference of co-operatives. It was the seventh of its kind and was attended by over 300 delegates.

(b) *Marketing Societies.*—These are still concerned almost entirely with cocoa and went through a year of differing success. The tonnage of cocoa exported by co-operatives, both through their own licensed agency, the Association of Nigerian Co-operative Exporters, and through other licensed agents, declined from 12 per cent of the total crop in 1949 to 9.65 per cent in 1950. This retrogression can be attributed to the effects of stricter financial administration compared with previous years, when advances of money were too freely given and attracted many unreliable members.

There has, however, been a steady increase in the total amounts deposited by members. The Association of Co-operative Exporters operated for the second year a scheme of deposits, at the rate of one shilling per cwt, and the amount now saved in this way has reached £19,826. There is also £38,682 on deposit in the various societies. Loans granted to 2,587 members totalled £16,289, both figures being slightly above the previous year.

A striking improvement was achieved in storage facilities. Three years ago the total capacity available to co-operatives was 3,900 tons, all but 300 tons in rented storage. Today only 700 tons capacity is rented because new stores owned by co-operatives can take 7,200 tons. For the construction of these stores amounts aggregating £24,300 were obtained on loan from the Cocoa Marketing Board (£16,300) and from the Western Region Loan Board (£8,000) on very reasonable terms.

The quality of cocoa exported under the co-operative mark once again set an excellent standard. Ninety-nine per cent of main crop "Co-operative" cocoa was Grade I, and one Union, the Owo-Akoko in Ondo Province, distinguished itself by marketing 100 per cent first quality throughout the year. In addition to setting such a good example, the co-operative cocoa societies continued to participate in the campaign conducted by the Department of Agriculture aimed at general improvement of the quality of Nigerian cocoa. They also assisted in the work of the Cocoa Survey Officers, who marked many more trees found to be diseased by swollen shoot.

(c) *Thrift Societies.*—Numbers and membership have increased but in many of these societies the members, though predominantly literate, continue to prove unwilling to partake in management, and the Government Inspectorate, in trying to help them, has found that the help expected amounts to taking over complete responsibility. The latest figures are :—

Year	Societies	Members	Total Assets
1948-49	.. 279	13,753	£ 325,164
1949-50	.. 314	14,285	359,763

Surplus funds of Thrift Societies were invested in the Post Office Savings Bank (£253,432), in Nigeria Development Loan (£30,125), and with other Co-operative Societies (£13,064). Loans to members aggregated £33,326 compared with £29,155 at the close of the previous year.

(d) *Consumer Societies*.—These formed the subject of a special report published in August, 1950, which is under consideration by Government. The Report calls for a development of retail co-operative societies which will rely for their supplies on existing import agencies, and which will not import directly on their own account before their combined volume of business warrants it.

(e) *Craft Societies*.—These had only a fair year. The largest, the Ikot-Ekpene Raffia Workers, suffering from the loss of its market in the United Kingdom, was transferred to the aegis of the Department of Commerce and Industries where knowledge of possible overseas markets would be more readily available. Other craft societies, the Awka Woodcarvers, the Benin Woodworkers, the Akwete Weavers, the Oyo Leatherworkers and the Arochuku Embroideresses, utilized the Co-operative Agency in Lagos for the disposal of a substantial portion of their output.

(f) *Maternity Societies*.—There are four maternity societies all in the Udi Division of Onitsha Province. The one which owed its origin to the film "Daybreak at Udi" proved less successful than the picture. Higher salaries for midwives and increased costs of drugs and dressings sorely strained the meagre resources of all four societies, causing two to close down temporarily.

The Co-operative Department employed a staff of seventeen senior service officers and 108 inspectors and clerks. The cost to public funds amounted to £40,753 in the financial year 1949-50. One senior service officer recruited during the year was posted to the Cameroons where his duties include encouraging co-operative organization amongst the employees of the Cameroons Development Corporation. In return for the services of this Assistant Registrar the Corporation has undertaken to reimburse Government the full cost of his salary. It is too early yet to report upon the results of his work.

Customs and Excise

The Departmental Training Centre was opened in Lagos on the 3rd July, 1950. By the end of December, 1950, three courses of instruction had been completed, and eighteen Senior Officers had passed through the Centre. The courses have been designed to give a thorough grounding in normal Customs and Excise procedure, based on that in the United Kingdom, and so far the results have been encouraging. Those officers who have attended the courses and have now returned

to their Stations have been instructed in the art of passing on the information they have gained to their brother officers who have not yet been able to attend the Centre. It is hoped that, in the near future, the number of students attending any one course will be increased, as there appears to be every likelihood of further instructors being made available from His Majesty's Customs and Excise in the United Kingdom.

During 1950, through the courtesy of the Commissioners of His Majesty's Customs and Excise in the United Kingdom, four Nigerians were accepted as students at the Departmental Training Centre in London. These officers have completed their courses and returned to Nigeria, and the results appear to be very satisfactory.

Customs procedure has again been reviewed with the object of simplifying King's warehouse procedure, the innovation of Customs area rent and the method of passing entries in the Long Room at the Custom House. It is to be hoped that the importer and clearing agent will greatly benefit by this simplification.

In order to relieve congestion at Port Harcourt, plans for a new King's warehouse have been submitted, and it is hoped that the building of this structure will be started during the next few months. New Customs offices and a transit shed have been allocated to this Department at the Airport at Maiduguri, in order to cope with the new air traffic from Maiduguri and Kano on the pilgrim route to Mecca.

Combined efforts have been made with other Departments concerned, to speed up the clearance of passengers and passengers' baggage, arriving by sea at Apapa, and it would appear that the results are satisfactory.

Revenue.—The revenue continues to be buoyant, and it is anticipated that the total for the current financial year will be in the region of seventeen million pounds from all sources.

Smuggling.—Smuggling is still extremely prevalent, but continuous efforts have been made during the past year to combat this evil with encouraging results, especially along the Western frontier of Nigeria, where constant attempts are being made illegally to import and export controlled goods. The Revenue Cutter "Vigilant" has done good work in attempting to reduce the illegal importation of Spanish brandy from Fernando Po. Now that the new barracks have been completed at Idiroko, on the Western frontier of Nigeria, it is hoped that in the near future a Preventive Service Training Depot will be instituted at this Station. With duties at their present high level, and the present currency and other controls in operation, smuggling will continue to be a problem of great magnitude.

Education

There has been steady expansion in all branches of education during the year.

Grants-in-aid—Rates.—Primary education in particular has again benefited considerably under the new grants-in-aid system brought in by the Education Ordinance (No. 39 of 1948) which became operative on the 1st of January, 1949. The increasingly heavy Government expenditure on grants-in-aid has forced attention to the approaching necessity for a re-distribution of the burden, with the local communities bearing an increased share. It is to be expected that local councils, when fully aware of the position, will respond by the voluntary adoption of a system of education rating.

In the Eastern Provinces, a memorandum on Rating for the Assistance of Primary Education was prepared by the Deputy Director and considered by a Select Committee of the House of Assembly, which endorsed the proposal to establish a Committee to investigate the whole problem. This Committee, consisting of two Senior Service and one Junior Service members of the Education Department, under the Chairmanship of a Senior District Officer, began work in October and expects to report to the Select Committee of the House early in the New Year.

In the meantime, the Abakaliki Division of the Ogoja Province, in the Eastern Region, in the past one of the slowest areas in educational progress, has put forward a scheme for the introduction of an education rate for primary education. This has received the approval of the Chief Commissioner, Eastern Provinces, and of the Central Board of Education, and is now awaiting the approval of the Governor-in-Council.

Administration and Inspection.—The present position of the administration of the Education Services, particularly the inspection of schools and the accountancy service of the grant-in-aid system, is not satisfactory. Not one Province has a staff of Education Officers adequate for the inspection of primary schools and the checking of grants-in-aid, whilst one Chief Inspector in each Region endeavours to cover a field, in the inspection of secondary education, teacher-training (including practical examination for teachers' certificates) and primary education, for which at least three officers are needed. An attempt has been made to establish, by Government subsidy, a Voluntary Agency organisation to supplement the Government effort, but this is not an adequate substitute for a public administrative and inspecting service.

Primary Education.—One of the most noticeable features in primary education in 1950 has been the popular pressure to add additional classes to incomplete Senior Primary Schools, and to open additional

Senior Primary Schools, without much regard to the availability of Higher Elementary Certificated teachers. There is also a trend towards the segregation of girls from the Primary Schools, which are nearly all mixed, into girls' schools staffed by the women teachers now being trained in large numbers under the Development Programme.

Owing to the shortage of staff and the increase in the number of schools, there has been far too little inspection by Education Officers. From inspection reports it is thus not possible to form a clear picture of the general standard of work in primary schools, but there is evidence from the judgment of Principals of Secondary Schools on the general performance of candidates for admission to their schools that considerable improvement is needed. In the Western Region, for instance, the results of the Provincial Standard Six examination, conducted under the auspices of the Education Department for Government, Native Administration, and private schools recognised for the First School Leaving Certificate, show a deplorably low standard of general knowledge.

SECONDARY EDUCATION

(a) *Western Region.*—In the Western Region, Government is paying a relatively greater part in secondary education than in teacher-training. Two out of the three Government boys' schools are being rebuilt or expanded from Development Funds. The building of the new Queen's College at Ede is making rapid progress and it is hoped to move the boarding part of the original Queen's College at Lagos to Ede in October, 1951. A similar change from a cramped urban to a spacious rural situation is taking place at St. Anne's C.M.S. girls' school, which will go from Lagos to Ibadan in 1951. The third important girls' school is St. Teresa's R.C.M. School, Ibadan. Apart from a co-educational experiment at Shagamu and a few day-girls in other secondary schools, these three constitute the provision for girls' secondary education in the Western Provinces. In the remaining twenty boys' secondary schools conducted by Voluntary Agencies, of which thirteen are assisted, the most notable feature at present is the shortage of graduate staff. The provision in the Education Development Plan to strengthen the staff of these schools during the Development period by graduates from the British Isles has been only partially successful. Only thirteen expatriate graduates in five schools are being aided from Development Funds.

Forty-six Voluntary Agency students were receiving training grants from the Department in 1950, to fit them for service as teachers in secondary schools or other post-primary institutions.

(b) *Eastern Region.*—Whilst there is a genuine demand for secondary education many of those who leave the primary schools with a standard six pass are not adequately equipped academically to enter secondary

schools. The fact that many of the so-called secondary schools do admit such candidates presents another problem. A further problem is that the university-trained youth of the Region shows little inclination to enter the teaching profession, although these young men form a considerable part of the intelligentsia which is foremost in demanding more and more secondary schools.

(c) *Northern Region.*—In the North, the Government Secondary Boys' School at Zaria is now practically at full strength, the buildings completed except for two Senior Service quarters, and the school well-staffed; twenty-three passes were obtained in the School Certificate Examination, taken this year for the first time. Plans for the new Keffi Boys' School should shortly receive final approval, and it is hoped that building will commence early in 1951; in the meantime, the school is expanding under difficult conditions at Kaduna Junction. There are at present 329 pupils at the Government Secondary Schools, compared with just over 100 three years ago. Embryo Secondary Schools have been further developed by the Roman Catholic Mission at Kaduna, and the Sudan United Mission at Gindiri (Plateau), whilst Offa Grammar School, a striking example of what can be achieved by communal effort, is expanding to full secondary status.

The Middle Schools of the Northern Provinces are being progressively developed. New Middle Schools have been opened at Birnin Kebbi and Hadejia, and a double-stream intake maintained in others for the third year in succession. The new Plateau Middle School is almost completed, and Middle Schools at Yola and Bauchi have been rebuilt. The posting of Temporary Education Officers to these schools is already having a good effect not only on the standard of academic work but also on the general tone of the schools; more detailed inspection is, however, required.

Teacher-Training.—There are now eighty-eight Teacher-Training Centres in the territory, including twenty-two for women. In addition there are two Rural Education Centres for the instruction of teachers in Rural Science.

(a) *Western Region.*—Although Elementary Certificated Teachers for Junior Primary Schools are being trained under the Education Development Programme at the rate of over 500 a year, the proportion of Certificated Teachers to total staff in these schools does not yet reach the minimum standard of one to five prescribed in the grant-in-aid regulations.

The shortage is being made worse by the annual withdrawal of scores of Elementary Certificated Teachers from the Junior Schools for further training for the Higher Elementary Teachers' Certificate. It continues to be regrettably difficult to recruit ex-secondary school pupils as students for the Higher Elementary Teachers' Certificate

courses and therefore for the teaching profession. The consequent widespread use of the Elementary Certificated teaching establishment as a source of supply is having an unfortunate effect on the attitude of these teachers, as their ambition becomes directed to the Higher Elementary Certificate even while they are undergoing the Elementary Certificate training.

In the Senior Primary School system, the dilution of trained staff is not so severe, because the opening of these schools has been regulated more in accordance with the supply of Higher Elementary Certificated teachers. Even so, many of these schools are under-staffed or are staffed with teachers who are only partially qualified.

(b) *Eastern Region.*—In the Eastern Region, the output of the Training Centres for 1950 is expected to total 1,152. This total is considerably greater than that forecast in Sir Sydney Phillipson's Report, and has caused some anxiety owing to the sums which have had to be found for grants-in-aid to the Training Centres. The high production of trained teachers is probably near the peak; there will be an increase in the number of women trained annually, but this is expected to be offset by a decrease in men in training when the two "emergency" centres cease to operate at the end of 1951. These centres were opened by the Roman Catholic Mission in 1949 for an agreed period of three years, and accept a block grant at a lower rate than the maximum permissible under the Code. The Government Women's Teacher-Training Centre at Enugu is nearing completion and will open early in 1951.

(c) *Northern Region.*—Special assistance is being given by Government towards the expansion of teacher-training in the Northern Region, and Voluntary Agency projects under the original Development Plans are now mostly completed. The Higher Elementary Training Centre at Kaduna, on the success of which so much expansion depends in the near future, has now an enrolment of eighty-four students, which is its full capacity. An Elementary Training Centre was opened during the year at Mubi (Adamawa Province) in the Northern Cameroons. This is the sixth Government Training Centre in the Region, and the third to be opened in the last three years. A "Bridge Course" to enable specially deserving teachers with Vernacular Certificate to obtain the full Elementary qualification was inaugurated at Bauchi Elementary Training Centre, and it is hoped to develop this Centre for curriculum research and auxiliary training, on the lines of the Sudan Government's Centre at Bakht-er-Ruda. While the rapidly increasing facilities for teacher-training are encouraging, the reluctance of Middle School pupils to proceed in sufficient numbers to Bauchi and Katsina Elementary Training Centres, and mass insubordination at three Centres (two Government, one Voluntary Agency) this year, show

a spirit of irresponsibility which gives rise to profound anxiety and the whole system of teacher-training at Government Centres is now under review.

Higher Education.—During 1950 Government awarded one hundred and eleven scholarships and bursaries, which are primarily intended to equip Nigerians with the professional qualifications necessary for appointment to Senior posts in the Public Service, are awarded annually, and are tenable at the University College, Ibadan, or at Universities and Institutions in the United Kingdom, or in the United States of America.

Progress was made with the establishment of the Nigerian College of Arts, Science and Technology. The College, which will have three branches under unitary control, should provide all the forms of Higher Education of non-university character required by the territory. Building has already begun on the site of the Ibadan Branch, and siting and clearing operations have been completed for the Zaria Branch.

Girls' Education.—There has been a considerable advance during the year in the Northern Region, where resistance to the education of girls is strongest. Senior primary schools for girls have been opened by the Native Authorities at Birnin Kebbi and Kontagora. Five students were awarded Elementary Teachers' Certificates at Kano Girls' Training Centre, whilst at Sokoto Girls' Training Centre, which is being expanded and where an Infant School has been opened, another eleven obtained the Vernacular Certificate. Two additional Government Girls' Training Centres are being built at Maiduguri and Kabba. The Domestic Science Organiser has toured extensively and her advice has been invaluable both to Native Authorities and Voluntary Agencies; unfortunately, the widespread demand for additional Domestic Science Centres cannot yet be met on any considerable scale owing to the dearth of qualified non-expatriate staff. Early in the year, the Chief Woman Education Officer for the Northern Provinces visited the Sudan and reported on the organisation of girls' education in that territory with a view to the possible adoption of some of its features in this predominantly Moslem Region.

Elsewhere, it is clear that there is room for considerable extension of the separation of mixed schools into schools for girls and boys, but the pace is governed by the shortage of trained teachers, which is likely to persist, as the annual loss to the profession, mainly through marriage, is high.

The number of girls receiving secondary education is not at present large. Very few girls, however, attend the secondary schools of doubtful efficiency which attract such large numbers of boys; it seems therefore that the demand for girls' secondary education does not

exceed the supply, though with the increasing number of girls now attending primary schools it is unlikely that this position will persist for long.

Adult Education.—The demand for organised programmes of Adult Education and Mass Literacy campaigns is severely straining the resources of the Adult Education Branch of the Department. Up to 1949 these programmes were initiated with funds provided by the Department, but in 1950 some Native Authorities voted sums on their own. Benin in the West, Nasarawa-Keffi in the North and Ahoada in the East are typical examples—the first-named having voted the sum of £600 towards Adult Education.

The number of campaigns in which the Department is assisting has increased from twenty-four in 1949 to thirty-three. These campaigns covered 52,700 pupils in 2,590 classes. In the North all the classes are for literacy instruction, but in the other Regions about one-fifth are for post-literacy instruction.

The increasing number of women attending literacy classes is encouraging. The North reports that there is now a sprinkling of women in nearly every class while the biggest response is still in the Eket Division of Calabar Province where in a recent campaign 2,200 out of 2,500 were women.

Assistance is given in the production of seven newsheets, four in Yoruba and one each in Hausa, Tiv and Ibo. Publication of the Efik news-sheet has ceased partly owing to distribution difficulties. The circulation of the Hausa fortnightly news-sheet has risen from 7,000 to 10,000. The Ibo news-sheet has been recast as a magazine and is proving increasingly popular.

Booklets are now being produced in seven languages: Hausa, Tiv, Yoruba, Bini, Etsako, Ibo and Efik. In the other languages there are sixteen publications. There are now seven Primers and 104 booklets produced under the aegis of the Department.

Assistance has been given to the Prisons Department which has started an active programme of Adult Education classes in His Majesty's Prisons.

Technical Education.—The Technical Branch of the Education Department continues to expand, and progress with the building programme is being maintained notwithstanding supply difficulties. At Enugu the new buildings for the Technical Institute are well ahead of schedule and plans are being prepared for new classes to begin there in the near future. Construction work at the Ombe River Trade Centre in the Southern Cameroons is well advanced and work on the new Trade Centre at Vom Road, Jos, has begun. Sites have been secured for Trade Centres at Sapele and Kano and building operations will begin at both places in the new financial year.

[Annual Statement on Government Activities]

[Education]

Carpenters	30
General Mechanics	39
Bricklayers	25
	<hr/>
Total	94

At Enugu Trade Centre, training is now given in eight trades with a total of 170 apprentices as shown :—

General Mechanics	21
Motor Mechanics	20
Cabinet-Makers	26
Painters and Polishers	22
Sheetmetal Workers	22
Carpenters	18
Electricians	20
Blacksmiths	21
	<hr/>
Total	170

Government Clerical Training School.—Encouraging reports have been received about the work and conduct of the first stenographers and clerks trained at the Government Clerical Training School, Oshogbo, who were appointed to many Departments of Government during the year, and on the Native Authority scribes and clerks who returned to their stations throughout the territory after a special six months' course at the school.

Electricity Department

The formation of the Electricity Corporation was described in the section dealing with that Corporation on page 7 above. The paragraphs below summarise the work during 1950 of the Electricity Department from which the new Corporation takes over.

The staff position is somewhat easier, especially on the accounting side, but it is still difficult to house any additional staff. The Corporation therefore intends to provide a comprehensive housing scheme. The shortage of experienced and qualified Engineers, particularly Electrical Engineers, is still acute and it is now clear that better terms of employment and salaries will have to be offered to attract the right men. Many candidates have come forward but are of a lower engineering grade and unsuitable. Thirteen young graduate engineers, fresh from the University, have been taken on the staff but it will not be possible to place any more at present.

Out of the total establishment now necessary the vacancies amount to a little over 20 per cent. Eight officers have left the service since January, 1949, and as a further five are expected to leave in the near

future, the position remains serious. The urgent need of expert maintenance of plant at all undertakings still exists, but, with recent additions to the staff, some of this maintenance work is now under way.

Construction Engineers of the right type are proving equally difficult to obtain, and although the position is now better, the vacancies still existing amount to some 40 per cent. Materials are now arriving in large quantities for the Development programme and resort has had to be made to obtaining suitable men on loan from various manufacturers, as part of the contract.

Electrification Schemes by Contract.—A scheme for the complete electrification of large townships by contract is now in hand and local and overseas firms have been invited to submit tenders. This has involved the preparation of complete specification plans and drawings covering types of buildings, foundations, machines, switchgear, transformers, and the overhead distribution system, to enable the firms to quote on a uniform basis.

Delivery of Materials.—Delivery of generating plant improved considerably and most components could be obtained within two years. A considerable quantity of material has been delivered, but with the advent of the rearmament programme in United Kingdom deliveries have again fallen back.

The bottleneck in the delivery of steam raising plant and structural steelwork still remains and may get worse.

MAJOR SCHEMES

The New Ijora "B" Power Station, Lagos.—The plans for the 75,000 K.W. Power Station for Lagos (one of the largest and most up to date steam power stations in Africa, north of the Equator) are now well in hand. Orders have been placed for the first two turbo-alternators (12,500 K.W. capacity each) and for the boilers.

The New Enugu Power Station.—Plans for this station have been completed, and it is hoped to negotiate contracts.

Onitsha Electricity Scheme.—Negotiations have reached an advanced stage for the installation of generating capacity of the order of 4,800 K.W.

HYDRO-ELECTRIC SCHEMES

Njoke.—Practically all the materials are now on hand for this scheme and the generating unit is expected to be shipped shortly. Construction work is well in hand; the civil engineering work is being carried out by a local firm of Contractors.

Shiroro Gorge.—The Consultants' report on this scheme has been received and is being considered.

Ogun River.—The possibilities of a Hydro-Electric scheme on this river are being investigated; a party of surveyors is at present making contour surveys of the superficial area to be enclosed by a dam, and surveying possible dam sites.

Kafanchan.—Planning on this approved hydro-electric scheme is now well advanced. Work on the site is expected to begin soon but it is not likely that an electricity supply will be available till late in 1951.

Forestry

Further progress was made with Africanization of the staff during the year. Apart from the two Assistant Conservators, Forest Accountant and Administrative Assistant already on the Senior Staff two nominees returned from Oxford and are awaiting a meeting of the Central Public Service Board with a view to appointment as Forest Officers, while two others took their places at the Imperial Forestry Institute and are now undergoing a special course of study. One of the latter is the first Northerner selected as a possible Assistant Conservator. All the six men which the Forest Department has nominated for this special training have made a very favourable impression upon the authorities at Oxford both as regards their studies and their participation in the general life of the University.

The Nigerian reading for an Honours degree in Botany at Nottingham continued to do satisfactorily and is now in his third year. Another student entered University College, Ibadan, making a total of three. These Ibadan students are to take a degree in general science before entering upon a course of forestry, a training which the Chief Conservator considers to be the best background for a forest officer. This makes a total of twelve substantive or prospective African Senior Service officers to date in the Forest Department. Not all those who have been selected as possible officers have succeeded in entering University College. The Department is faced with the difficulty, common to forest services the world over, of finding men who combine academic proficiency with a real liking and suitability for a hard life in the field. Forestry, especially in Nigeria, is a profession which requires a nice sense of balance between what is theoretically desirable and what is practically possible; moreover, in the early stages of Nigerianization it demands men with a fine sense of leadership and responsibility and it would be folly to take academic skill as the sole criterion.

Apart from the two Nigerians mentioned above, whose promotion has not yet been finally decided by the Public Service Board, the Department was strengthened by the appointment of nine new Assistant Conservators during 1950. This, together with eleven appointed in 1949, is a most welcome addition to the forestry staff but, because new recruits take an extra years' course at the Imperial Forestry Institute

at the end of their first tour, three years elapse before the Department acquires any second-tour men. Of thirty-six Assistant Conservators no less than twenty-five are in their first tour, only three are second-tour men, while of the remainder three alone have more than five year's experience.

Development Plan Revision—Progress in Regions.—Forestry received a sad setback when it was decided that the Ten Year Development Plan must be revised and the full programme held in abeyance. The Plan as it now stands shows a saving of £311,000 over what it would originally have cost. The Western Region, being, as regards forestry, more advanced than the rest of the country, came off best, having more or less achieved the limited objective of the Plan; the North suffered most severely. Forestry in the Western Provinces, by reason of the inherent richness of the forests and the long connection with the timber trade, is a paying business and it therefore makes more appeal than in the North and East; but it is, of course, precisely where forestry is most backward that development is most needed.

The Eastern Region is in an unfortunate position in being dependent to some extent upon commercial interest in its forests. Although the original goal has not been attained it is thought that as many forest reserves as are possible have now been secured; the consolidation of the position in these is well in hand but it is not feasible to turn forestry into anything like the business proposition of the West unless experienced timber firms are prepared to invest capital in the forests and undertake the extraction of lesser known woods from somewhat difficult terrain. One of the drawbacks is that the Eastern forests are not served by a system of floatable rivers and creeks as those of the West. Although in the future the whole of Nigeria's timber supplies may be required to satisfy local demands, at the present time the export trade is an essential to making forestry a paying proposition. Progress in the East is therefore, for the moment, at a standstill while endeavours are made to attract commercial enterprise. Some of the year's effort has been devoted to clearing away difficulties presented by the law.

The Northern Region is still in a very early stage of forestry, that of reconnoitring for forest reserves and subsequently settling and creating them. There has been, and still is, a shortage of trained forestry staff and the position has not been eased by the large cut in the Development Plan; nevertheless, 295 square miles of reserve have been added to the primary forest estate together with 6,814 acres of communal forestry areas. It is encouraging that village communities are beginning to realise the value of the latter and that in northern Kano and Katsina Provinces the annual coupes are eagerly taken up. Apart from public undertakings there is as yet little demand for sawn timber in this Region and the experimental mill which was designed to see whether some

good use could be made of savannah woodland has not proved a success. This was partly due to the poor quality of the trees, a very high percentage being hollow from fire, partly to the lack of any real demand except for really high quality lumber, but chiefly to the large labour force required to keep such a mill in operation in Nigeria. A similar mill in Europe would be competently worked by two or three men who would do the felling, extraction, sawing, mechanics, stacking and selling themselves.

The Western Region continued, in its controlled exploitation and regeneration of its forests, to be an example not only to Nigerian forestry but to tropical forestry in general. Visitors to the Benin forests anxious to study the methods of Nigeria's first large forest working plan now being worked out by the Nigerian Forest Department are becoming frequent. A further great advance was made by the extension of rational forestry to the Ijebu forests due to the formation of a company, Omo Sawmills of Nigeria Limited. This is a combine of all the parties, both African and European, interested in the Ijebu timber concessions under the aegis of the Colonial Development Corporation. As separate units the concessionaires could never have made a commercial proposition of their areas and the Forest Department would have been presented with a difficult problem over regeneration. The licensees, for their wisdom in combining, and the Native Authority, for its foresight in making the necessary agreements, are all to be congratulated.

The West is fortunate in having rich forests, in having reserved a large proportion of them, and in having a long forestry tradition which enables the owners to appreciate the value of their woodland asset and the need for its proper management. From long experience they repose a trust in their forestry advisers and understand that in order to produce the maximum revenue by modern exploitation methods it is necessary to give commercial enterprise reasonable security of tenure. Without this understanding the first-rate plywood plant and very large sawmill in operation at Sapele would not be possible. These are undertakings of the first magnitude but there is a growing desire upon the part of Africans to erect small sawmills either with or without loans from development funds. Where public money is used it is the policy and duty of the Forest Department to see that there is an assured supply of timber to support a mill but there is a wide realization that at the present time of boom there is much money to be made out of timber exploitation of all kinds and a great deal of felling is being carried out in "salvage" areas which would not otherwise have attracted attention. The very large number of logs to be met daily on the Ibadan-Lagos road is a symptom of this activity. This is all to the good; the trees are largely lone ones standing in farm-lands which might otherwise be destroyed by fire without yielding any benefit to Nigeria.

Timber Production.—There has been a marked increase in timber production, particularly in the Western Region. For probably the first time in Nigeria forestry paid its way in every Province in the West and the Region as a whole showed nearly a quarter of a million pounds profit. As far as Government, as opposed to Native Administration, finance is concerned expenditure was rather less than 3 per cent of the total for the Region while revenue amounted to about 12½ per cent. The picture is very different in both the East and the North where expenditure considerably exceeds revenue for the reasons given above.

In 1948-9 the total value of primary forest products exported exceeded for the first time a million pounds (£1,112,434); in the financial year ending on 31st March, 1950, this figure had risen to nearly one and a half millions, *viz.*, £1,419,337. Advantage is being taken of the world shortage of timber and there is a great deal of "small man" activity, a large number of trees standing in farm-lands and which would otherwise not have been exploited being cut down for export. For this the soft white wood Obeche (*Triplochiton scleroxylon*) is a favourite. This timber is becoming increasingly popular and for the first time the number of trees of this species felled in timber concessions has exceeded what has hitherto been Nigeria's most popular export, African Mahogany (*Khaya spp.*), the proportions being 24.5 per cent and 19.9 per cent of the total trees felled in licensed areas.

Geological Survey

The headquarters office, laboratories and museum are situated at Kaduna Junction. There are also branch offices at Jos and Enugu. The former branch serves the current needs of the tin-mining industry, and the latter is a centre for the exploration of the coal, limestone and lignite resources. Field parties have carried out investigations in all three Regions and in the Cameroons, where two geologists have been employed during the greater part of the year. Close and cordial co-operation has been maintained with the geological staffs of companies engaged in the exploration for and winning of minerals.

Coal.—Work on the coalfield has extended northwards from the Eastern Provinces to the River Benue, and many new seams of coal have been located. One of these, seven feet thick, occurs at Orukram, in Idoma Division, a few miles within the boundary of the Northern Provinces. Drilling is at present proceeding there in order to estimate the reserves available. Drilling is also being carried on for the Colliery at Enugu to prove reserves of coal. A further examination of the lignites around Gombe in Bauchi Province has been made, but the results are not encouraging.

Lead-zinc, Limestone, Tinfields.—Work has continued on the lead-zinc ores of the Abakaliki region with the collaboration of experienced American geologists under E.C.A. Search is being made for limestones

Courses of instruction in England for Court Registrars continue. The first officer to attend has successfully completed the course and returned to Nigeria, a second officer is in the United Kingdom at present and a third officer will shortly leave for the United Kingdom. It is hoped that this course will become a permanent part of the training of Court Registrars.

Labour

Both the size and work of the Department of Labour further increased during the year. A Labour Office was opened in the Gabon, French Equatorial Africa, and Mr W. I. Brinkworth, seconded from the Provincial Administration, was appointed Labour Officer and British Vice-Consul, Gabon; as from the 20th of March, 1950. Efforts were continued to recruit staff to fill existing vacancies. One Trade Tester, one Administrative Assistant and one Secretary-Typist were newly appointed.

Regional Headquarters have been established at Kaduna and Enugu with a Senior Labour Officer in charge of the departmental activities in each Region.

TRADE UNIONS

Organisation.—The year opened with a movement to close the rift which had occurred in 1949 in trade union leadership, and the emergence of a new body, the Nigerian Labour Congress, was announced. Unfortunately unity was more apparent than real, and the leadership of the Congress was largely discredited over its handling of the abortive strike which occurred in December among employees of certain mercantile firms.

Accounts.—The Trade Union Office continues to advise the unions on how to keep their official accounts clearly and legibly. Unfortunately too many wait until they are in trouble before seeking advice, and by the end of 1950 only eight unions had had their 1949 Annual Returns approved.

Trade Union Education.—The correspondence course for trade unionists recommenced in July, 1950 and 207 students were enrolled. The present lack of suitable trade union literature makes it difficult for the students to take full advantage of the course, and consequently the general standard is low.

In April, 1950, the Labour Officer (Trade Unions) invited representatives of all registered trade unions to a conference in Lagos to discuss the introduction of trade union educational classes. The trade unions paid all their own expenses, and 198 delegates, representing eighty-three trade unions, took part in the deliberations. At the conference it was decided to set up a Trade Union Education Committee for Lagos and

the Colony, and to organise classes for trade unionists. Each trade union should pay an affiliation fee, the money thus obtained being used to purchase books and pamphlets on trade unionism.

Four classes were organised at three centres in Lagos and the Colony in June, 1950, and continued for three months with an average of approximately 200 students attending each week. A second series of classes, with one in the Yoruba vernacular, commenced on the 7th November, 1950, and the number of students attending continues to be satisfactory. The six trade unionists who were awarded Government scholarships to study trade unionism in the United Kingdom left Nigeria in April and returned in November.

Two thousand copies of the International Confederation of Free Trade Unions booklet entitled "Free Trade Unions" were received and are being used in the educational classes. Copies have also been sent to each student taking the correspondence course. Over 1,000 have so far been distributed.

A booklet entitled "Guide Book for Trade Union Officials" compiled in the Department has also been widely distributed and well received.

Labour disputes and their settlement.—Most of the disputes which occurred during the year were resolved by negotiation between employers and employees and only in a few cases was it necessary for the Commissioner of Labour to appoint conciliators. Arbitration was resorted to in two cases.

Of the eighty-two industrial disputes which occurred, twenty-six resulted in strike action and involved some 26,876 workers. The four longest strikes lasted for periods varying from seven days to eighteen days, the general average being three days. The most important of these disputes is described in more detail below.

The Amalgamated Union of United Africa Company African Workers and the United Africa Company Limited.—The Amalgamated Union of United Africa Company African Workers in Nigeria and the Cameroons on the 2nd June, 1950, renewed the strike notice suspended in May, 1949. The Union was dissatisfied with the results of last year's conciliation proceedings and demanded the setting up of an Arbitration Tribunal before the 2nd of August, 1950. The United Africa Company consented to arbitration, but the union insisted on taking strike action if arbitration did not start before the day fixed for the commencement of the strike. A widespread strike was subsequently declared as from midnight of the 1st of August affecting many stations throughout the country. The strike was called off as from the 8th of August in Lagos and at various dates in other areas.

Later, Mr Justice V. R. Bairamian was appointed as arbitrator with Messrs F. O. Coker and P. A. R. Lindsay as assessors nominated by the union and the company respectively. In the arbitrator's findings awards were made in respect of only four of the eleven claims of the union. The company undertook to implement the awards and to grant 12½ per cent Cost-of-Living Allowance to all its junior staff throughout the country, although the award referred only to Lagos. As a result of the claim of the union that the arbitrator intended the Cost-of-Living Allowance award to be effective from 1st April, 1950, the arbitrator was asked to interpret the award and confirmed that 10th November, 1950, was the effective date. The union then rejected the arbitrator's findings on all the points.

As a result of their dissatisfaction with the arbitrator's findings, the leaders of the union, supported by the Nigerian Labour Congress, called the employees out on strike on 14th December, 1950. The strike, which affected employees of several mercantile establishments in Lagos and other parts of the country, was abortive, and only a small minority of workers took part. It lasted till midnight of the 26th of December.

Enugu Report : Labour Recommendations.—The Report of the Commission of Inquiry into the disturbances at the Government Colliery, Enugu, in 1949, was published on the 10th of June. The report dealt, *inter alia*, with the following subjects :

Trade Unionism in Nigeria,
Industrial Relations at Enugu Colliery,
The need for a system of conciliation independent of Government,
and

The need for more responsible trade union leadership.

Among the recommendations are proposals for the establishment of a Ministry of Labour, Conciliation Boards, a National Tribunal and general conciliation machinery.

The Secretary of State for the Colonies and the Nigerian Government accepted the proposals in principle and arranged for a small group of experts in trade union organisation and labour relations to investigate the problems involved. Two of the experts, Mr E. Cain J.P. (Secretary, Wheatley Hill Branch, National Union of Mineworkers, Durhamarea) and Mr P. G. Weekes (Manager of Oakdale Colliery, South Wales), arrived in June. They were accompanied by Mr E. Parry, Assistant Labour Adviser to the Secretary of State. Colonel C. E. Ponsonby and Mr Andrew Dalgleish, nominated by the British Employers' Confederation and the Trade Union Congress respectively, joined the party later. Messrs Parry and Weekes have since returned to Nigeria to give further assistance in improving industrial relations at the Colliery.

LABOUR LEGISLATION ENACTED DURING THE YEAR

The Labour Code.—The Legislative Council in September approved an Ordinance, No. 34 of 1950, amending sections of the Labour Code Ordinance mainly in order to bring them into line with various International Labour Conventions Nos. 82, 83 and 85, which were adopted during the Thirtieth Session of the International Labour Conference in 1947.

Workmen's Compensation.—The Workmen's Compensation (Amendment) Ordinance, No. 23 of 1950, extends the provisions of the original Ordinance so that not only may more workers benefit but the benefits themselves are increased considerably.

Lands

In 1950 the Land Department had its first year's working as a completely regionalised department. In addition to its long established responsibility for the administration of Crown land and acquisition of sites for public services, the Department is now increasingly consulted on such matters as town planning and schemes of agricultural development.

Headquarters and Colony Section.—The development of suitable Crown land in or around Lagos is nearly complete. What parts remained of the residential areas at Ikoyi, Apapa, and Yaba have now all been laid out, beaconed and leased; practically half of the Ikeja layout has been taken up owing to rapid growth of services and population round the airport; and the Lagos Executive Development Board has secured a lease over the whole vacant area at Apapa west of the port where swamp reclamation, further raising of the land, and development of a new industrial business and residential satellite to Lagos are proceeding. Nearly 100 leases were granted in all, including one over a valuable waterside plot where the Colonial Development Corporation will establish a trawler-fishing base, cold store and saw-mill.

This expansion will leave only the second half of Ikeja ready for immediate development if wanted. All the other unoccupied portions of Crown land (the swamps on Victoria Island and along the fringes of Ikoyi, Ijora and Apapa) need extensive filling to make them of any value. This work continues slowly on Victoria Island with spoil dredged from the harbour; but it is likely to be a number of years before it will be possible to create the layouts planned for this area and so relieve congestion in Lagos itself.

Within the already established layouts, the department undertook both a general re-examination of its rent scales, which in recent years had fallen very much below current values, and outstanding revisions on existing leases—most of them held over from the war and immediately post-war years. Rather more than £3,000 have been thus

added to the rent roll. In addition, active measures such as penal rents or suits for forfeiture have been taken to enforce the implementing of their building covenants by negligent and defaulting lessees. Such action is commonly attributed both by Courts and public to the malice of those who take it: in fact it has hastened the completion of badly needed accommodation to the benefit of the public at large.

There has, as always, been a heavy volume of other court work arising from public acquisitions and the defence of the Crown's title against encroachment or challenge. Three decisions are at present on appeal before the Privy Council. One extremely important and long argued claim is about to come up for hearing.

Eastern Region.—Public acquisitions and the administration of Crown land have occupied much of the attention of the Eastern Branch also. Thus thirty-three acquisitions of varying types were handled, and nineteen of them brought to their final stage of certificate of title. The purposes in view included the establishment of government stations, aerodromes, waterworks, hospitals, and educational, agricultural, postal, police and customs services. On the other hand action is nearly complete by which the Crown will divest itself of all rights in parcels which were acquired long ago or passed to it under the Niger Lands Transfer Ordinance, but for which it no longer has any use. Similarly the administration of all Crown land in the large and important centre of Port Harcourt is about to be entrusted to the Planning Authority, an almost entirely African body, which now holds delegated powers under the Crown Lands Ordinance and which will use the revenue accruing for local development. This same course is proposed in the other three main townships of Aba, Umuahia and Enugu. The necessary staff is being provided or trained by the Lands Department.

The Registry dealt with 790 instruments as against the 150 of 1949, as it assumed responsibility for all Crown grants, in addition to the private dealings formerly handled.

Western Region.—A feature which has always marked work in this Region is the very much closer contact established here with the Provinces, in particular with their Native Administrations, than has been possible elsewhere. Thus the Department was asked to prepare amending legislation under the Native Authority Ordinance, which it was hoped to get on the Statute Book during the year, with the object of securing these administrations in their title to land already occupied for public services of one kind or another, and of further giving them powers to set aside other land they may need for public purposes. In similar fashion, the enquiry into systems of tenure in Ondo conducted in 1949 was followed by a set of Rules, prepared in immediate consultation with the Akure Native Authority, to give control over the

alienation of land to strangers and establish the beginnings of a Native Authority registry. These are requirements which exercise many minds; and demands for the means of dealing with one or both problems are common. Other Authorities have therefore asked for copies of the Akure Rules, which are likely to replace the specimen prepared in 1949, and the Akure records office will probably become a try-out for the rest of the Region. Its clerk was trained at Ibadan, and the Assistant Registrar there was called upon to devise for it simplified machinery and records.

No other enquiry of the Ondo type has been completed during the year, owing chiefly to gaps in staffing caused by leave periods; but collection of material has begun in Warri and Ijebu-Ode Provinces, and a more detailed field survey of a village in the upper Ogun region of Oyo. Contacts so established and the information obtained have earned for the department recognition of the part it can play in the framing of production or settlement schemes, and it is in regular consultation with Regional Development Authorities about them.

Registry.—The Registration of Titles Ordinance was applied to a further area of Lagos. The first declarations have also been made under the Glover Settlement Ordinance, but no judge has yet been available to deal with the ensuing applications.

It was hoped that the year would also see enactment of amending provisions under the Land Registration Ordinance, designed to secure the record of judgments relating to land entered in all Courts from Magistrate's grade upwards, but the bill was deferred for minor additions and has not yet come up again.

Legal Department

At the Budget Meeting of the Legislative Council in March, 1950, the strength of the Department was increased by ten posts of Crown Counsel, but owing to the necessity for economy five of these posts were reserved. The Department has been able to increase its strength within the limits set, but present indications are that if it is to keep pace with modern requirements it must be considerably expanded.

There has been during the last year a considerable increase in the ordinary routine work coming to the Department, and the Law Officers have been, and still are, occupied with the New Constitution. During 1950, thirty-eight Bills passed into law, and the more important of them include:—

The Electricity Corporation of Nigeria Ordinance, 1950.—This Ordinance established the Electricity Corporation of Nigeria. The Corporation consists of a Chairman and five members appointed by the Governor in Council and four members appointed by an Advisory Council established by the Ordinance.

The Ordinance transfers to the Corporation the existing Electricity Undertakings in Nigeria, and vests in the Corporation all the assets and liabilities of the Undertakings transferred.

The Eastern Region Local Government Ordinance, 1950.—This Ordinance provided for the establishment of a Regional Authority and Local Government Councils. The Regional Authority is established by the Governor, and the local councils are established by the Regional Authority after consulting the wishes of the inhabitants. A Council consists of a Chairman and such number of Councillors as is laid down in the Instrument by which it is established. The general functions of the Council are to maintain order and good government within the area of its authority.

The Lagos Local Government Ordinance, 1950.—This Ordinance provided for local government in Lagos. The Ordinance provided for the delimitation of the town of Lagos into such number of wards, not being less than seven, as might be deemed expedient by the Governor in Council. It replaced the existing Lagos Town Council by a Town Council, consisting of three councillors for each ward, and a Mayor, and gave to the township of Lagos universal suffrage.

The Produce Inspection Ordinance, 1950.—This Ordinance provided for regulating the inspection and grading of produce intended for export and for the control of pests in produce.

The Nigerian Coal Corporation Ordinance, 1950.—This Ordinance established the Nigerian Coal Corporation, which consists of a Chairman and not less than six and not more than nine members appointed by the Governor in Council. The Ordinance transferred to the Corporation all Colliery Undertakings of the Government and all assets and liabilities of such undertakings.

The West African Institute for Trypanosomiasis Research Ordinance, 1950.—This Ordinance established the West African Institute for Trypanosomiasis Research to undertake research into and investigate all problems relating to the disease, and for the provision of information and advice relating to it.

The Agriculture Ordinance, 1950.—This Ordinance replaced the Agriculture Ordinance, 1948.

During the course of the year under review Sir Gerard Howe, K.C., has been translated to the office of Chief Justice, Hong Kong. The good wishes of the Government, the Department, and the many persons he has befriended in Nigeria will go with him.

Marine Department

Staff.—The shortage of Engineer Officers is still a serious problem but the successes of African Officers in passing their Ministry of Transport Examination has reduced the deficit of Engineer Officers

to eleven. Eight African Officers have now passed their Second Engineers Certificates, and seven of them have passed Part A of their First Class Certificate. Two others obtained their First Class Engineers Certificates, and on the Executive side all four African Officers obtained their First Mate's Certificates during the year.

Two Nigerian youths commenced serving their apprenticeship on Marine sea-going vessels; on the completion of their six years qualifying time they will be able to sit the Ministry of Transport examination for Second Mate. If successful they will then be entitled to serve as Second watch-keeping officers. After further qualifying time and two examinations they will, if successful, be fully qualified Master Mariners.

Transport.—During the year two new ferries have been placed in commission, with a consequent improvement in the frequency of the services.

The *Vega*, a twin-screw motor passenger ferry built in the Marine Dockyard, Apapa, was, on the 23rd of October, 1950, placed in commission on the Lagos-Apapa ferry service.

The *Oloma*, a twin-screw diesel vehicular ferry built in the United Kingdom, was commissioned in August and now maintains a service every two and a half hours between Onitsha and Asaba, the first week-day trip being from Onitsha at 0700 hours and the last from Asaba at 1800.

The *Viking*, another motor craft built at Apapa and completed at Forcados, was on the 15th of December, 1950, commissioned on the Lagos-Warri Creek Mail Service. She is a vessel 95 feet in length, carries seventy-five deck passengers, 70 tons of cargo and has two cabins for the accommodation of passengers. She is a big improvement on the previous craft engaged on this service, having an additional deck and being fitted with electric light. A similar vessel now completing at Port Harcourt will shortly be placed in commission on the Port Harcourt-Abonema-Brass Mail Service and a third vessel building at Apapa will on completion be placed on the Lagos-Warri Service.

Inland Waterways.—The cutting of a canal at Igbogoda was begun. The seasonal clearing of waterways in all Marine Divisions was started with four waterway parties in December.

Ports.—Shipping figures at the two major ports, Lagos and Port Harcourt, show a marked increase over previous years. At Lagos alone, nearly 2½ million tons of shipping entered the port during the year. Congestion was experienced at many of the Nigerian ports during the first three months of 1950 but by concentrating on import cargoes and staggering exports, the situation had greatly improved by June. It has long been realised that the present port facilities, especially at Lagos and Port Harcourt, are inadequate to deal with post-war shipping,

and plans are well advanced for expansion. Already a new coaster wharf has been completed by the Marine Department below the Government Oil Wharf in Lagos, and early in 1951 work is commencing on the extension of the main Apapa Wharf and adjoining shed space. With the provision of more deep water berths in the harbour, accommodation will be provided for six additional ocean-going vessels when the work is completed.

Dredging.—Dredging operations were greatly curtailed during the year owing to the shortage of engineers, and the number available allowed for the operation of one large dredger only. Depths, however, were maintained in the main channels and pool anchorages, the majority of spoil lifted being used for reclamation. Two new berths were dredged out by the B.D. *Queen Mary*, and the grab dredger *Mole*. This latter vessel, which was commissioned last October, has proved a valuable asset in the Harbour, when working in limited spaces alongside the face of the main wharves.

Dredging on the Escravos Bar was carried out by the *S.D. Ibadan* from January until the close of the fine weather season in April and was resumed again in November.

Marketing and Exports

The Department of Marketing and Exports was formed in September, 1948, with three main functions, *viz* :—

- (a) to act as the executive of the Marketing Boards ;
- (b) to assume responsibility for the Produce Inspection service, which was transferred to it from the Department of Agriculture ;
- (c) to advise Government on matters connected with the marketing of export crops, other than those handled by the Marketing Boards.

To these was added a fourth when, as from the 1st April, 1950, administrative responsibility for the West African Pest Infestation Research Unit was vested in the Department.

At the 31st December, 1950, fifty-five out of sixty-two authorised Senior Service posts in the Department were filled ; nine of them by Nigerians. These total figures do not reveal the fact that the Marketing Section of the Department remained considerably under-strength. Particular difficulties have been encountered in recruiting candidates with the necessary qualifications for these posts.

(a) *The Department as executive of the Marketing Boards.*—All four Marketing Boards have appointed the Department of Marketing and Exports (excluding the Produce Inspection Branch) as their executive. As such, the Department is responsible for carrying out the day-to-day business of the Boards, according to the policies laid down by them. A summary of the activities of the Marketing Boards has already been given (*see* Marketing Boards, pages 8-12 above).

(b) *Produce Inspection Service :*

(i) *General.*—As distinct from the Department's function as executive to the Marketing Boards, Produce Inspection is a service of Government. This distinction is shown by the fact that the Produce Inspection branch estimates are shown separately in the Departmental Estimates.

(ii) *Produce Inspection Ordinance (No. 24 of 1950).*—The most important development in this field has been the enactment of the Produce Inspection Ordinance (No. 24 of 1950). Regulations for the inspection and grading of produce had previously been made under the Agriculture Ordinance since the Produce Inspection branch was formerly a part of the Department of Agriculture.

For technical reasons connected with the transfer of legal responsibility, the Produce Inspection Ordinance will not be brought into effect until April, 1951. Under this Ordinance, a Produce Inspection Board under the chairmanship of the Director of Marketing and Exports is created and this Board is the responsible authority for the issue of Regulations affecting Produce Inspection. Several meetings of a Shadow Produce Inspection Board have already been held and draft Regulations considered both by the Shadow Board and its Shadow Advisory Committees. As soon as the Ordinance is brought into effect and the Statutory Board established, these Regulations will be enacted. They represent a major work of codification of a mass of Regulations made over the last twenty-four years which have been brought up to date and improved in the light of experience. This clarification of the law relating to Produce Inspection will be in the interest of all concerned and not least to all those whose business involves the handling of crops subject to official inspection.

(iii) *Produce Inspection Branch.*—Under crop headings, brief details are given below of the main work of the Produce Inspection branch :

1. *Cocoa.*—The satisfactory continued improvement in quality of Nigerian cocoa has been already noted. The Produce Inspection branch has undoubtedly played a large part in this achievement.

2. *Palm Kernels.*—Palm Kernels are inspected for impurity content. The quality was on the whole satisfactory.

3. *Palm Oil.*—All technical and plantation palm oil is inspected for impurity content. Grading of technical palm oil according to the percentage of free fatty acid present is carried out by the licensed buying agents.

In the case of Special Grade Oil, introduced in 1950 by the Nigeria Oil Palm Produce Marketing Board as part of its policy to encourage production of higher grade oil (*see* under Marketing

(d) *West African Pest Infestation Research Unit*.—This Unit came into being on the 1st of April, 1950. It was formed to carry on the research work previously conducted by the West African Pest Infestation Survey. This initial Survey had commenced in 1948. It had been controlled by the Stored Products Research Sub-Committee of the Committee for Colonial Agriculture, Animal Health and Forestry Research of the Colonial Office and financed entirely out of centrally controlled Colonial Development and Welfare Funds.

The cost of the West African Pest Infestation Research Unit, which has been set up for an initial period of two years, is shared as follows :—

Nigeria 90 per cent
Sierra Leone 8 per cent
Gambia 2 per cent.

Of the Nigerian contribution, 25 per cent is borne by the Government and the balance shared between the Cocoa, Groundnuts and Oil Palm Produce Marketing Boards.

The objects of the Unit are to investigate all questions of Insect Infestation of stored produce and to make recommendations for controlling such infestation and reducing losses which arise. Largely owing to the outbreak of *trogoderma* infestation of groundnuts in Kano in 1949, the work of the West African Pest Infestation Services had been confined mainly to the North. Since this has now been greatly reduced, the work of the West African Pest Infestation Research Unit is being concentrated to a greater extent on the problem of pest infestation in the South, particularly in the cocoa areas. An expert from the London Fumigation Company recently visited Nigeria to survey the possibilities of using fumigation and other modern techniques and to make recommendations regarding the training of personnel for such control work. His report is awaited.

Whilst continuing to operate under the technical direction and advice of the Stored Products Research Sub-Committee of the Colonial Office, the Unit is attached to the Department of Marketing and Exports. Not only does this arrangement make for economy in administration, but it also ensures the necessary co-ordination between the Research Unit and the authority responsible for implementing agreed measures of control in Nigeria. The interest of the Marketing Boards in matters of pest infestation is obvious. It has been emphasised by the recent introduction of legislation in the United Kingdom insisting on a higher standard of freedom from pest infestation in all products imported into the country.

The work of the West African Pest Infestation Research Unit has been hampered by difficulties in recruitment of specialist scientific staff, and delay in equipping a suitable laboratory in Lagos.

Medical

The work of the Medical Department has continued to progress during the year, but, as in previous years, shortage of technical staff has kept achievement below our aims.

TRAINING SCHEMES

X-Ray Technicians.—A start has been made in the training of X-Ray Technicians and sixteen are now under instruction.

Dental Technicians.—The final details of the training scheme have been completed and suitable candidates are now in training.

Pharmacy.—At the School of Pharmacy, Yaba, 105 students received instruction and twenty-four of those who completed training and passed the necessary examinations were awarded Diplomas as qualified Chemists and Druggists. At Zaria, where the educational standard is lower, the certificate awarded is the Dispensers' Certificate (Northern Provinces). During the year thirty-one students were under training and the number who completed the course and received certificates was seven.

Nurses and Midwives.—The new Lagos residential Preliminary Training School for nurses has been completed and female students will take up residence early in the coming year. During 1950, approximately 150 pupils, male and female, completed the six months' course at Preliminary Training Schools and were distributed throughout the various training hospitals. With the increasing numbers and size of hospitals, it must be obvious that, until many more suitable candidates come forward, particularly females, the staffing problem will remain acute. Of the nurses-in-training, 165 passed the qualifying examination and became Nigeria Registered Nurses. Twenty-five Midwives completed their training at Government Maternity Training Hospitals and successfully qualified as Midwives, Grade I.

Assistant Physiotherapists.—These are trained at the Orthopaedic Hospital, Igbobi. Five qualified in 1950 and seven are in training.

Laboratory Technical Assistants.—Training continues in Lagos and has been commenced also in the Northern Provinces at the Kano Pathology Department.

Sanitary Inspectors.—A new Sanitary Inspectors' Training School at Aba has started an advanced course for Government Sanitary Inspectors. A total of forty-one Sanitary Overseers were trained during 1950. In the North, twenty-five Sanitary Inspectors passed their examinations and qualified. In the Lagos School, there were fifty-four first and second year pupils; thirty of these completed the course and twenty-four were successful in qualifying as Sanitary Inspectors. Twenty-four Sanitary Inspectors obtained the Certificate of the Royal Sanitary Institute.

in teaching and training and short courses in malariology have been given to medical students of Ibadan University College and to Sanitary Inspectors and Medical Field Unit Dressers.

Sleeping Sickness.—Over 300,000 persons were examined and 3,000 new cases diagnosed and treated. The majority of cases come from the provinces of Benue, Plateau, Zaria and Southern Kano. The Sleeping Sickness Service continued the policy of tsetse fly eradication by clearing as rapidly as staff and funds permit. The success of this policy is shown by the fact that in one area 150 square miles have been freed from the fly and should soon become a mixed farming area. Surveys have been carried out in connection with development schemes in Plateau and Bornu Provinces and the possible new railway extension from Nguru to Maiduguri.

Filariasis.—Research on this subject has continued and much valuable data has been acquired.

Tuberculosis.—Two medical officers are in the United Kingdom on extended courses on Tuberculosis Control. It has not been possible to obtain the services of a Tuberculosis Specialist, but it is expected that the officers mentioned above, with their experience of local conditions and recent training, will be suitable persons to initiate investigations into the incidence of tuberculosis. Surveys and skin tests are being carried out at present in an attempt to obtain a clearer view of the numbers affected. One mass miniature radiography set is now working to capacity in Lagos and a further set is on order. In Lagos the Mass Miniature Set has dealt with school children and Town Council employees as follows :—

Mass Miniature	..	..	..	..	3,731
Recall on large film	..	..	..	..	380
Chest Clinic	..	..	..	..	2,298
					6,409

More hospitals are setting apart beds for isolation of tuberculous patients and it is intended that tuberculosis pavilions will be included in the expansion schemes for General Hospitals.

Maternity Services.—Ante-natal clinics continue to be the most popular of all medical services and it is almost impossible to keep up with the demands. In Lagos alone attendances average 300 daily and deliveries are in the neighbourhood of 400 each month.

Dental Services.—The demand for treatment increases and is only limited by the capacity of the available staff.

X-Ray Services.—Eight new centres have been opened and there are now twenty-six X-Ray Units in eighteen X-Ray Departments. In addition, obsolete units have been replaced by modern shock-proof apparatus.

Six complete sets of equipment are ready for installation as soon as power is available. Eight further sets of equipment are on order and two large four-valve X-Ray Units in addition to a completely mobile and self-contained Mass Miniature Radiography Unit (*see* under Tuberculosis above).

Laboratory Service.—Work is steadily increasing. The production of smallpox vaccine has been increased and buildings are under construction for the production of yellow fever and smallpox (Scratch) vaccine. Research into the epidemiology of cerebro-spinal meningitis in the Northern Provinces is continuing.

Medical Research.—The former Yellow Fever Research Institute passed from the control of the Rockefeller Foundation to that of the Colonial Medical Research Service and is now renamed the Tropical Diseases Research Institute. Preliminary work has been started on research on the anaemias and the beginning of a detailed study of the neurotropic viruses other than yellow fever.

Research in Tropical Physiology.—This scheme has continued its work on detailed study of the sweat rates, skin and body temperature, and changes exhibited by unacclimatised Africans working in a variety of different climates. Research is also about to start on the endocrine aspects of heat acclimatisation.

Mental Hospital.—A beginning has been made to the building of a new Mental Hospital at Abeokuta. Two nurses sent to the United Kingdom for training as Mental Nurses have successfully completed their studies and returned to Nigeria. Plans have been drawn up and funds made available for the expansion of the Calabar Mental Hospital by fifty-two beds and two occupational therapy halls for males together with ancillary buildings.

Meteorological

Organisation.—Proposals for moving the West African Headquarters of the British West African Meteorological Service from Accra to Lagos, and for combining the functions of the Chief Meteorologist, Nigeria, with those of the Director were approved by the four West African Governments and the Secretary of State, and were made effective from 1st April, 1950. The movement of the Headquarters took place in June, 1950.

Staff.—From 1st April, 1950, the Chief Meteorologist, Nigeria, assumed the post of Director, which had been vacant since the end of 1949, when the holder retired on medical grounds. Apart from the Director, the establishment provided for a Senior Meteorologist and five Meteorologists; of these only one Meteorologist was serving and he was invalided on medical grounds for the first half of the year. This severe shortage of senior officers greatly restricted the development and scientific work of the Service.

The appointment of two more Assistant Meteorologists during the year filled the establishment for this grade, and enabled operational aviation requirements to be covered without undue strain on the staff.

Nineteen new Observers were recruited and underwent a three-month training course during the year, but there was a wastage of eighteen Observers owing to resignations, promotions and transfers so that there was little net improvement in the staffing position. Two Meteorological Observers were recommended by a Departmental Selection Board for courses at Ibadan for an Intermediate B.sc. Both candidates failed the University College entrance examination, but were later awarded a special grant to cover their expenses on a similar course at evening classes in Lagos. Three Observers were granted study leave during the year and proceeded to the United Kingdom for special instruction under the Air Ministry, Meteorological Office. During the year several more senior posts were created in the Junior Service, and filled by promotion.

The clerical staff was increased somewhat during the year, but the general lack of experience of the clerks tended to handicap administrative work.

Equipment.—A considerable amount of equipment was ordered against a grant from Colonial Development and Welfare funds, and some had arrived by the end of the year. It is not likely however that all the equipment necessary to bring stations up to the agreed standards will have been received and installed until the end of 1951.

Buildings.—During the year work was in hand on the erection from Colonial Development and Welfare funds of a permanent Headquarters Office in Lagos; of permanent offices at Nguru, Yelwa and Ondo; of Senior Staff quarters at Ikeja and Kano, and of Junior Staff quarters at Sokoto, Nguru, Ikeja, Potiskum, Yelwa, Katsina, Enugu, Ibi, Makurdi and Bida.

General Development.—An observing station was opened in February at Bali, near Bamenda, to gauge the suitability of a proposed aerodrome. All other synoptic stations were maintained, with some minor breaks in records due to shortage of observers.

More complete and detailed records were obtained from all stations from the beginning of the year. Continued difficulties with regard to printing have further held up publication of full climatological statistics, but some publications should be distributed during January, 1951.

A start has been made on the collection of all available rainfall records in the country and the establishment of a great number of new rainfall stations, but it is unlikely that the rainfall organisation will be fully developed until the end of 1951. Owing to shortage of staff and equipment, it has not yet been possible to organise the collection of

reliable climatological data from stations other than our own synoptic stations, but it is hoped to begin this during 1951.

There are better prospects of recruitment of Meteorologists in the near future, and it is hoped that this will enable more progress to be made with climatological work and special enquiries, which are of such great importance for the economic development of the country.

Upper Air Station.—At the beginning of the year the Ministry of Civil Aviation offered to reimburse Nigeria for the capital and recurrent cost of a station at Lagos to make regular observations of upper air pressures, temperatures, humidities and winds. The necessary equipment has been ordered, the ground station arranged, some Junior Staff has been trained in the United Kingdom and Senior Staff is being recruited. It is hoped to begin observations in April, 1951.

Whilst the direct use of these observations is to provide information for high flying aircraft, the results should be of very great assistance in improving our knowledge of the processes of weather over Nigeria.

Supply of Information.—Weather reports from Nigerian stations were broadcast at three hourly intervals from Lagos and Kano, and, in accordance with an international plan, broadcasts of weather reports covering a large area round Nigeria were made at three hourly intervals from Kano. Broadcasts were also made for aircraft from Kano, Port Harcourt and Lagos.

Routine interchange of meteorological information was made with meteorological offices in adjacent countries.

Meteorological forecasts were issued to all aircraft operating in or through Nigeria, the routes covered extending to Tunis, Dakar, Khartoum and Leopoldville.

The number of forecasts supplied increased somewhat over the previous year, the monthly figures being :—

1950	KANO		LAGOS	
	<i>Flight Forecasts</i>	<i>Landing Forecasts</i>	<i>Flight Forecasts</i>	<i>Landing Forecasts</i>
January	257	314	167	96
February	210	279	164	36
March	242	673	189	57
April	249	625	182	48
May	288	735	186	55
June	278	803	210	68
July	247	736	210	69
August	245	320	207	57
September	270	345	191	50
October	251	317	184	35
November	273	354	188	35
December	285	356	180	47
Total	3,095	5,857	2,558	653

Maps were produced showing the distribution of rainfall, maximum and minimum temperature over Nigeria throughout the year, and were printed by the Survey Department.

There was an increase in the amount of meteorological data supplied to other Departments, the Tropical Testing Establishment of the Ministry of Supply, and commercial firms. This was in the form of basic records and derived information, covering such matters as maximum rates of rainfall for the design of drainage systems and data for the design of refrigeration plants.

International Organisations.—The Service took part in the work of some of the Technical Commissions of the International Meteorological Organisation, and some work was done in connection with the forthcoming transfer of the functions of this Organisation to the World Meteorological Organisation, of which the West African Governments are members.

Various procedures and practices were introduced in accordance with the recommendations of the Meteorological Committee of the International Civil Aviation Organisation.

Mines

The Senior Service staff position of the Department improved slightly during the year, but was still six short of full establishment at the close of the year. The improvement in recruitment is largely due to the grant, on appointment, of incremental credits for post-graduate practical mining experience which brought salaries more in line with those offered by the larger mining houses.

An African Mines Assistant was promoted to fill the senior staff substantive post of Administrative Assistant on 1st November, 1950.

The two former members of the Mines Department Junior Technical Staff who are in the United Kingdom undertaking mining engineering courses were successful in passing their yearly examinations and are both due to graduate during 1951. Two more members succeeded in obtaining scholarships for similar higher training during the year; one has already commenced his studies in the United Kingdom and the other is due to go in 1951.

The Mines Department Technical Training School was completed during the latter part of the year, and courses of instruction were commenced in November for members of the Junior Technical Service.

The Mines Department collection of minerals and rock specimens which has, for the past few years, not been on view owing to lack of suitable exhibition space, has now been permanently housed in the Mines Department School building for the use of the students and the information of the public.

Production : Tin.—There was a further slight decline in the exports of Nigeria's principle mineral products, viz., Cassiterite (tin ore) and Columbite. The figures are :—

	1948	1949	1950
	Tons	Tons	Tons
Cassiterite Production ..	12,714	12,175	11,390
Columbite Production ..	1,096	887	861

The causes of the decline during 1950 were first a low rainfall and second labour unrest. The lack of rainfall affects production indirectly since electrical power for the larger mining machinery is generated by hydro-electric means. The shortage also affects production directly since all concentration of the mineral and much actual production depend on water.

The price of tin reached unprecedented heights during the year ; the highest price in 1950 was £1,300 per ton of metal in London on the 19th December, 1950. The price of Columbite, of which Nigeria is the biggest world producer, advanced steadily during the year. Export of Columbite in recent years was almost entirely to the United States of America but the demand in the United Kingdom has recently become keen and metal dealers are endeavouring to conclude contracts with Nigerian Producers.

Companies incorporated in the United Kingdom are responsible for about 75 per cent of the Tin and 90 per cent of the Columbite production. Those incorporated in Nigeria are responsible for about 8 per cent of the Tin and 7 per cent of the Columbite production. Firms operating under registered business names produce about half per cent of the Tin output and no Columbite, while private operators produce about 17 per cent of the Tin and 3 per cent of the Columbite. All Tin and Columbite is exported in the form of ores.

Tantalite and Wolfram production has practically ceased with only a ton or two exported when it is obtained as a by-product of tin.

Production of lead and zinc ores is still very small and purely a by-product of exploration to prove deposits. The total production of lead in 1950 was 15 tons compared with 200 in 1949. It is anticipated that in a few years there will be an increasing and important export of both lead and zinc.

Gold.—Gold production was 2,527 ounces troy compared with 2,825 ounces in 1949 and 3,295 ounces in 1948. Production has declined since the beginning of the last war and most of it is absorbed internally. Production is all by small firms or private operators, the largest percentage of both being Nigerian.

Mineral Oil.—A British Company has continued prospecting for mineral oil throughout the year.

Coal.—Details of 1950 production are given on page 7 above regarding the Coal Corporation.

Mining Operators.—Coal Mining is a Government monopoly now taken over by the Nigerian Coal Corporation. Mining of all minerals except coal is carried on both by large and small Mining Companies and private operators. At the end of March 1950, there were 143 operators engaged in the mining of minerals except coal; of these twenty-seven were Public Limited Companies incorporated in the United Kingdom, and fifteen were Private Limited Companies incorporated in Nigeria (of these ten were British owned, two Nigerian owned and one each French, Swiss and Lebanese owned).

There were six firms all Nigerian owned operating under registered business names. There were ninety-five private operators of whom sixty-six are British, eighteen Nigerian, four Syrian, three Greek, two French and one each American and Swedish.

Legislation.—The only important legislation affecting the mining industry during 1950 was Regulation No. 45 of 1950 which extended the sliding scale for payment of royalty on tin. Previously whenever the price of tin exceeded £300 per ton metal the royalty was fixed at 10 per cent on the value. The scale now extends by £100 intervals to a rate of 17 per cent on the value when the price of tin metal exceeds £1,000.

Public Notice No. 52 of 1950 prohibited prospecting for the radioactive minerals pyrochlore and cryolite; the search for other radio-active minerals is encouraged.

The Magazine "Nigeria"

During 1950 the Magazine "Nigeria" increased in popularity with the reading public and the 16,000 copies of each issue printed were quickly sold. Very great care is taken to maintain a high standard in the lay-out of the pages and in the illustrations.

The revenue from advertisements combined with that from sales enabled the printing and freight costs to be covered without permanently depleting the working capital of the magazine.

The selling price was maintained at 1s a copy. This low price could not be maintained without the very valuable free service given to the magazine by the many well wishers who help to distribute and sell it without commission throughout Nigeria. The magazine is bought by both Africans and Europeans and the Editor continues to receive from readers many letters of appreciation of its contents. It is filling a need for well illustrated reading matter of a non-political, cultural type that otherwise is uncatered for.

The articles and pictures (of which there are usually over a hundred in each issue) not only help people in Nigeria to learn more about the country but are of great value in spreading knowledge of Nigeria and her people to readers overseas.

The magazine continues to develop appreciation of African arts and crafts and interest in the preservation of antiquities.

The photographic equipment of the magazine continued to be improved and now includes a large studio with up-to-date lighting arrangements. This has proved of value in the preparation of photographs for advertisers and for the preparation of illustrations connected with articles on biological subjects.

Staff.—An African member of the photographic staff spent the year on study leave in the United Kingdom and has gained experience as a press photographer on the staff of a Provincial newspaper.

A suitable candidate for the post of Assistant Editor has not yet been found and this has made it necessary for the Editor to continue editorial work during his leave periods. The building up of a yet wider system of distribution would no doubt greatly increase sales and an Assistant Editor could devote some time to this problem.

The Exhibition Centre.—The Exhibition Centre, a subsidiary organisation conducted by the Editor of "Nigeria", was used for six art exhibitions during the year and attracted many members of the public.

The room was also in frequent use for scientific society meetings and demonstrations.

Police

Establishment.—The establishment of the Force on the 31st of December, 1950, was :—

Officers	143
Inspectors and Sub-Inspectors ..	166
Rank and File	7,012
	<hr/>
Total	7,321

Recruiting and Training.—Recruitment for the Force has been satisfactory and the general standard of education continues to improve. The Southern Police College at Ikeja and its Northern counterpart at Kaduna have been kept working at full pressure.

A skeleton staff of the Southern Police College, Enugu, moved to Ikeja in 1949 to start the new College there. Training of recruits started on the 1st of December, 1949, but the College was not officially opened by His Excellency the Governor until the 15th of April, 1950.

Eight hundred and seventy-two recruits were enlisted during the year. Seven hundred and thirty-one were fully trained and posted to

the Provinces. Seventy-six were discharged as unlikely to become efficient constables and two others were discharged as medically unfit.

Fourteen members of the Clerical Duties Branch attended Courses during the year. Eight other constables attended Courses, and forty-four Fire Brigade recruits were enlisted and trained.

The Northern Police College opened in December, 1949. This College undertakes training of recruits for the Native Administration Police and each recruit undergoes training for six months. These men take a full share in the life of the College, and as a result considerable improvement has been noted in the discharge of Native Administration Police duties and in the turnout and appearance of the men concerned. During 1950 248 recruits were trained, but 54 of them were discharged as unfit for the office of constable.

Thirteen superior Police Officers have been commissioned from the ranks since September, 1949.

Several officers have attended the Senior and Junior Courses at the Police College, Ryton-on-Dunsmore, while four recently appointed officers concluded a seven months' training course at the Police College, Hendon, before their arrival in Nigeria.

Fingerprint Bureau.—During the year 22,203 sets of fingerprints were received, classified and searched. The total number of prints on file in the Bureau on the 31st of December, 1950, was 204,540.

The following comparative tables are of interest :—

	1948	1949	1950
Fingerprints searched ..	18,829	19,886	22,203
Fingerprints identified ..	4,679	4,862	5,310
Percentage of identification	24.8%	24.44%	23.9%

Figures for the new Fingerprint Branch of the Central Motor Registry established to record the fingerprints of professional drivers are as follows :—

Fingerprints Classified and Filed, 1-1-50-31-12-50

Fingerprints filed (First licence) 1949-50	15,208
Fingerprints filed (First licence) 1-1-50-31-12-50 ..	7,716
Fingerprints filed (Renewal licence) 1-1-50-31-12-50 ..	8,857

CRIME

Statistics for the first nine months of the year show an increase of 859 cases compared with 1949. Figures for the most common types of crime are given below :—

	<i>Murder</i>	<i>Stealing</i>	<i>Burglary and Housebreaking</i>
Increase in the number of cases	111	374	1,324
Percentage of detection ..	54.8%	28.8%	16.8%

[Annual Statement on Government Activities]

[Police]

Contraventions show an increase of 442 cases, the total true cases for 1950 being 6,037.

The value of property stolen was £347,342 11s 8d in 1950 as against £279,274 16s 7d in 1949; of this, property to the value of £43,282 6s 2d this year and of £41,858 1s 6d in 1949, was recovered.

MOTOR TRAFFIC

To deal with the ever-increasing traffic in Lagos and suburbs, the Motor Traffic Unit was improved during 1950.

Two mobile accident squads comprising photographer, draftsman and investigators in each, remained, in rotation, permanently available. These have proved effective in reaching the scene of an accident expeditiously.

The acquisition of three motor cycle side cars enabled patrols to operate more effectively in the prosecution of offenders against the traffic regulations.

With the co-operation of Lagos Town Council, traffic roundabouts were installed at two road junctions and it is hoped to increase these in number during 1951.

In May, a Vehicle Testing Officer was appointed to carry out the examination of vehicles in Lagos. The result has been that a much higher standard of mechanical fitness is now required before public service vehicles and lorries are allowed to operate on the roads. This officer is also available to examine vehicles involved in road accidents and to give expert evidence regarding them.

During October a traffic Police Post was opened at Otta, 23 miles from Lagos, on the Lagos-Abeokuta road, which carries the main flow of traffic to and from the Colony. Although this Post has only been in operation for a short time, there has been a noticeable decrease in offences such as dangerous driving, speeding and overloading in this area.

Road and traffic conditions in Lagos are such that a very high standard of driving is necessary if accidents are to be avoided. The number of vehicles using the roads is constantly increasing, with the result that road accidents, with the attendant loss of life, are becoming a daily occurrence, and narrow roads and absence of footpaths contribute to pedestrian dangers.

Motor Traffic Squads also operate in the Northern and Western Regions and it is hoped to inaugurate a similar squad in the Eastern Provinces in the near future.

RIOTS AND DISTURBANCES

During March, 1950, there was an affray in which a Ngoshe man killed a Zeledva man in the Northern Unsettled District of Dikwa

Division, British Cameroons. As tension reached a high pitch, the Assistant District Officer, Gwoza, and an escort intervened to prevent an attack on the Ngoshe by the Zeledvas and people of Bokko. In the skirmish that followed Police were compelled to open fire and one man was killed. The situation failed to improve and, as a result, a Police escort of an officer and fifty rank and file proceeded to Gwoza. Owing to the able handling of this patrol wanted murderers were apprehended, and peace was re-established in the area.

In March, 1950, an illegal procession of unemployed ex-servicemen was held in Aba to protest against the payment of tax. Summonses were issued against the leaders resulting in the formation of an extremely hostile crowd on the day of the trial, numbering between 1,000-1,200. Two hundred extra police were drafted into the area. Two adjournments of the case were made, but the final day of the trial passed off peacefully. The three leaders were found "Guilty".

In May, 1950, there was an affray between the Tivs of the Abaduku clan and the Obudus of the Bette Clan on the borders of the Ogoja and Benue Provinces. Eighteen Tivs, including men, women and children, and one Hausa were killed, and many wounded. There were two Obudu deaths. Many Tiv compounds and farms were destroyed but, owing to prompt administrative and police action, the situation was prevented from assuming even more serious proportions. Twelve convictions for murder were obtained.

In the Rivers Province at the beginning of the year, sporadic outbursts of fighting occurred between the tribes of Okrika and Kalabari, culminating in nineteen murders being committed early in June. Three arrests were made.

Early in August a band of Kalabari war canoes attacked Okrika fishermen at Ochokorocho and, as a result of this, 116 Okrikas were reputed missing, believed killed. Twenty-three bodies were recovered. Regular Police Launch patrols, in addition to extra Police, succeeded in bringing the area back to normal. A large number of arrests has been effected and is continuing to be made.

Between the 2nd August and 8th August, 1950, the Amalgamated Union of United Africa Company African workers declared a general strike. Several incidents occurred during which Police were compelled to resort to the use of batons, large numbers of strikers assembling for the purpose of intimidating non-strikers. Forty-two strikers were arrested, and nineteen convicted.

From the 22nd of August until early October constant clashes occurred in Lagos between the supporters of two rival houses. The dispute arose over the accession to the Headship of the House of Ado.

[Annual Statement on Government Activities]

[Police]

The police were compelled to use batons on several occasions to disperse unruly elements of both parties ; on one occasion tear smoke had to be used.

On the 16th of October, 1950, disturbances by ex-servicemen commenced at Umuahia, 27 miles from Aba. 325 Police and one company of the Nigeria Regiment were sent to the area. Arrests numbered twelve.

Between the 15th and 27th of December, the workers of various mercantile houses declared a strike. A number of incidents of intimidation of workers occurred requiring police intervention, but these were reduced to a minimum during the first two or three days, after which few further incidents were reported.

The Police Control room in conjunction with Police Wireless/Patrol cars played a most useful part in Lagos disturbances, enabling the police to be on the spot within a very short time after any unruly incident had occurred.

Posts and Telegraphs

During 1950 there were increasing demands for the Department's services, and fortunately the staff position improved considerably. In the Senior Service the serious shortage of staff in the Engineering Branch was lessened by the recruitment of experienced officers from the United Kingdom, but there are still six vacancies for Engineers. The appointment of five officers on secondment from the British Post Office eased the position in the Postal Branch.

During the year five of the Junior Service Officers of the Department who had been sent home on courses of instruction returned to Nigeria. One officer of the Engineering Branch, who studied privately whilst carrying out his scheduled course, returned with A.M.I.E.E. qualifications, and has been promoted to the Senior Service as an Engineer.

Postal Services.—Postal business continued to expand so much that it was not found possible to cope with the increased demand for Postal Agencies. Forty-four new Postal Agencies were opened in 1950, proposals to open forty-three more were approved, and eighty-one requests for new agencies were investigated.

New Post Office buildings were provided at Abakaliki, Numan, Sokoto, Kwale, Issele Uku, Ogwashi Uku, Ughelli, Ikare, Okene and Shagamu ; Postal Agencies at Ikare, Ughelli, Okene and Kwale, were converted to Departmental Offices, thereby increasing facilities available to the public.

A Postal Agency, conducting Money Order and Savings Bank business, was opened at Mokwa on 25th January, 1950, in anticipation of increased development in the area.

Fourteen additional Rural Postmen were appointed during the year, for the delivery of mails and sale of stamps and postal orders in rural areas. This rural delivery service, which commenced in 1947, is much appreciated by the public in the areas served.

Pillar boxes and private post boxes, which had been on indent for some time, arrived during the year, and were installed at numerous offices throughout the country, but the demand for Post Office boxes still exceeds the supply.

Parcel traffic from the United Kingdom increased by 17 per cent, and it is expected that the upward trend will continue.

Departmental transport was provided in the Cameroons to replace the unsatisfactory private mail contract service, and in March, 1950, it was possible to introduce a regular two day service for exchange of mails between Victoria, Tiko, Kumba, Buea, Mamfe and Bamenda.

A Second Class Airmail Service was introduced between Nigeria, United Kingdom and other West African Colonies on 1st March, 1950. An Air Parcel Service from United Kingdom to Nigeria was inaugurated on 26th May, with reciprocal facilities commencing on 1st July. These welcome innovations were fully utilised by the public, particularly over the Christmas period 1950.

Telegraphs (Traffic).—Telegraph traffic has increased slightly during the year. A decrease in official unpaid traffic enabled more private messages to be handled, with a corresponding increase in revenue.

New Wireless Telegraph circuits were installed between :—

- (i) Lokoja-Kaduna
- (ii) Enugu-Mamfe-Bamenda-Makurdi.

Following the revision and standardisation of rates for external telegrams, standard rates for Commonwealth countries were introduced on 1st June.

Telephones.—A new automatic telephone exchange, the first in Nigeria, was erected at Port Harcourt and opened for public use in November.

The main building for the Lagos automatic exchange is in course of erection, and work on the satellite buildings at Apapa, Ebute Metta and Ikeja is expected to commence shortly. A quantity of the apparatus for the new Lagos automatic exchange has already arrived in the country, and the remainder is available in the United Kingdom for delivery as soon as the building is completed. New manual boards, to enable number changes to be made for the proposed automatic exchanges in the Lagos area, have been installed and are working satisfactorily at Apapa, Ikeja and Ikoyi. The tentative date for making the Lagos telephone system fully automatic is early 1953.

A new telephone exchange was opened at Birnin Kebbi, and extensions to existing exchanges at Ibadan, Minna, Benin, Oshogbo and Enugu were installed. Public call boxes, with trunk facilities, were opened at Ughelli, Itu and Arochuku.

There are still many intending telephone subscribers on the waiting lists, and it has been possible to speed up the rate of installation. Adequate quantities of telephone stores, with the exception of poles required for town distribution, are now being received, and it is confidently expected that waiting lists for telephones will be substantially reduced in 1951.

Aeradio Services.—Very High Frequency Direction Finding equipment was installed at Maiduguri, Kano and Ikeja, and new navigational beacons were provided at Okitipupa and Makurdi. The power of existing beacons at Sokoto, Ibadan, Enugu, Kaduna, Benin and Bida was increased.

Air to ground radio telephony for aerodrome control was installed at Ibadan, Kaduna, Enugu and Benin.

Telecommunications Development.—During the year a new Five Year Development Plan was drawn up, and, of the works already approved, the following circuits providing both telephone and telegraph facilities were completed :—

- (i) Kano-Katsina
- (ii) Warri-Ughelli
- (iii) Akure-Ondo
- (iv) Itu-Arochuku.

Considerable work was also carried out on the routes :—

- (i) Gusau-Sokoto—Telegraph and Telephone circuits.
- (ii) Port Harcourt-Degema—Telegraph and Telephone circuits.

The installation of three-channel carrier equipment between Lagos and Oshogbo, and from Oshogbo through the repeater station at Benin to Enugu, has been completed, and the additional telephone circuits made available have been opened to the public. The three-channel terminal equipment for use between Oshogbo and Kaduna has also been installed. Preliminary tests have proved satisfactory, but, until the repeater station is installed at Kutawenji, the Kaduna trunk cannot be opened for public service.

Broadcasting and Radio Distribution Service.—Radio Nigeria has been maintained; no further development work has been carried out. Two new Radio Distribution Service stations at Enugu and Katsina have been opened, and Warri station is practically complete. Many improvements in studio equipment have been made at existing stations.

Radio Telephone Services.—Police wireless telegraph and telephone stations were established at Lagos, Kaduna, Enugu and Ibadan, and a start has been made on the installation of a radio telephone police network in the Eastern Provinces. The equipment for these police services is, in the main, already available, but installation has been delayed awaiting buildings to accommodate it.

New equipment has been installed in the Marine vessels *Atlas* and *Dayspring*.

Remittances.—The steady upward trend of Money Order and Postal Order business has been maintained during the year. The gross turnover was £11,290,000.

Post Office Savings Bank.—Savings Bank business has continued to expand slowly but steadily, although a disturbing feature was the unexpectedly heavy demand for withdrawals, shown in the table below.

<i>Savings Bank</i>	1949	1950
	£	£
Deposits	1,412,393	1,478,016
Withdrawals	808,737	1,069,120
Balance standing to the credit of depositors at the close of the year ..	2,683,834	2,918,142

Powers Samas Accounting Machines, ordered for the mechanisation of the Savings Bank accounts, arrived in Nigeria at the end of the year, and eight female operators are now being trained to use them. It is anticipated that mechanisation of the Bank will commence shortly after the new Posts and Telegraphs Headquarters building is occupied in early 1951.

Printing and Stationery

Since 1913, the Headquarters of this department has occupied its present premises and production has never ceased to expand. Every effort has been made to keep abreast of the work in hand despite many difficulties, such as the non-delivery of essential machinery which is still awaited from the United Kingdom; the serious depletion of staff which has resulted in much overtime to meet orders for urgently required work; delays in the deliveries of stationery and paper and the exceedingly high prices (paper which cost £26 per ton before the war now costs in some cases as much as £120); and above all the lack of space which hinders the flow of work, impedes administration, obscures supervision and will eventually slow down or even limit production to a stage which may reflect on the efficient working of Government Departments.

Production.—Despite difficulties, great production has been maintained, and the following will give some idea of the volume of work done. The number of separate printing orders executed in Lagos

alone was 3,443, representing 19,287,880 impressions from the printing machines and making 90,924,900 pages and forms. The quantity of paper and boards consumed in carrying out this work and supplied to the Regional Presses at Kaduna and Enugu was 21,085 reams (being 283 tons in weight) and 1,782 lbs of ink were used. The Nigeria Gazette and Supplements alone took over 18 tons of the above paper; compared with the 1949 volume there was an increase of over 1,000 pages. The Revised Edition of Financial Instructions was among the many jobs of importance undertaken during the year. This work, which will include Store Rules, is nearing completion. The book-binding section completed, among other work, the binding of 374,000 books and booklets; this figure does not include the binding of nearly 200,000 copies of the Nigeria Gazette. The delivery of work to distant stations necessitated making an average of 200 packing cases monthly.

Overtime amounting to 28,668 hours was worked and the working of a double shift has not reduced the need for this. Overtime and double shift working has placed a great strain on machinery which will reduce its normal life. Many of the older machines (some have been in constant service for over twenty and thirty years) are only kept in commission by constant attention on the part of the engineering staff. Staff sickness and hospital attendance cost 1,996 men/days, which is an average of one week per worker.

Regional Presses.—The Regional Press at Kaduna continued to give full and efficient service to offices in the Northern Provinces. Three Monotype Keyboards and Casting Machines were installed there during November, and have increased greatly the range of printing which can be undertaken. The Northern Region Estimates for 1951-52 were set and printed at Kaduna; this proved to be most convenient for both the Administration and Printing Department.

The Regional Press at Enugu, which went into production last March, has functioned well during the year; its scope will be extended and improved on the arrival of additional printing machines which are on indent.

It is proposed to open the Press at Ibadan shortly and machinery and plant for this purpose is now being installed.

It is intended soon to open Stationery Depots and Typewriter Repair Depots at each of the Kaduna and Enugu branches.

The welfare of the workers at the Regional Presses has been given care and attention; the rooms including ladies' rest rooms are good and the fittings modern.

Typewriters.—The supply of new typewriters has not improved greatly. Out of over 800 on indent 317 were received and issued.

This has thrown an extra strain on the Typewriter Repair Depot at Apapa. Nevertheless the record number of 815 typewriters, in addition to duplicators, were repaired and put into service. When it is recalled that the depot was inaugurated late in 1947 with a staff of twelve Nigerians, most of whom were entirely untrained in the handling of typewriters, the above results are creditable. It is anticipated that the opening of servicing facilities at the Regional Presses will see an increase in the number of machines which can be repaired. Furthermore, the close proximity of the Repair Depots to large centres in the Regions will result in more efficient operation of typewriters and duplicating machines.

Prisons

During 1950, forty-six prisons were maintained by Government, and sixty-five by Native Authorities.

The establishment of the Prison Service was, on the 31st December, 1950, as follows :—

Senior Officers	.. .. .	21
Subordinate Staff (disciplinary)	.. .. .	1,268
Clerical and Technical	.. .. .	118

The conditions of service of warders have been greatly improved and the average warder may, by good conduct and industry, now earn promotion in three years. Other improvements such as the grant of lodging allowances, issues of boots and puttees, and the comparatively high physical and educational standards now required have attracted more suitable candidates for the service than can be absorbed.

One hundred and thirty-five recruit warders and ninety-five Native Administration warders successfully passed courses of instruction at the Warders' Training School, Enugu. The school was established in 1947, and since then four hundred and eighty-one Government warders and two hundred and seventy-one Native Administration warders have passed courses of instruction which covered a period of three months.

Prison Administration.—The year was one of steady progress, and prison reforms, introduced earlier, functioned smoothly. Particular regard was paid to modern aspects of prison administration such as classification, earning schemes, segregation, recreation, and after-care. Progress with education was not all that could be desired, but it is hoped to appoint qualified prison teachers to all the Convict Prisons in 1951. The majority of prisoners are first offenders, or at least not professional criminals, and it was found possible to introduce during the year football matches, educational films and other reformatory influences without in any way decreasing the deterrent value of a prison sentence.

Libraries were established in three additional Convict Prisons during the year, and they contain approximately four thousand volumes. The

provision of literature has proved a valuable incentive to good conduct and the privilege is highly prized by the literate section of the prison population.

Discipline among the prisoners was extremely good during the year, and the statutory restriction on the infliction of corporal punishment for prison offences—Regulation No. 21 of 1948—introduced in 1948, has not affected in any way the preservation of discipline.

The majority of persons committed to prison during the year were first offenders. In spite of structural difficulties in the prisons the two classes were separated completely by night and to a large extent by day.

The majority of prisoners were employed on external work in the towns and villages, but those serving long sentences were employed on prison manufactures which provided useful training in the common trades. Modern power driven machinery is about to be installed in the Convict Prison at Enugu, and the possibility of further mechanisation of prison industries is being considered.

Sixty per cent of the prison population gained in weight during the year under review. The prison dietary scale is under constant review, and it is considered to be satisfactory. The first meal of the day is light and consists of 4 ounces beans and 2 ounces farina or 4 ounces whole maize flour and 2 ounces akara. The second and last are much more substantial and contain either meat or fish with beans, palm oil and farina.

Leprous offenders, in small numbers, were committed during the year, and they were, as far as possible, segregated. It is not, unfortunately, always practicable to transfer these unfortunate people to leprosy treatment centres, but in every case they received the normal medical treatment.

All Government prisons, and 75 per cent of the Native Administration prisons were inspected by senior officers of the department during the year. With the assistance and advice of the Prison Inspectors, it was found possible to reorganise and expand the prison industries in certain large Native Administration establishments.

After-care.—During the year 1950, much progress was made in the improvement of an After-Care organisation, and the work of the department's five After-Care Officers is now more closely knit and in consequence much more efficient. During the year, funds were allocated to all officers in charge of prisons to enable them to give, through the After-Care Officers, pecuniary or other aid to selected prisoners on discharge. All ex-prisoners received railway or transport warrants to their homes or places of conviction, and in many cases prisoners who had served long sentences received tools, or funds to purchase the

tools, of the trades they had learned in prison. The After-Care Officers, posted to five of the Convict Prisons, interviewed every prisoner on admission, and it was often found possible to contact relatives or friends who provided the money to pay the fines imposed in lieu of imprisonment, and by this means effected a considerable reduction in the prison population.

Young offenders.—No juveniles were committed to prison during the year, but seventy lads were admitted to the Approved School at Enugu, which is administered by the Prisons Department. On the last day of the year, the population of the school was 187 with sixty-four discharged in 1950. Work and play at the school are strenuous, but from all points of view they provide excellent training. The industrial curriculum includes the most important trades, and, while for various reasons it is not possible to reach a very high standard of efficiency, at the end of the period of training, most boys leave the school with the rudiments of the particular trade selected for them, and not infrequently follow it up after they have been returned to their homes. Primary school education is considered to be just as important as industrial training, and the boys spend half of their working hours on each. There are, unfortunately, a large number of lads received who, although quite intelligent, are completely illiterate, and orthodox methods of teaching sometimes fail. Great emphasis is laid on the value of games, and football, cricket and boxing take place almost every afternoon. Arrangements were made during the year for the boys to compete in these activities with those in surrounding schools, and the results were most satisfactory. During the Easter holidays the boys played a football match against a Warders' Training School team and won it by six goals to nil. Two well known athletes, Mr O. Chukwura of the Nigerian touring football team, and Mr B. A. A. Guobadia, who took part in the recent Empire Games in New Zealand, very kindly visited the school at the invitation of the Principal, and afterwards addressed the boys in the concert hall. They were greeted with much enthusiasm, and listened to with deep respect and interest by both staff and inmates.

The experiment of granting home leave to selected boys has continued, and the results have been so satisfactory that it will be extended next year. Through the courtesy of the respective departments, parties of boys visited places of interest with educational value such as the Government Printing Works, the Collieries, Radio-Diffusion Headquarters, and the Technical Trade School. Lectures and educational films were provided by the British Council and much appreciated. Membership of the School Scout Troop is regarded as a great privilege, and the lads' efficiency and enthusiasm are equal to those of scouts in more fortunate circumstances.

Public Relations

Broadcasting.—In the field of Public Relations the most important development during the year has been in radio. It has been decided that Nigeria shall have its own central or "national" short-wave transmitter, together with regional short-wave transmitters at Kaduna and Enugu, and probably medium-wave transmitters at Ibadan, Kano and Lagos. These plans will be implemented by stages and it is hoped that the installation of the central transmitter, at any rate, will not be too long delayed. The British Broadcasting Corporation has agreed to second Mr T. Chalmers, former Head of their Light Programme, to run the new broadcasting service in Nigeria and he arrived in this country on the 2nd January, 1951.

The broadcasts of "Radio Nigeria" on the transmitter provided by the Posts and Telegraphs Department, using improvised equipment, are continuing until such time as the new scheme can be implemented. Reception is inevitably poor in some areas and lack of trained staff has also affected the quality of the programmes broadcast. On the whole, however, "Radio Nigeria" can be said to have achieved a notable success.

During the year the Department was able to publish the result of its first Listener Research. Some 3,000 questionnaire forms were distributed in Lagos and a good proportion of the recipients completed the forms. The replies represent a fair cross-section of the African listening public and the information secured will be invaluable in preparing future programmes. It is hoped to extend the research to other areas in 1951.

New radio distribution services have been opened at Ijebu, Enugu and Katsina, giving a total of twelve such stations. The station at Warri is due to open early in 1951.

Films.—The Department's own Film Production Unit, which was established towards the end of 1949, was able to operate, although handicapped by the difficulty experienced in recruiting all the staff required. The producer, with the help of a cameraman from the Colonial Film Unit and the three Nigerians who had had initial training at Accra, produced several films, the most notable being "Smallpox", which has received the highest praise from those who have seen it both in Nigeria and the United Kingdom.

Work is proceeding on films dealing with road safety, the Apapa Development Scheme and the progressive side of Nigerian life; the last is intended chiefly for use in universities abroad where Nigerians are enrolled. A more ambitious project is a 35 mm. documentary film on life in the Cameroons. Most of the shooting has been done and the film, when completed, will be shown to the Trusteeship Council of the United Nations.

The regionalisation of the exhibition side of the Cinema Section continued during the year and the mobile cinema vans gave a large number of shows all over the country. Films were shown to audiences totalling well over one million.

The Photographic Section which began functioning in 1949 carried out an enormous volume of work in 1950, most of it at the request of other departments. The staff of the section travelled widely and recorded a variety of activities, emphasis being on development projects.

Pamphlets.—The third pamphlet in the series “Legco at Work”, showing an account of the proceedings of the Budget Session held at Enugu, is with the printers.

In the Western Region, a number of pamphlets was issued, the most important being those dealing with the Constitution, Local Government and development in the region.

In the Northern Region, there was an illustrated pamphlet in Hausa describing the Budget Session of the Northern House of Assembly and another in English and Hausa giving details of the proposals for the revision of the Constitution.

In the Eastern Region, the pamphlets included those dealing with rice cultivation and soil erosion.

Blocks.—The Process Engraving Section again produced several thousand blocks, while artists attached to that section assisted various government departments in the preparation of publicity material. Efforts are being made to reduce the amount of commercial work undertaken by the Process Engraving Section owing to the increasing use which is being made of the section by other government departments.

Marketing Publicity.—Plans were completed for the establishment of a Marketing Publicity Section, the cost of which is to be reimbursed from funds made available by the Marketing Boards. A few temporary appointments were made towards the end of 1950 and the new section will begin to function at full strength early in 1951.

Press Releases.—At headquarters there was again a record issue of more than 4,000 press releases and the weekly press conferences were continued. Co-operation from Heads of Departments and the presence in Nigeria of so many distinguished visitors from overseas made it possible for some special person to be introduced to the press on almost every occasion.

Public Works

Staff.—There has been a welcome increase of thirty officers in the permanent Senior Service staff during the year, but there has also been a loss of many of the most experienced engineers—one Regional Deputy Director, three Assistant Directors and three Senior Executive

Engineers—for which the recruitment of a number of young engineers cannot yet compensate. The temporary staff (Senior Service) has also increased by twenty-nine new recruits, chiefly in the Inspector grade.

The staff position improved at the end of the year in respect of water engineers and drillers, who until recently had proved extremely difficult to recruit.

Junior Service Staff.—The Public Works Department has taken a leading part in the extension of technical education, and since 1930 has conducted a school for Engineering Assistants, a cadre of indispensable value in works planning and construction. This Public Works Department school will in future be embodied in the Yaba Technical School; the most able students will be able to obtain scholarships to follow university courses in Engineering at Ibadan University College and Overseas.

Building Construction.—The year has been remarkable for the scale of construction of new buildings which in value are likely to approach £1,500,000 and in variety include almost every type from the new Central Legislative Council Building and the three Regional Houses of Assembly to comparatively modest houses for junior members of the Civil Service. A catalogue of buildings will be found in the annual report of the Public Works Department but the following are of special interest :—

- (a) The Legislative Council Chamber at Lagos, now being built on a central site. This includes the chamber itself, various committee rooms, a library and a large number of offices. The whole building is to be air conditioned.
- (b) The new Headquarters building at Lagos for the Posts and Telegraphs Department. This has now been completed and a beginning has been made with the six-storeyed block of offices in Broad Street. The latter will be the tallest building in the town and will be provided with three lifts.
- (c) The Supreme Court. It is intended to let a contract for the new Supreme Court before the close of the financial year. The block of four magistrates courts at Yaba should be completed by 1951.
- (d) Other noteworthy buildings in Lagos completed or in hand during the year are :—
 - (i) Police Barracks, Obalende. Ten blocks of three-storeyed flats have already been completed.
 - (ii) The new Automatic Telephone Exchange building. This should be finished early in the new financial year.

- (iii) Eight blocks of six flats each for residential purposes. These have been completed. Eight blocks for the use of unofficial members of Legislative Council. Four of these are on hand.
- (iv) The new Headquarters building at Ikeja for the Meteorological Department. This is half completed and the West African Airways Corporation have entered into occupation of the commodious offices built for them there.
- (e) Houses of Assembly at Kaduna, Enugu and Ibadan. These buildings in different styles are now practically completed and have been in use for some time.
- (f) Other works during the year in the Regions include :—
 - (i) Schools. Those at Ughelli, Ede, Umuahia and Ibadan are still in hand while that at Zaria was completed. These schools will provide for 1,600 pupils.
 - (ii) Hospitals. Those at Shagamu, Akure, Onitsha, Bamenda, Ogoni and Birnin Kebbi were practically completed and there are a number of others at Maiduguri, Lokoja, Sokoto, Mubi, Benin and Warri on which progress is less advanced. These hospitals will provide 1,000 beds.
 - (iii) A Probationary Nurses Training Centre has been completed at Aba and another is being built at Kano. A Health Visitors school was completed at Ibadan.

The buildings described above are furnished almost entirely with furniture produced in the Department's own workshops.

Building costs have continued to rise and difficulties have been experienced in the supply of imported materials, notably cement, the lack of which has recently impaired the rate of progress.

The standard of construction, which necessarily varies widely, has at its best surpassed the best achievement of past years.

COMMUNICATIONS

Roads.—Extension of the road system has been continued in accordance with the Development Programme, and brief notes of the more interesting projects are given below.

- (a) *Lagos-Ikorodu Road.*—This is a short but most important link of 13 miles which will open up a direct route from Lagos to Ibadan and the East. The terrain is one of the most difficult to be met with anywhere, with much bridging and embankment over a soft mud swamp of great depth. The six bridges on this road totalling nearly 800 feet in length have been completed and the road is expected to be motorable

early in the new Financial Year. It will not be opened to heavy traffic until fully consolidated and provided with a bituminous surface throughout.

- (b) *Ijebu-Ode-Benin Road*.—This is the continuation of the new arterial road from Lagos to the East and runs through heavily forested country, much broken by rivers and streams. The Oshun Bridge 422 feet long is almost completed and work has been started on the still larger Shasha bridge, while the road between is well in hand. At the eastern end, much work has been done between Benin and the River Osse and it is soon hoped to start on the bridge there.
- (c) *Dahomey Road*.—Work is continuing on the provision of a bituminous surfacing and the replacement of the timber bridge. The Ajilete bridge will be a difficult project owing to the nature of the river bed.
- (d) *Mokwa-Kontagora Road*.—This road, 89 miles long, provides a new North-South route avoiding the Kaduna river ferry at Bida. It will be opened to all season traffic this year and will form part of Route 1, the main trunk road to Kano.
- (e) *Yola-Wukari Road (234 miles)*.—This road will be long. Road construction is now approaching Jalingo, 105 miles from Yola. The Jamtari, Faran, Lamja and Kunini bridges totalling 623 feet are all completed. Work is now starting on the formidable Mayo-Belwa bridge. The branch road to Jada including two more major bridges will be finished this year.
- (f) *Yelwa-Fokku-Jega Road*.—Progress is being made on the Kasanu bridge construction.
- (g) *Kano-Eastern Road (106 miles)*.—The Foggo bridge 1,169 feet long (the longest in Nigeria) is now well in hand under contract with a well known firm, which will also construct the remaining six bridges on this road totalling 1,300 feet. This road should be open for all season traffic within a year's time. Road construction is being completed departmentally and it is intended to provide a bituminous surface throughout.
- (h) *Zaria-Kano Road*.—Twenty miles of new road have been made including a bridge 160 feet long. It is hoped to construct another 40 miles next year.
- (i) *Minna-Paiko-Abuja Road*.—The Chanchagga bridge 325 feet long has been completed.
- (j) *Bansara-Mamfe Road (108 miles)*.—This road, which forms part of the trunk road to the Cameroons, is now nearly complete except for major bridges some of which involve

exceptional difficulties. It is possible that the Cross River, which would have to be bridged in a single 600 feet span at a cost that would amount to over £250,000, may have to remain as a ferry crossing for the time being.

- (k) *Calabar-Mamfe Road (104 miles)*.—This road links Calabar with the Cameroons and the Bansara-Mamfe Road and runs through very hilly forest country. There still remains a gap of about 6 miles to complete.
- (l) *Sombreiro Bridge (Ahoada)*.—The Sombreiro bridge 300 feet long has been completed.

When the intensity of motor traffic on any road reaches 100 vehicles per day, it is necessary to provide a bituminous surface and this work was continued during the year on the following roads—Ibadan-Akure, Benin-Asaba, Onitsha-Owerri-Aba-Oron, Port Harcourt-Aba, Kano-Katsina, Jos-Maiduguri, Funtua-Yashe, Gusau-Sokoto, Kano-Eastern Road, Kaduna-Zaria and Otta-Dahomey.

Construction of Feeder Roads was continued all over Nigeria, in collaboration with Administrative Officers and with the help of Native Administration Works organisations. The Bamenda 'Ring Road' is a typical example; this road will assist materially in developing the Central Cameroons.

There is no doubt that road communications are destined to expand very greatly and become of decisive importance in the development of the country. But such development has permanent concurrent annual commitments and road maintenance charges (including charges on Native Administration roads) may well rise to £1,000,000 in the course of the next few years.

Water Supplies.—There has been better progress than in past years. The Minna supply is completed but it was unfortunate that its first year of operation should have coincided with an unusually late and brief wet season. The schemes for Sokoto, Kaduna, Abakaliki, Onitsha and Warri are nearly completed. The new intake on the Ogun River and pumping main to Iju are finished and work is in hand on the new 24-inch delivery main to Lagos. Progress is delayed by the non-arrival of special pipes and fittings. The small Ubiaja supply has been installed. The big urban supplies for Ilorin and Oshogbo-Ede are both in hand under contract and good progress with the dam construction has been made on the former. The Ilesha and Maiduguri schemes have been started.

Plans and proposals have been completed for partial schemes at Bauchi and Gombe, materials ordered and preliminary works started. Other plans completed include that for Owode. Investigations are being made or plans are prepared for extensions at Lokoja, Gusau, Aba, Abeokuta, Akure, Ijebu-Remo, Iwo, Oyo, Calabar and Port Harcourt.

The urban population dealt with in the schemes mentioned numbers approximately 880,000. Progress has also been made with rural water supplies. In the financial year 1949-50, 1,129 supply points were provided totalling amongst other types 57,000 feet of wells and 5,000 feet of boreholes. It is anticipated that the results will be better this year and a still nearer approach made to the target of the Ten Year Plan of Development of 1,500 water points per annum.

A most interesting development has been the start of the deep drilling in Bornu under contract. A depth of over 3,300 feet had been reached in the first borehole by the end of the year. If the base complex of the Chad Basin or water has not been reached within the contract depth of 4,000 feet it is proposed to continue drilling and an extension of the contract is being arranged accordingly.

Railway

The year 1950-51 has been a difficult and disappointing year for the Railway. Perhaps the most serious setback is the acute shortage of power brought about primarily as a result of low workshop output and serious failures in the New River Class locomotives. This shortage has placed the Railway in the anomalous position of requiring more traffic to offset current financial losses and lacking the power to move such traffic when it is forthcoming. The Railway had to concentrate its resources upon moving groundnuts and so the shorter distance produce such as cocoa and palm kernel on Western District were handled by road transport: naturally the road transport owner quickly undercut railways rates on other traffic in this area.

The anticipated deficit expected over 1950-51 is now £323,000, and has been only kept to this limit by an increase of rates, a considerable curtailment of major engineering works and cancellations of orders for new material and machines already placed overseas.

The Railway has entered a period of severe strain, and until there is a considerable improvement in both the quality as well as the quantity of out-put both from Running Sheds and Workshops little easement of the situation can be expected. All possible measures have been taken to rectify this position and an improvement on output over the year 1949-50 can be seen; the output however is still very far short of what is required to keep the Railway running efficiently.

Staff and Industrial Relations Organisation.—With effect from the 1st of November, 1950, all personnel administration and labour relations work has been undertaken by the newly formed Staff Department in the Railway. Staff work before was under the direct control of the Management, being supervised by an Assistant General Manager (Staff) and two Principal Assistants (Staff).

[Annual Statement on Government Activities]

[Railway]

The whole of staff work at Headquarters will in future be handled in one Central Staff Office instead of a number of departmental staff offices as at present, and the lower grade staff work will be cleared at district level as at present in the District Establishment Offices which were recently created.

Industrial Relations and Welfare work will be controlled by an Industrial Relations Officer who will be responsible direct to the Chief Staff Officer and have representatives in each District. The benefits of this system have been already felt.

The Chief Staff Officer will be assisted by a Deputy Chief Staff Officer in respect of personnel administration.

It is anticipated that as a result of these arrangements, which were recommended in the Pallant Report, a substantial tightening in the control of staff costs and efficiency will result.

The year under review has been remarkably free from industrial unrest, and there have been no major disputes. The strengthening of the Industrial Relations and Welfare Section of the staff organisation in the Railway has had a marked effect in reducing the number of individual complaints from members of the staff and has enabled the Administration to deal more promptly with any points raised by the Trade Unions.

Financial.—In the revised estimate for the financial year 1950-51 the total revenue of the railway has been forecast at £6,590,000, an increase of £127,000 over the original estimate. This increase is the result of the raising of rates and fares in September last, to off-set in part the award of the Temporary Addition to Rates of Pay to staff. In the approved Estimates the result of the year's working was expected to be a deficit of £235,820, but this figure was assessed before authority was given to pay the Temporary Addition to Rates of Pay, which involved the Railway in further expenditure of £277,000 for the year. In the absence of any increase in rates and fares, or in the volume of traffic, a net deficit of over half a million pounds might therefore have resulted. The actual deficit as mentioned above is expected to be £323,000, after making provision of £200,000 for writing-off American locomotives supplied on a Lease-Lend terms during the last war. Because of uncertainty as to the terms of settlement for these engines they were not classified under the Renewals Fund rules and there have, therefore, been no contributions to the Fund in respect of the depreciation of the engines. As they are nearing the end of their service life it is thought advisable to make an additional contribution to the Renewals Fund to provide funds for withdrawal of the engines as and when they become unserviceable.

Another factor which adversely affected the operational results was the necessity to import a considerable tonnage of coal from the United Kingdom and South Africa at prices which, because of extensive ocean transport, were considerably higher than the cost of Nigerian coal taken at Enugu. For this reason, the original estimate for locomotive fuel is expected to be exceeded by almost £125,000. When all these factors are taken into consideration it will be seen that the result, depressing though it is, is considerably better than might have been expected. On the credit side, it is expected that the investments of the Railway will show appreciation of over £100,000, which will be transferred to the Investments Depreciation Reserve.

The General Manager's estimates for 1951-52 forecast a total revenue of £6,444,000, a decrease of £146,000 compared with the revised Estimates for the present year. This decrease is directly due to the reduction in the tonnage of groundnuts available for transport, as a result of the poor harvest in 1950.

Expenditure, estimated at £6,907,000, is £93,000 higher than the revised Estimates for the present year and is made up as follows:—

Operating Expenditure	..	..	..	£	4,947,000
Net Revenue Expenditure	..	..	..		255,000
Renewals Fund Contribution	..	..	..		830,000
Interest Charges	..	..	..		875,000

Railway operation in 1951-52 is therefore expected to result in a loss of £568,000, after making full provision for depreciation of works and equipment and for interest on capital. There is clearly an imperative necessity to devise means of reducing expenditure and to increase revenue: the only means of securing any further increase in operating receipts is to secure a greater volume of traffic, which again will depend on the volume of the harvest, particularly in the Northern Provinces. The deficit for 1951-52, if it materializes, will be the third annual deficit in succession and will deplete the Reserve Fund to a point of danger. The General Manager will investigate every possible means of pruning expenditure.

In view of these recurring deficits, which have so greatly reduced the Railway's capacity to provide funds for capital expansion, it has been necessary to reduce drastically the programme of Capital Works which appeared in the Estimates for 1950-51. A large number of projects have been cancelled or postponed but there remain many other works which are essential to the progress of the rail transport in Nigeria. A number of these will involve considerable cost, *e.g.*, the remodelling and rebuilding of Iddo station, new Running Sheds at Ebute Metta, Minna, Enugu and Port Harcourt, where the existing buildings are inadequate and in a dilapidated condition, and track relaying on the

Offa-Jebba section. For this purpose it has been necessary to raise on behalf of the Railway a loan of three and a quarter million pounds, on which the Railway will pay interest at $3\frac{1}{2}$ per cent per annum.

Civil Engineering.—The work of renewing and strengthening the permanent way continued steadily. Excellent progress has been made on the relaying with heavier metal between Zaria and Kano, the 60 lb standard track reaching Kano on the 16th December, 1950. The link now completed means that the 13 ton axle-load locomotive can operate anywhere between Apapa, Kano and Port Harcourt. Bridge strengthening to suit the heavier track kept pace with the relaying work.

The need for exercising the strictest economy in the Railways expenditure necessitated a revision of the plans for remodelling some of the major stations. This further delay is particularly unfortunate in the case of Iddo, where the rebuilding of the present unsightly accommodation is so long overdue.

Considerable progress was made in the erection of houses for the Junior Service, notably at Enugu where a project is well in progress to provide 160 additional quarters as part of a comprehensive housing scheme.

Heavy steelwork erection in extensions to the Ebute Metta Workshops was completed during the year.

Consultations and planning in connection with the Apapa Wharf extension and the Nguru-Maiduguri extension survey threw a considerable amount of work on to the Chief Engineer.

The staff position showed considerable improvement, except in the planning section where a shortage of experienced draughtsmen severely hampered the work of preparation of plans and estimates.

Mechanical.—The serious results of poor workshop output have been mentioned earlier and the improvement on the year 1949-50 noted. It is expected that by the end of the present financial year the output will be forty-eight heavy repairs, thirty Grade I mileage repairs and sixteen Grade II repairs, compared with thirty heavy repairs in 1949-50. This indicates progress but the output anticipated by March, 1951, is still far short of that necessary. There is a long way to go towards overtaking arrears of maintenance there being no less than sixty main line engines already overdue for shops.

The Railway has again suffered from the shortage of locomotive spares on indent from overseas and are only now receiving spares which were called for over three years ago. Spares for 751 class Canadian locomotives are now unobtainable from the makers who have turned over to Diesel locomotives. As technical difficulties prevented indents being placed elsewhere, the provision of substitutes fell on our workshops in this country.

A very serious setback has been occasioned by excessive failures in the new River Class locomotives of which there are sixty-three in the country and a further nine *en route*. These failures have taken the form of broken connecting rods, valves and spindles and, more serious still, the fracturing of the rigid water space stays in large numbers in the fire boxes.

The Carriage and Wagon Shops are in a much more favourable position, there only being some 12 per cent of vehicles out of service, the major portion of which require only medium attention. The extension to the workshops to permit repairs to steel stock and also the rebuilding of wagons, is proceeding satisfactorily. During the financial year there have been assembled and placed in service 233 new wagons of various types, eighteen new Third Class coaches and six new Canteen cars. The public seem to appreciate these new coaches and the relief they have occasioned from overcrowding whilst the canteen cars are becoming a most popular feature. The shops are now undergoing further re-organisation and it is hoped this will result in still higher output.

The filling of Senior Service posts by expatriate officers has been most difficult and considerable delays in filling supervisory appointments have contributed to some extent to low output. The Mechanical Department has some thirty-one Senior Service Africans now filling posts previously occupied by Europeans; on the whole they have given a good account of themselves although there have been several exceptions. At present there is under consideration a Short Term Policy for training supervisory staff in the United Kingdom and a Long Term Policy for training craftsmen in Railway Workshops and Running Shed Practice.

Statistics

The year 1950 was the first in which the Senior Staff of the Department approached its programmed strength. At the beginning of the year, five Statisticians had assumed duty; two Nigerian members of the Staff were promoted to Assistant Statistician posts during the year; one additional Statistician was appointed towards the end of 1950, thus filling the permitted complement.

The Department of Statistics is concerned directly or indirectly with the work of many other Departments. The paragraphs below deal mainly with activities which are the primary concern of the Department and make brief mention of those tasks which are carried out on a servicing basis for other Departments.

Population.—A Census of Lagos was carried out in February, 1950. The previous Census had been undertaken in 1931. The Census was utilised for two purposes, *i.e.*

- (a) to prepare electoral rolls for use in connection with the Lagos Municipal Elections;

- (b) to provide the usual demographic data associated with the Census. The details obtained included age, sex, occupation, industry, marital status, literacy, birth-place, tribe, religion, and information on fertility.

Much work was done before the Census in bringing it to the notice of the people, and the Department received strong support from the Press and from leaders of all sections of the community. The field staff engaged were trained carefully and the Census was extremely effective.

The main results of the Census have been published in the form of a number of bulletins together with Summary Tables. All other basic analytical work was completed by the end of the year; a full report is now being prepared and will be published in due course.

The main feature of the Census results was the rapid growth of the Township of Lagos. In 1901 the Census indicated a population of 42,000; by 1931 it had risen to 126,000, and in 1950 it had reached 230,000. The increase in population was clearly accounted for primarily by migration from other parts of Nigeria. It is also evident from the data that while large numbers of young men work in the Township for a number of years, many of them tend to return to their original homes later in life. This results in a marked excess of males over females in most of the age groups and becomes particularly noticeable between the ages of twenty-five and fifty. While the number of females exceeds males in the youngest and oldest age groups, there is an excess of males in all other age groupings.

Endeavours are being made to improve the collection of Vital Statistics in collaboration with the Medical Department. Owing, however, to the very small area in which registration is compulsory, adequate vital statistics are unlikely to be collected for some years.

First plans have been prepared for a full Census of Nigeria which, it is expected, will take place in 1952. These plans will provide for a complete count of the population with, in addition, a collection of some simple economic and social data. It is regarded as impracticable to attempt a census throughout Nigeria on a basis so elaborate as that of Lagos but the information which it is proposed to collect should provide valuable data for many purposes. If a full census can be taken in 1952, it will be the first complete enumeration to be undertaken in Nigeria.

Census of Agriculture.—As part of the World Census of Agriculture, which has been asked for by the United Nations Organisation, a sample census is being undertaken in Nigeria. It would be impracticable in a country with so many farmers as Nigeria, to obtain complete particulars in respect of the crops grown or livestock owned by every individual farmer. Arrangements have been made, therefore, whereby, with the assistance of Administrative Officers and the Department of Agriculture, sample surveys on a simple basis are being undertaken in various parts

of the country, while estimates of the yield of individual crops are also being obtained. Work has already commenced but it is not expected that the final calculations can be completed until the end of 1951. The information should throw considerable light on the agricultural position of Nigeria and should provide a basis on which future agricultural statistics can be organised.

Trade Statistics.—Much attention is being devoted to the speedier publication of statistics of overseas trade. It was decided in the early part of the year that each issue of the Trade Summary should contain figures for three months instead of one month as previously. This has helped to bring about more rapid publication as well as speeding up the work within the Department. It is intended that monthly publication of the data shall be resumed in 1951 and every effort is being made to bring about publication of the figures soon after the end of the month to which they relate. So far as the monthly information for the year 1950 is concerned, the data for the September Quarter have now been prepared for printing and work on the last quarter of the year is getting well advanced.

Another of the aims of the Department has been to produce Annual Trade Figures as quickly as possible after the close of the calendar year to which they relate. Unfortunately it has not yet been possible to complete the 1949 Annual Trade Report but a summarised statement in respect of that year was published at the same time as the figures for the first quarter of 1950. It is hoped that the Trade Report for the year 1950 will suffer less delay and arrangements are being made to commence work on the report immediately after the close of the year.

Many requests are made for information which is not published in the normal Trade Summaries. These requests have increased considerably during the year and involve much work to the Department. Here again, efforts have been made to meet the requests as fully and quickly as possible.

A number of important changes are being made in the methods of setting out certain statistics of External Trade. These include a revised form of valuation of some major export crops which will result in a change in the visible balance of trade in favour of Nigeria of about £20,000,000 in 1950. The revision of earlier years has also been undertaken so far as practicable. These changes in the method of recording not only affect the Trade Statistics, but also the general estimates of the Nigerian position in relation to other countries.

Statistical Digest.—Considerable progress has been made in the compilation of a digest of statistics to provide a convenient source of information on many aspects of Nigerian affairs. A number of sections have been distributed during the year when completed. Arrangements for printing have been made and it is hoped that the first comprehensive

issue will be published early in 1951. It is intended that the Digest should then become a regular publication appearing at six-monthly and, eventually, three-monthly intervals

Cost of Living.—Work on the construction of Index Numbers of the Cost of Living has been proceeding throughout the year. The first stage of the collection of food prices had been in operation for some little time but this did not indicate the general position of the Cost of Living. Methods of obtaining a Cost of Living Index for Lagos have been worked out and the collection of data has commenced. While it is desirable to release information on this subject at the earliest opportunity, considerable care has to be taken to ensure that the Index Numbers are reliable and, on this account, some little time must elapse before it is felt that a satisfactory series has been obtained. Similar work is being undertaken in other parts of the country. The collection of data on food prices in the Western Region has begun with the co-operation of the Department of Agriculture. In the Northern Region, the position is under review, while the examination of data being collected in the Eastern Region is planned to take place early in 1951.

Special Studies.—A number of Special Studies are being undertaken. Amongst these are the following :—

- (a) *Balance of Payments.*—The Department has commenced to make estimates of the Nigerian Annual Balance of Payments. This work is being undertaken in collaboration with the Administration and the Accountant-General's Departments. Necessary additional information is also being sought from a number of outside bodies.
- (b) *Capital Formation Estimates.*—This task, which involves the estimation periodically of investment in Nigeria, is being undertaken at the request of the Secretary of State. It is hoped that, in respect of the years 1948 and 1949, it will be completed early in 1951.

Work carried out mainly for Other Departments.—The Department has continued to provide as much assistance as possible to other Departments in the compilation of statistics, particularly where mechanical analysis can relieve Departments of much clerical work. Amongst tasks of this type are the following :—

- (a) *Migration.*—Since July, 1949, the forms which are filled in by expatriates entering or leaving Nigeria, have been coded, listed and analysed by the Department of Statistics for the Migration Authorities.
- (b) *Oil Palm Statistics.*—Analysis of the Yield Records of the Oil Palm Research Station was begun in 1949 and has since been extended.

- (c) *Medical Statistics*.—The Department is preparing to take over the work of analysing information collected by Medical Field Units and, in collaboration with the Medical Department, is endeavouring to work out a scheme for the analysis of Hospital Statistics.
- (d) *Education*.—A revised form of return from all Primary Schools has been agreed with the Department of Education. The form will be suitable for mechanical analysis and the scheme will be put into operation in 1951.
- (e) *Labour Statistics*.—Collaboration with the Labour Department has continued with the object of obtaining improved Industrial Statistics of Labour. It is hoped that this work will be completed during the coming year.

Survey

The Survey Department was formally regionalised on the 1st of April, 1950.

Provincial offices were opened at Abeokuta and Makurdi during the year; further offices are expected to be opened within the next few months, since the staffing position in both the junior service and senior service grades is considerably easier than a year ago.

Training.—Departmental technical training is proceeding on a large scale. Three junior Surveyors have just returned to the Department after completing a survey course in the United Kingdom covering the Intermediate professional examination syllabus of the Royal Institution of Chartered Surveyors. A fourth junior Surveyor is continuing a degree course in mathematics at London University, and two Survey Assistants have just been awarded scholarships to pursue B.Sc. degree courses at Ibadan University College.

Departmental field survey training courses for all the Regions are now concentrated at Kaduna, as it was found more convenient under present conditions to transfer the Eke (Enugu) training centre there. During the year fifty-seven Survey Assistants took such courses; of these thirteen are still under training, one has had his appointment terminated, eight have resigned and the rest are now engaged on productive work. As high wastages must be expected on such training courses, the above results are very satisfactory. It is also satisfactory to record that nine of the above trainees are Northerners, all of whom have passed out and are engaged on survey duties in the field: as elsewhere every effort is being made to staff the Survey Department in the Northern Region as far as possible with recruits from its own Region.

Field Survey training is also being provided at Kano for Native Administration staff; in Sokoto Province for irrigation staff of the Agriculture Department; and at Kaduna for junior members of the Marine Department.

[Annual Statement on Government Activities]

[Survey]

Ground Surveys.—On account of the improved staffing position the Department was better able to keep pace with growing requirements for ground surveys, the number of surveyors engaged on such surveys showing an increase of 40 per cent over the previous year. The number of surveys outstanding at the end of 1950 was approximately one thousand: this is nearly the same as last year's figure, but the number of applications for surveys has increased.

The most important ground surveys undertaken were contouring in the Niger Agricultural Project area and the laying-out of village settlement sites at Mokwa; a contour survey on the edge of Lake Chad in connection with the Chad Irrigation Scheme; and surveys to implement the Glover Settlement Ordinance. Numerous cadastral surveys in townships, Government Stations and country districts were completed, including 500 surveys for Mining Titles.

Air Surveys by R.A.F.—In the air the Royal Air Force, after completing a disappointing season in January on account of adverse weather conditions in the Southern Provinces, returned to Nigeria towards the end of September and so far have had a most successful season's photography in the North-East sector of Nigeria. The photographic sorties are being controlled from a new radar site on Gubi Hall just to the north of Bauchi, and are expected to cover most of Adamawa, Benue, Bornu, Bauchi, Kano, Katsina, Plateau and Zaria Provinces.

The Royal Air Force photography is at the scale of 1/30,000 and is primarily intended for the overall small-scale topographic mapping of the country. But more and more emphasis is being placed on making as much use as possible of all air-photo mapping resources (including those of commercial air-survey companies) for large-scale mapping in connection with special development projects, even at the expense of delay to the overall, small-scale, mapping programme.

Co-operation with Survey Department—Regional Production Development Boards.—Where air surveys are required in Nigeria, whether by Government Departments or not, it is most advisable that the Survey Department be informed. The Department is then able to assist with technical information and, more important still, co-ordinate the various requirements and advise whether they can best be met by the Royal Air Force, commercial companies, or by the departmentally operated Dove aircraft.

As a result of a meeting of the Chairmen of the Regional Production Development Boards at which the Director of Surveys was present it was decided that the Boards should work in co-operation with the Survey Department on the above lines.

Departmental Air Survey.—The Department continued its own air survey operations with a specially-modified Dove aircraft chartered from the West African Airways Corporation. Although the Depart-

ment is mainly concerned with local projects such as the photography and mapping of townships for town planning schemes, it has also undertaken more ambitious projects such as the photography and mapping of the cocoa areas of the Western Provinces for the Cocoa Survey. For that particular project the Department took 3,331 exposures at a scale of 1/5,000 over an area of 560 square miles, and produced forty-nine line maps at the same scale which were subsequently reduced to nineteen sheets at 1/20,000.

Other important air surveys, photographed and mapped by the Department, were for large-scale plans of Ajegunle-Araromi (C 100 Bauchi, Burutu, Iwo, Sapele and Sokoto. Altogether during the different projects were photographed during the year, in the months of June, July and August when air photography is impracticable due to the high rainfall.

Amongst the unexpected uses of air photography was their disclosure of illegal logging operations in out-of-the-way thick and dense forests in the Sapele area, under conditions where ground detection from the ground would be extremely unlikely.

Maps.—In the map production during the year a large number of maps, plans and prints continued to be issued and sold to the public, despite a serious breakdown in the last map printing machine which lasted for seven months. Unfortunately, costs of paper and related materials are rising steeply, and these rises may necessitate increases in the prices charged to the public for maps as well as a possible curtailment of official issues.

During the year fifteen revised editions of the Provincial Maps series were published: other important publications included two composite topographical sheets of the Minesfield on the scale of 1/125,000 compiled from all available data in an effort to meet demands for such maps and maps of Lagos and Environs on scales of 1/25,000 and 1/30,000 for Census and related purposes.

Gazetteer.—During the year a new Edition of the Gazetteer of Nigeria Place Names was printed and is available for sale to the public at 7s 6d a copy. The data in the new Gazetteer represents information collected from all parts of the country over a large number of years, the last edition of the Gazetteer having been published in 1932.

Veterinary

The responsibilities of the Veterinary Department in maintaining the health of the vast numbers of cattle, sheep and goats in Nigeria even at the present level have been heavy in view of the declining number of qualified men in the Service.

The necessity for an increase of staff is fully appreciated by Government and financial provision has been made for a larger establishment but recruitment has been disappointing over the last two years. Happily, towards the close of the year, there was a welcome addition of trained personnel as a result of new methods of bringing to the notice of likely candidates the vacancies which exist in the Colonial Veterinary Service. In addition another African of Northern origin has qualified locally as an Assistant Veterinary Officer, making a total of three qualified Nigerians in the Department.

Another African Laboratory Technical Assistant has proceeded to the United Kingdom for intensive training in laboratory technique. Very encouraging reports have been received regarding the ability shown by the student who went to the United Kingdom in 1948 on a similar course.

Practically all the resources of the small research staff have been utilised to the utmost in increasing demand. The production of biological products which are laboratory space and staff in consideration is being given to additional the establishment of a West African Veterinary Research Organisation.

The establishment of Regional Veterinary organisations in the Western and Eastern Regions of Nigeria in spite of shortage of staff has meant spreading man-power very thinly over Nigeria, but, in spite of this, the interest aroused in stock-owners of these regions has been most gratifying and it was realised beyond any anticipation how much a Veterinary Service is essential in these areas.

Training.—No progress has been made in the establishment of a Veterinary Faculty at Ibadan University College, but one Northern candidate with the necessary qualifications is taking the Intermediate-B.Sc. Course before further training abroad.

The Veterinary School at Vom with an improvement in the staff position has revised its courses. The output of approximately twelve to fifteen trained field assistants a year is improving the standard of veterinary aid rendered to stock-owners near their homesteads.

Vaccines.—Field experiments by research staff are in progress in the use of a new rinderpest vaccine on cattle of the Middle Belt.

An egg production unit has now been established at Vom to provide fresh fertile eggs for the preparation of avianised vaccines as prophylactics against rinderpest and yellow fever in the first instance.

Stock Management.—The prime duty of a State Veterinary Service is the prevention and control of epizootic disease. Considerable success has been attained in this direction by the sustained effort of many years in the past, but errors on the part of stock-owners through lack of knowledge, lethargy and complacency in breeding, rearing and maintenance take a steady toll of stock through ill-health before maximum production is attained.

In general, in a normal climatic year, over stocking is not a danger but consideration must be given to ways and means to prevent the very heavy losses of cattle which occurred in the Northern frontier provinces from starvation during the prolonged dry season of 1950.

Increasing attention is being paid by stock-owners to advice and demonstration on calf management, culling of unproductive stock and the preservation of fodder. Data are being steadily collected on the characters of the various breeds of local livestock.

Improvements have been made in the methods of movement of slaughter livestock and the losses from all causes are being reduced.

Active measures have been instituted successfully with the co-operation of stock-owners regarding limitation of stock, rotational grazing and a more static way of life in such areas as Bamenda, Mambila and the Plateau.

Pig production has increased considerably in the Eastern and Western Regions though not always under the best conditions of housing and management. The demand for improved stock from Government owned herds is steady.

Hides.—The posting of hide improvement officers to the Western and Eastern Regions has very noticeably increased the output of hides fit for export. The output from the North has also markedly increased but this was due to the heavy losses from starvation referred to above. One African has been granted a scholarship for specialist training in hide and skin manufacturing processes in the United Kingdom, where he is now under instruction.



Debates in the Legislative Council of Nigeria

Friday, 2nd March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Friday, the 2nd of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsforth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.
- The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

PRAYERS

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

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 1st of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

The Hon. the Financial Secretary :

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

Sessional Paper No. 9 of 1951—Report of the Accountant-General for the year ended 31st March, 1949.

BILLS

(First Reading)

1951-52 APPROPRIATION ORDINANCE, 1951

The Hon. the Financial Secretary :

Your Excellency, I rise to move the first reading of a Bill entitled.

“ An Ordinance to appropriate the sum of forty-two million, seven hundred and twenty-four thousand, eight hundred and twenty pounds to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two.”

The outstanding event of 1950 has been the Korean war. Although Korea is so far distant from Nigeria as to be almost unknown in this country yet, so integrated have the various countries of the world become, that it is now virtually impossible for Nigeria to remain un-influenced by a major world event even though such event takes place in another continent on the farther side of the globe. To the Korean war may be traced an intensification of the “ cold war ” which exists between the Western democracies and the countries behind the Iron Curtain. From this “ cold war ” has sprung the necessity of the Western democracies to institute large rearmament programmes, and it is the Korean war and the attendant re-arming by the great world powers which have profoundly affected the economy of Nigeria in the year 1950.

It may seem strange that events seemingly far removed from the West Coast of Africa should be able to influence Nigeria so intimately, but it happens something like this. When nations become involved in war or in the necessity of expanding their armies to counter aggression, they find they want more raw materials, and so we have an intensified demand for the things which Nigeria produces. At the same time the great manufacturing countries,

who make those commodities we want, have to switch men and machinery from making ordinary commodities for civilian use in order to create the implements of war. The inevitable results are two. First, the prices of raw materials shoot up, and so Nigeria gets more money for the raw materials she produces. But the demand for manufactured goods does not diminish, indeed it increases, because people in countries like Nigeria have more money to spend. Yet because the great manufacturing countries have fewer resources devoted to the production of civilian goods, there is an inflated demand at a time when there is a decreased supply. That is why in times of war prices invariably go up, even in countries like Nigeria, far removed from the scenes of combat. In Nigeria in the past year we have not been able to escape the effects of world inflation. The greater demand arising from the conditions created by the international situation has meant a rise in world prices. This movement has had a double-edged effect in Nigeria for, while it has meant that the world is prepared to pay higher prices for our palm oil, our groundnuts, our cocoa and other primary products, it has meant that the prices of our imported goods have also gone up and we have to pay more for them.

Looking over the past year, I would say that 1950 saw a steady quickening in the tempo of economic activity on all fronts. A year ago in the Budget speech at Enugu I referred to a possible recession in world prices of primary products during the forthcoming year. At that time a recession appeared inevitable, but with the outbreak of the Korean war, any trend towards a reduction of world prices was quickly reversed. Imported commodities were in better supply throughout the year. It is not surprising, therefore, to be able to record that imports into Nigeria in the year 1950 touched a new high figure of £60,547,000. In the field of exports, Nigeria had no difficulty in selling all that could be produced. Exports of cocoa were 91,000 tons, a decrease of 11,000 tons compared with the previous year. Palm oil exports were 159,000 tons and palm kernels, at 378,000 tons, showed an increase of 15,000 tons compared with 1949. Rubber exports showed a remarkable increase of 13,000,000 lb to 28,000,000 lb. The production of cotton maintained steady progress and exports amounted to 11,000 tons, an increase of 1,000 tons over the previous year. Shipments of groundnuts, however, decreased by 66,000 tons to 282,000 tons. The total exports for 1950 were valued at £85,318,000.

In other fields the same progressive increase in economic activity is in evidence. Savings in the Post Office Savings Bank increased by £149,480 to £2,980,140, and the gross turnover in the Money Order and Postal Order business exceeded £11,000,000. The Post Office handled 60,000,000 postal articles and laid an additional 676 miles of telegraph lines, to bring the total length of such lines in Nigeria to 28,276 miles. West African Airways have doubled the number of miles flown on internal services in Nigeria to a total of 1,290,000 miles.

Commercial trade throughout the year may be described as one of satisfactory progress and prosperity. Not the least contributory factor to this prosperity was the decrease in the number of strikes. The number of working days lost by strikes was 207,000, compared with 500,000 in the previous year. It is encouraging to know that both management and labour appear to be acquiring a more real sense of responsibility in the field of industrial relations.

[F.S.]

[Appropriation Ordinance, 1951]

Some excellent results were achieved at Enugu Colliery. In January, 1950, the output of the Colliery averaged 1,554 tons per day. By November, it had increased to 2,191 tons per day, and the output has increased from 5 cwt to 7.3 cwt per man/shift in the course of the twelve months. This is still some distance from the output per man/shift of 11 cwt reached in March, 1943, but it does raise the hope that the Colliery is moving in the right direction and that the day may not be too far distant when the Colliery can be regarded as a financial asset rather than a liability to Nigeria.

The Ordinance setting up the Electricity Corporation of Nigeria was passed during the year and at the beginning of next month the new Corporation will start out on its life as a separate commercial entity. I would warn Honourable Members against expecting spectacular results in the early years of the history of this Corporation. It is starting with obsolete plant, which will have to be replaced, but I believe it is in the hands of a capable Chairman and an enthusiastic team who will eventually place the Electricity Undertakings of this country on a sound commercial basis. I mention the position of the Colliery and the Electricity Corporation because good and adequate sources of cheap power are essential to the economic development of the country.

Perhaps the most attractive results, and certainly the most exhilarating, have been those obtained in the field of development. I hear many criticisms in Nigeria about the lack of development. It is true that in a country so large as Nigeria not all the development schemes which are nearest to our hearts are being undertaken, nor indeed can they be, because we are—and will be for many years to come—operating with resources less than would be required to fulfil all our dreams and expectations. I would invite critics, however, not to concentrate so much upon what has not been done but rather to look with me briefly over what has been achieved, and the plans which are being formulated for action in the next year or two. I venture to suggest that the picture is one of a country prepared to attempt great experiments, and anxious to raise the standards of living of its peoples, and determined to surmount all obstacles which lie in the path of this achievement.

The major Government project outside the Ten Year Development Plan is the Apapa Wharf Extension, on which a start was made during the past year. This scheme is estimated to cost £3,000,000 and will take five and a half years to complete, but when it is finished it will make Lagos an up-to-date port capable of handling the ever increasing volume of merchandise which should follow from the progressive development of Nigeria.

In the Regions the Loan Development Boards have maintained their activities of granting financial accommodation to Local Authorities and individuals in order to enable them to undertake projects which would otherwise lie beyond their reach. The Apapa Reclamation Scheme of the Lagos Executive Development Board is in full swing and will virtually produce a new town in the vicinity of Lagos. The same Board also has an attractive scheme of slum clearance in Lagos which will effectively improve the amenities of the capital and bring succour to some portion of an over-crowded population.

Some reference should be made to the work of the Regional Production Development Boards, although these are not under the control of the Government. The Marketing Boards (other than the Cocoa Marketing Board, which has not yet been granted the necessary powers) have been able to make

substantial grants to the Regional Production Development Boards, and the Regional Boards have turned with enthusiasm to large schemes of development. It is interesting to note that the Boards have, with commendable foresight, directed their attention to the development of the agricultural industry. Honourable Members are aware that it is not the policy of Government to permit the permanent alienation of land to non-Nigerians or even to companies incorporated in Nigeria under non-Nigerian control for the purpose of large scale agricultural development on plantation lines. This is because Government insists on keeping the land of Nigeria for the indigenous inhabitants. Such a policy, however, means that large scale improvements to the land by means of imported non-Nigerian capital will not be undertaken unless the responsibility for such improvements can be vested in the Government or some statutory Nigerian Corporation. Yet without the infusion of large amounts of capital into the development of the land, this country can have no agricultural future. It is therefore most encouraging to note that the application of capitalist methods to the development of land which cannot be undertaken by Government because it has not the resources, and will not be undertaken by non-Nigerian capitalists because they can get no permanent title to the land, is to be the main concern of the Regional Production Development Boards, and it is even more exciting to know that the capital which these Boards will use is capital which has been earned and saved in Nigeria.

In the Northern Region the Board will spend £350,000 on the distribution of super-phosphates, probably the quickest method of increasing agricultural production over a short period. It will also spend £136,000 on rice cultivation in Sokoto. The Western Region Production Development Board is setting up fourteen Pioneer Oil Mills at a cost of £134,000, and proposes to put into operation twenty-five additional mills, which will cost £196,000. In addition the Board will spend £100,000 on various cultivation projects for food crops in the upper Ogun area. The Eastern Region has very ambitious plans—£400,000 for the erection of Palm Oil Mills, which are going to be important if Nigeria is to produce first quality palm oil and hold its position in world markets: £300,000 for a 10,000 acre oil palm plantation in the Calabar Province; £200,000 for the establishment of a cashew nut industry in Onitsha Province. There is also a scheme for the distribution of artificial fertilisers at a cost of £200,000, and a scheme to cost £400,000 to provide concentrates for livestock. These few examples will mean an investment of more than

£2,000,000 in agriculture. In addition the Boards have a very large number of smaller schemes which will cost in all some hundreds of thousands of pounds—all directed to increasing agricultural production in Nigeria. Indeed, it is difficult, if not impossible, to restrain enthusiasm for the Regional Production Development Boards, which are probably going to play a tremendous part in the development of Nigeria. They will not be able to do all that needs doing but they are an additional agency working to raise the standard of living of the people in this country and they are the glowing example of Nigerians developing Nigeria with Nigerian resources. Here we have a development agency which is a model to other territories in the Empire and one of which we are justly and rightly proud.

Another outstanding feature of the past year closely associated with the development of Nigeria has been the revision of the Ten Year Development Plan. Honourable Members know that this plan was formulated in 1945 and was intended to cover development up to 1956. Now the basic conception

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of a Development Plan is not that it can or should attempt to do all development required in an undeveloped country. The object of a development plan is to create an economic and social environment conducive to further economic and social expansion. It is as if we were preparing a fertile field in which those who come afterwards could sow and, in the fullness of time, reap into barns bigger than those we inherited from bygone days. In short, we in our time, and by our efforts as expressed in a Development Plan, try to raise the standard of living for the people of Nigeria a point or two, so that the next generation may start its efforts on a plane higher than that which was bequeathed to us. So the plan was to be a prelude to future development and it is in this context that the plan should be considered. It was most necessary, therefore, that the attention of those responsible for revising the plan should be directed towards schemes which could make a rapid contribution to the national income, so that more resources would soon be available to finance future development, and further, that when the period of the plan came to a close, the schemes which had been undertaken would not die for want of recurrent expenditure to keep them going. For these reasons in the revision of the plan the emphasis had to be on economic rather than on social development. Not that it was ever suggested that social development is unimportant and can be ignored; far from it. Economic services without the intellectual capacity of human beings to run them would be a mockery; but a host of hospitals, schools and other desirable and necessary services would remain "white elephants" if the country had not the resources to finance them when the Ten year Plan came to an end. It was therefore most encouraging for the Central Government to find that the revised recommendations which came from the Regions showed that Regional advisers were fully aware that lasting social services can only be built on sound financial foundations and that the pace of social improvement is, in the last resort, dictated by the speed of economic advance.

It is not my intention to speak in detail of the revised Ten Year Plan. Honourable Members will be hearing more about the plan from my friend the Honourable Development Secretary, and it is my purpose merely to touch on the financial aspects of the plan. The Ten Year Plan as originally devised in 1945 was to cost £55 million, of which £23 million were to come from the people of Britain in the form of a grant from the Colonial Development and Welfare Fund, £16 millions were to be raised by loan and the remaining £16 millions were to be found from current revenue. At the beginning of the financial year 1950-51 it had already become apparent that if the schemes and projects which had been included in the original plan were to be carried through, the cost as estimated in 1945 would be doubled. Moreover, it was also obvious that the recurrent costs of the Ten Year Plan would probably be so large that they could not be absorbed into the ordinary budget of Nigeria when the plan came to an end in 1956. The plan was therefore revised so as to bring the total cost within the original estimated figures and to ensure that the country would be able to take over in the annual budget the residual recurrent costs which could be expected to arise from the projects included in the plan. The estimates which appear with the revised plan are such as to ensure that, with the help of the Colonial Development and Welfare Fund, this country will be able to pay for the plan and meet the residual costs of £2.4 millions per annum when the plan comes to an end. The total cost of the balance of the work to be done under the Ten Year Plan as revised in accordance with the principles I have set out will be £34,183,591, of which an estimated £16,212,906 will be provided

by the United Kingdom as the unspent balance of the original grant of £23 millions from the Colonial Development and Welfare Fund. Nearly £10 millions will be found from Loan Funds and the remaining £8 millions from recurrent revenues. The annual charge on the budget in 1956 and subsequent years will be £2,377,740. This is a large figure but it is one which should not, in the absence of any major trade recession, be beyond the capacity of the country when this first Ten Year Plan draws to a close.

The high level of prosperity which Nigeria has enjoyed over the past twelve months has been reflected in the Estimates. Revenue has been well maintained and, compared with the approved estimate of £30,357,480, the revised estimate is £32,213,855, a record in the history of Nigeria. This is mainly due to an increase of £1 million in Customs Duties. Export Duties, at £4.2 millions, are expected to produce £700,000 more than was anticipated, while Import Duties are £100,000 in excess of the original estimate.

The House will recall that some Honourable Members expressed a doubt a year ago that imports into Nigeria would hold up at previous levels during the year—a doubt which I myself fully shared. There was indeed a slight falling away in the middle of the year but, as I have stated, anything in the nature of a general recession within Nigeria was quickly tempered by the advent of the Korean war.

Royalties on tin showed a substantial increase of £250,000 to a revised figure of £750,000. This has been due to the exceptionally high prices of tin which have prevailed in the second half of the financial year under review. In this connection Honourable Members will be interested to learn that an additional £400,000 from the tin royalties has accrued to Government this year as a result of the decision made by this House just over a year ago to purchase for £1 million the rights of a private company to a share in the tin mining royalties.

While revenue has been well maintained, expenditure has shown some large increases. Expenditure for the year was estimated at £30,168,040. The revised estimate for the year is £31,906,500, and the revised surplus is £307,360. Fortunately a number of departments have not been able to engage the whole of the staff or undertake the whole of the work which had been planned at the beginning of the year, mainly because staff replacements have not been coming forward in the numbers required. I say fortunately, because the additional supplementary expenditure which the Standing Committee on Finance has voted in the past twelve months has amounted to more than £3 million. It is true that not all this amount represents new calls on revenue but without the savings which had been achieved over the past year this country could not have met this additional expenditure without incurring a considerable deficit on the budget. At the beginning of the year Government decided to introduce a temporary allowance to the basic rates of pay of 10 per cent in respect of the Senior Service and 12½ per cent for Junior Service staff. At the time the cost of this allowance was estimated at £1½ million but it now appears that the total cost for the full year will be in the neighbourhood of £2 million.

Another item of expenditure in the past year, and one which will probably be repeated in future, is the provision of £350,000 towards the development of roads in the Cameroons. Ever since Nigeria undertook responsibility for the administration of the Trust Territories, expenditure has exceeded

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revenue collected from the Cameroons. Nevertheless revenue which is raised in the Trust Territories is rising and the Government has undertaken that the expenditure in the Trust Territories should not be less than the revenue raised in that area. In order to implement this policy Government has decided to increase the amount of money expended in the Cameroons and has recognised that if the Cameroons Provinces are to develop, the starting point must be improved communications. Provision has been made in the revised Ten Year Development Plan for the expenditure over the next five years of some £255,000 on roads in the Cameroons. In addition, Government has now decided to increase its expenditure on roads in the Cameroons by £350,000 which will, subject to the approval of Finance Committee, be set aside from this year's revenues and placed in a special fund for the purpose of developing roads in the Trust Territories. I am sure all Honourable Members will welcome this proposal, which holds out great hopes for the economic development of the Cameroons in the next few years.

Other large items which have had to be met from supplementary votes in the past year include a sum of £500,000 towards the Endowment Fund of University College, Ibadan; £111,000 for the new Legislative Chamber, £220,000 for Military Buildings and a capital contribution of £109,000 in order to place the Marine Renewals Fund on a sound financial basis. It has also been found necessary to vote £55,000 for Government offices in Broad Street and £180,000 to write off the deficit on the Government Colliery account prior to handing the Colliery over to the Nigerian Colliery Board. The deficits on the West African Airways Corporation cost this Government £231,000, due to the extraordinary losses which the Corporation incurred as a result of an accident which caused the planes of the Corporation to be grounded for a long time in the year and then for a period to carry less than the full pay load.

I mention these figures to show that the cost of Government has increased and is increasing substantially; indeed, such increases are—as I shall show later—outstripping normal increases in revenue, and they cannot in my opinion be permitted to proceed unchecked if this country is to remain financially solvent. For some years after the end of the war the difficulty in this country was to spend money. Honourable Members will recall that year after year Nigeria had large surpluses of income over expenditure because shortages of men and materials made it impossible to implement the plans which had been made in respect of any one year. Those days, however, are over and spending Departments will have to re-acustom themselves to the less attractive exercise of deciding from among a series of alternatives which activities will produce best value for monies spent.

Before leaving the financial review for the past year I should make reference to the Public Debt position. At the beginning of the year the Public Debt of Nigeria stood at £17.1 million. A year ago I stated that we should probably have to raise additional loan money during the year but in the event it did not prove possible to enter the London market in the course of the current year. Fortunately we were able to carry on and finance loan expenditure in the Development Plan by means of advances from our cash resources, but the time is rapidly approaching when these resources will become exhausted and the advances which have been made against them will have to be retired. We shall probably have to seek a loan early in the forthcoming financial year and additional provision for £292,500 has been made in the estimates to meet possible interest and sinking fund charges. This is a large figure and deserves

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special mention because legislators, politicians and even civil servants are apt to forget that not the whole burden of development projects financed by loan money is shifted on to the shoulders of future generations; a substantial charge is immediately placed on the budget and has to be found from resources which are presently available.

Reference to the public debt position is relevant in another context. It has been the policy of Government to set up statutory Corporations to take over the quasi-commercial functions formerly undertaken by Government Departments. It is hoped that in giving these Corporations freedom of operation and a measure of financial autonomy more in keeping with the commercial nature of their activities, a higher standard of efficiency will be forthcoming. During the past year the Nigerian Coal Corporation has come into existence and the Electricity Corporation of Nigeria will complete the assumption of its independent status on the first day of next month. Government is also considering turning the Railway into a statutory corporation and perhaps creating a Ports Trust to take over the management of the ports. These new corporations require considerable sums of money for working capital and development if they are to be able to operate on a sound financial basis. During the early years of their independent existence Corporations can only look to Government for this necessary finance and I must point out that for every £1 million raised by the Government by way of loan money costs, at present day rates, some £45,000 annually to meet interest and sinking fund charges has to be found in the Budget. If the Corporations cannot meet these charges from their own incomes—and some of them most certainly will not be able to do so for some years—then the Public Debt charges on the annual budget will be increased accordingly. There is, however, a limit to the amount of debt charges which the Central budget can carry. On our present commitments, the Public Debt charges are already £875,000, and will be increased to not less than £1,500,000 by 1956. These are figures which make it imperative for Government to see that all means are taken to ensure that public corporations shall pay debt charges on any loans which are raised on their behalf.

During the past year Government also made available a loan of £500,000 to the Cameroons Development Corporation; of £350,000 to the Lagos Executive Development Board, and £50,000 to the Colony Loan Board. Legislation is required to regularise loans made by the Central Government to subordinate authorities and it is hoped to introduce such legislation during next year. Additional loan money will be required in the forthcoming year and Government will probably take advantage of the generous offer of the Marketing Boards to lend the Government of Nigeria a further £5.3 million. In the event of Government taking up this loan, notice will of course be given to Honourable Members at the appropriate time.

During the forthcoming year we shall be repaying a large portion of the Nigerian War Savings Certificates which were issued between 1941-47. These certificates are beginning to reach the end of their ten year life and it is proposed to redeem them as they mature. About 170,000 certificates will mature in the forthcoming financial year and £53,000 has been included in the estimates to provide for bonuses payable on their redemption.

I said earlier that Government expenditure had shown a remarkable propensity to increase, and it is with regret that I have to open my remarks on the financial year 1951-52 by stating that Government expenditure will of necessity be higher next year than it has been in the past. The budget estimates, which are already in the hands of Honourable Members, show that

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expenditure will amount to £33,324,180 during the forthcoming year. Honourable Members will agree that such expenditure calls for some explanations from Government, and I will deal in turn with the major items which are responsible for increasing expenditure by £1,417,680 over the revised estimate for the previous year. The first, and largest, is the expenditure from revenue on the Development Plan, or the famous "Head 50" in our budget. As the plan progresses, a heavier liability of recurrent expenditure falls on the budget as new projects come into operation. I estimate that these recurrent costs will increase this year by £700,000 to an estimated total of £1.7 million.

Another large item is £2.75 million for the Revenue Equalisation Fund, an increase of £500,000 over the previous year, which will bring the total invested in that Fund at the end of 1951-52 financial year to some £9 million. As Honourable Members were informed as far back as 1948, it is the intention of Government to raise this Fund to £10 million at the earliest possible opportunity, as a hedge against any recession in prices and in Nigerian revenue, which might overtake the country before the completion of the Ten Year Plan. If there was a sharp fall in revenues before the end of the Plan, the country would either have to cut back the Plan, and thereby hold up development, or it would have to be in a position to call on adequate reserves which would tide the country over the period of recession and give a breathing space during which expenditure on development could be adjusted to new conditions. Honourable Members who can recall the catastrophic 'thirties in this country will readily agree that never again must the country be called upon, in the absence of adequate financial reserves, to make those hard and difficult financial adjustments which, in the long run, did more harm to the country than good. We have learned a lot since those days, and one of the major lessons is that a country which undertakes extensive development projects without an adequate reserve fund, is like the man who built his house upon the sand, which collapsed when the first storms came.

Other smaller items which will require additional Government expenditure are the Census, which will eventually cost £140,000, of which £10,000 will be spent in the forthcoming year. Pensions and Gratuities, at £1,076,350, will require an additional £72,900. This item will increase progressively in future years, because as the field of Government activity increases, so do the numbers of staff employed by Government. In this connection I would like to repeat the Government announcement which was made some weeks ago, to the effect that the Nigerian Government does not pay the whole of the pensions of expatriate officers who come from other Colonies to Nigeria. The portion of an officer's pension which is paid by the Nigerian Government depends primarily on the length of time which that officer has spent in the service of the Nigerian Government, and Nigeria, in turn, continues to be responsible for a portion of the pensions of those officers who have spent part of their service in Nigeria and have left for other Colonies.

The Posts and Telegraphs Department will require an extra £224,220 for extensions, bringing the total annual cost to £1,474,390. This is a revenue earning department and, while it spends more than it earns at the present time, nevertheless it is one which, when the Posts and Telegraphs are fully developed in this country, promises to be a good source of revenue. It is true that many of the postal and telegraphic services offered to the public at present are charged much below their economic cost and I shall make recommendations later on as to how I propose to bring the charges for postal services in this country more into line with their cost.

I estimate that next year the Electricity Corporation will make a loss of £200,000. This loss will, in the first instance, have to be met by Government, and there will no doubt be losses in succeeding years. The Electricity Corporation is in the position of a young stripling who cannot earn a man's income until he grows bigger. The Corporation will, I believe, eventually pay its way, but not until it has a lot more consumers than at present. More consumers mean more output, and more output needs more plant, and more plant requires more money, so the Corporation will have to undertake a great deal of capital development before it can earn sufficient to pay its way. Any sums which are advanced from Government funds to meet the Corporation's deficits will be charged up against the Corporation and, in the happier times which I hope lie ahead, these accumulated deficits will be funded and repaid by the Corporation.

Allocations to Regions will amount to £9,315,510 in all. This is an increase of £1,260,000 on the previous year. I make no apologies for the method by which revenues were allocated to Regions during the past year. Frankly, they were based on the previous year's figures, plus a small addition. I fully realise that no Region has been satisfied with the system of allocation which has been in vogue ever since the introduction of the present Constitution. I also admit that the system of allocation of revenues to Regions as proposed by Sir Sydney Phillipson has never been fully implemented by the Central Government. There have been good reasons why this should be so, but I suggest that the time is past for conducting post-mortems into what might or should have happened. It would have been my intention during the past year to try and find a new and more equitable means of allocating Central revenues to Regions, which would have met some of the wishes of Regions, although I doubt if it is within the wit of man to devise a scheme which will meet all the claims of all the Regions at all times. I was deterred, however, from introducing any new scheme because this was the last year in which the allocations of revenue to Regions would be made under the old Constitution. Moreover, a Commission was already sitting in the country which was to devise a new plan which would provide for the financial relationship of the Central and Regional Governments. It seemed to me that it would have been foolish to try and frame a new plan which would apply for one year only. It might have been the means of exacerbating Regional feelings and creating a bad background for the introduction of the new Constitution. It seemed right and proper therefore to continue with the old methods pending suggestions of a more scientific system from the Revenue Allocation Commission. That Commission's report has not yet been received and it has still to be discussed by the Committee set up for that purpose by the Ibadan Conference on the Constitution. This is not, therefore, the right time or place to enter into a discussion of it. I would, however, content myself with two remarks. The first is that Government and the Ibadan Conference were well aware that, of all the problems which might have made the new Constitution unworkable, those dealing with finance would probably be the most insuperable and cause most dissension. It was therefore decided to try and take the question of the division of finances between the Central and the various Regional Governments out of the arena of annual Budget debate by getting an impartial and independent Commission to suggest a scheme for such division, and putting their recommendations in the Constitutional instruments. We were fortunate in being able to get on this Commission the best technical assistance that the United Kingdom could offer, and I venture to suggest that the report which

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they have produced will become one of the most important documents in the history of Constitutional development in the British Colonies. The second remark I should like to make before leaving this subject is that in Federal Constitutions the most difficult of all political problems is that of the financial relationship between the Central and State Governments. Students of Canadian, Australian and American constitutional history will know that, after years of study and investigation, none of these countries has found a simple or satisfactory formula on which can be based the division of national revenues between the Federal and State Governments. It is therefore encouraging to note that the Revenue Allocation Commission did not permit themselves to be trapped into trying to find a simple formula for the division of revenues between the Central and Regional Governments. Instead, they have indicated that they will take what I think is the eminently wise course of devising a comprehensive plan for the allocation of revenues—a plan which they believe will work but which is not intended to last for all time. It will nevertheless be flexible enough to be able to march in tune with the constitutional development in this country during the next five years.

Honourable Members will be interested to know that since completing his work in Nigeria, Dr Hicks has been appointed by His Majesty the King to be a member of a Royal Commission which will examine the whole field of taxation in the United Kingdom.

His Excellency :

Under the Standing Rules and Orders I am bound to call the attention of the Honourable Member to the fact that he has exhausted his ration of forty-five minutes.

The Hon. the Development Secretary :

Sir, I suggest that he should be given additional time.

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

I second that.

His Excellency :

The question is whether the Honourable Member be given additional time.

Motion carried.

The Hon. the Financial Secretary :

In speaking of the Ten Year Development Plan, I stated that the emphasis was on economic services, but that social services had not been ignored. Some 20 per cent of the expenditure in the forthcoming year will be on social services. Medical expenditure at the Centre alone will increase by £42,570 and expenditure on education, including grants-in-aid, will require an additional £400,000, making a total of Central expenditure in excess of £2,000,000, which is more than is spent on any other single Government activity. Government medical and educational policies provide for increasing expenditure in these fields. This is as it should be, but Honourable Members will recognise immediately that such policies presuppose that the national revenues will increase and, indeed, will increase at a rate not less than that of expenditure. This, in point of fact, has not happened. Already the grants-in-aid for education have exceeded the estimates which Sir Sydney Phillipson had in mind when he drafted his celebrated report. It is, of

course, most satisfactory to see expenditure on education increasing, because it should mean that illiteracy is on the decline. But, again, I must point out that there is a limit to Government revenues and until the national income of Nigeria is considerably higher than it is today, it is not going to be possible for the Central or Regional authorities to find the whole cost of a universal system of education in this country. The need for social services in this country is great, and I would say that the demand does not fall far behind the need. But if social services are going to expand with the rapidity that is popularly desired, it is going to be essential that people in the localities which benefit from such services shall make an increasing contribution to the cost. The Central Government will help, but an increasing effort must be made by those for whom the social services are provided. Moreover, the social service needs of localities vary: one area might prefer a hospital to a school: another might prefer a school to a community centre—so it would appear that the type and extent of social amenities can best be determined at the local level. The people of any locality will therefore be best able to decide the kind of social services which they require; they will also be the best judges of the extent of the social services which should be provided, and these questions can only be satisfactorily answered where the community who will benefit from the social services is called upon to meet the major portion of the cost. In these circumstances Government assistance is best given by grants-in-aid, which will enable the people in a locality to do a little better and a little more than they could if left solely to their own resources, or to help some community which is too poor to provide the minimum social services which Government thinks desirable. I mention this to warn Honourable Members that the increasing costs of social services (and social services are expensive) will have to be met in future out of local contributions, and such contributions are best raised in the form of rates collected by local authorities.

There is one new item of expenditure, which does not appear in the draft estimates, but which I shall introduce at the Select Committee stage and which I hope will appear in future budgets at an increasing figure. This is the provision of £2 million for the Loan Development Fund. The object of this Fund is to provide a source of loan money which will be available for the statutory corporations and local authorities wishing to raise loans for development purposes. Normally Government would attempt to raise such money on the London market, but the supply of loan funds from this source is not unlimited. There may, in point of fact, be considerable difficulty in obtaining abroad more loan funds over and above those amounts to which we are already committed. It seems, therefore, that if possible we should try to set aside such of our resources as can be spared to provide funds so that essential development will not be stifled in future for lack of the means to give effect to new projects. This country is enjoying boom conditions at present. It would be easy and, I have no doubt, popular for me to show the green light which would lead to all sorts of spending at the present time, without a thought for the future. But the present boom conditions will not last for ever and it behoves us, therefore, to take some thought and make some provision for the morrow. It is true that we have our Revenue Equalisation Fund but this is a final stand-by in case of depression, and therefore it cannot be touched at present. The Fund I am now proposing would be available for immediate use, but the money would be disbursed as loan money which would be returnable to the Fund, and would then be available for further loans in the future. Thus it might

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will be possible at some future date for local authorities requiring loans to look to this Fund for the necessary finance and they will thereby be encouraged to undertake development schemes which for the lack of finance might otherwise lie outside their competence.

There is one more important point which calls for comment before I leave this review of estimated expenditure during the forthcoming year. I refer to the Temporary Additions to the Rates of Pay. When this allowance was given last year I expressed the hope that it would be, as its name suggested, "temporary", for it seemed at that time that we were reaching the peak of our prices and that some reduction could be expected in the near future. But the outbreak of the Korean war reversed the trend and sent up the prices of imported commodities, although the prices of locally produced foodstuffs remained very steady in the earlier part of the year. The conditions which prompted the payment of Temporary Additions to the Rates of Pay have not therefore changed and Government is obliged to recommend that it be paid again during the forthcoming year. The cost to Government during the year will be at least £2 million and the amount will probably increase in future years. How long the Central Government will be able to shoulder this burden, which extends not merely to Government officers but also to employees of Native Administrations, Voluntary Agencies and Townships, is a matter of conjecture, and a problem which will require the earnest attention of Government during the forthcoming year.

Honourable Members are aware that the major part of the revenue of Nigeria is derived from the duties imposed by way of Customs and Excise Dues and Income Tax. I anticipate that receipts from import duties will be £500,000 less than the revised estimate for the present financial year, namely, £11,100,000. This will arise from an expected owing to a large decrease in imported cigarettes. Imported commodities should be in plentiful supply in the earlier part of the year, although at higher prices, but there will probably be difficulty in obtaining some goods later in the year. The tremendous demands for rearmament, which will be made on the resources of the manufacturing countries of the world, particularly on America and the United Kingdom, will mean that there will probably be fewer commodities for civilian consumption. Excise duties, however, should show an increase of £300,000 over the revised estimate for this year, making a total for the forthcoming year of £1,836,000. Export duties at the present rates should bring in the same amount as the revised estimate for the present year, £4,200,000; while mining royalties and fees will fall to a total of £780,000 because the Coal Corporation will no longer pay any royalties on coal.

Income Tax collected from individuals is not expected to exceed £650,000. There have been collections of large arrears in the past financial year which are not expected to be repeated in future. The trading profits of companies in Nigeria in the past year, on which the assessment for Company Tax during the present year will be made, were expected to fall away during the past year. The expected recession in trade, however, did not materialise, but I doubt if there was any increase in profits, and therefore we must expect that receipts from Company Tax will be approximately the same as in the past year, £3,500,000, making a grand total of receipts from Income Tax of £4,150,000. Receipts from other heads of taxation are estimated to bring in £5,000,000, making a grand total (including contributions from the Colonial Development and Welfare Fund) of estimated revenue for the year of £31,528,900, as against estimated expenditure of £33,324,180. This

leaves a deficit for the year, as shown in the printed draft estimates, of £1,795,280, to which must be added £2 million for the Loan Development Fund.

I do not share the horror expressed by some financial purists against deficit financing. As was stated by my predecessor in his last budget speech, Government expenditure must be balanced by Government revenue, but it is not necessary that a balance must be achieved in respect of every single year. The inevitable logical corollary of such a policy is, however, that a country shall not incur deficits in periods when boom conditions prevail, but rather that the country shall attempt to amass some reserves which will be available in less fortunate times. It is extremely bad financial practice to run up a deficit on the budget in times of prosperity and boom conditions. Moreover, it is right and proper that all the people of this country should share in the prosperity which certain industries are experiencing at the present time. Government is therefore of the opinion that higher taxation at this time is both necessary and desirable, and that there are means of raising the additional revenue required without calling for exceptional sacrifices from any one particular section of the community.

Honourable Members will recall that at the last meeting of the Legislative Council, the royalties on tin were revised to meet the high prices of tin which were then prevailing, and which have since increased still further. Later in this session I will propose a Resolution that the duties on groundnuts, groundnut products, palm oil, palm kernels and palm kernel products and benniseed shall be raised from the present 6 per cent *ad valorem*, calculated on f.o.b. prices, to 10 per cent f.o.b. I estimate that this will bring in an additional £1.8 million next year. The duty on cocoa will be revised from 6 per cent *ad valorem* to 10 per cent *ad valorem* when the world price does not exceed £150 per ton, with an additional one-tenth of 1 per cent in respect of every £1 the world price is in excess of £150 per ton. I shall further propose that exports of cotton and cotton seed shall be added to the list of commodities on which an export duty has been placed and that this duty shall be 10 per cent. I estimate that this duty on cotton and cotton seed should bring in some £400,000 per annum. These increases in the rates on the products handled by the Marketing Boards will, I estimate, produce a total of £3.7 millions in a full year.

I shall also propose that a duty be levied on rubber exports of 10 per cent *ad valorem* of the London spot price. The world price of rubber has been rising during the past twelve months from 15d per lb to over 60d per lb. It is probable that the present high price will not be maintained throughout the year but I believe that it will remain sufficiently high in order to be able to bear the duty I now propose. Rubber is a commodity which, in Nigeria, does not lend itself to an export duty when the price is low, for the peasant cannot be induced to tap trees unless there are very high profits in the offing. I shall therefore propose that the duty on rubber will only be levied when the spot price on the London market is in excess of 18d per lb. I anticipate that the export duty on rubber will produce about £300,000. For purposes of calculating the duty, the price will be taken as the spot price of rubber for No. 1 Ribbed Smoked Sheet on the London market on the Tuesday previous to the week, beginning twelve midnight on Sunday, during which the export is made. Rubber will be deemed to have been "exported" at the moment when it has been placed on board ship for export.

[F.S.]

[Appropriation Ordinance, 1951]

I shall also propose a duty on the export from Nigeria of all timbers. Honourable Members will know that there is a world shortage of timber and that Nigerian hardwoods in particular are bringing fancy prices in world markets. This has stimulated the production of timber in Nigeria and exports have, over the past twelve months, risen from 5,000,000 cubic feet in 1949 to 8,500,000 cubic feet in 1950. It is proposed to levy a duty of 3d per cubic foot on certain hardwoods exported in log form, and 2d per cubic foot on similar timbers exported as sawn timber. On all other timbers a duty of 1d per cubic foot will be imposed while exports of plywood and veneers will pay a duty of 5 per cent *ad valorem* on the f.o.b. price. Curls will pay a duty of 5s per curl. It is estimated that these duties will produce about £100,000 per annum.

It is proposed that the duties on hides and skins and shea nuts shall be increased by approximately 20 per cent to 25 per cent. I shall deal more fully with these duties when I present the appropriate Resolution to this House.

Finally, I shall propose that the duty on unmanufactured tobacco shall be raised from the present 5s 6d per lb to 8s. In the past this duty has been kept specially low and I feel it is time that it was brought into line with other tobacco duties. I expect the revisions in this duty to produce £300,000 additional revenue next year.

The sum total of the additional revenue which I have proposed will amount to an estimated total of £4.4 million which, added to the ordinary revenue of £31,528,900, will make a grand total of £35,928,900, leaving a surplus for the year of £604,720, a small surplus in so large a budget, but nevertheless a surplus.

Other increases which will take effect from the 1st of the next financial year, will be increases in postal rates. Honourable Members are probably proud that Nigeria has hitherto been able to retain the penny post for internal postage rates. Moreover, since internal mail is now carried, where possible, by air, the postage on letters is extremely cheap: indeed, it is uneconomical. It has therefore been decided, as from the 1st of April, to raise the internal postage rates from 1d per first half ounce to 1½d in respect of letters, in order to meet the increasing cost of postal services in this country. The cost of the internal air letter form, however, will remain at 1d, so that it will still be possible to send a written communication to any part of Nigeria for 1d.

Postage rates to overseas countries are fixed in accordance with the International Postal Union agreements, and the members of the Union have recently agreed to increase their rates. As from the 1st of next month postage rates to foreign countries will be 4d for the first ounce and 2½d for each additional ounce. These rates will affect sea mail only; there will be no change in the current air mail rates. It is estimated that these changes will bring in an additional £80,000.

No Financial Secretary cares to incur the odium which invariably arises with proposals for new taxation, but I must state that it is my opinion that the country can bear without any great difficulty the increases which I have proposed. We are a highly taxed community and, as I said last year, our economy is one which could and probably would be adversely affected—and in a very short time—if there were a fall in world prices of primary products. If we are going to be able to meet such a recession with confidence, and to be able to carry on the development of our country, we must prepare in these days of plenty for the less fortunate times which may lie ahead.

It is therefore important that the Government and Legislators of Nigeria should keep a careful watch on world events and try to anticipate changing conditions which might call for immediate variations in financial policy which, in the last resort, governs administrative policy. The best way, however, to avoid the ill effects which a fall in world prices will bring to Nigeria, is to strengthen the economic position of the country during the present prosperous times. In my opening remarks I told of the development projects which are being undertaken by the Government, semi-Government undertakings and agencies of the Marketing Board. This represents a big effort, but it is not enough. If we are going to ride with confidence over the next recession in world prices for primary products, the economy of this country must become more diversified. We cannot lean on the present levels of production of cocoa, palm oil products and groundnuts for all time. One of the disturbing features of the economy of Nigeria is that, in spite of the very high prices ruling for our primary products since the war, there has been no substantial increase in the volume of production. It would have been reasonable to expect that these high prices would have been a tremendous incentive to production but, with the exception of cotton and rubber, the record years of production for every large Nigerian product lie in the pre-war period when prices were much lower than they are today. We want our agriculture to extend by bringing larger areas into production and by applying new methods of cultivation which will increase crop output in existing areas. The Marketing Boards, through the Regional Production Development Boards, and the Colonial Development Corporation in conjunction with the Government at Mokwa, are tackling this aspect of the problem. But we want not merely to expand the existing agricultural industry, we want new industries if we are to guard against the dangers which arise from shifting agricultural prices, and if we are to maintain a stable standard of living for the people of Nigeria on a level higher than that which now exists.

A year ago I ventured the remark that Nigeria was a poor country, and a number of people objected. Since then there has been one attempt to assess the national income of Nigeria, which has been stated to be about £200 million per annum, or approximately £8 per head of the population. When I tell you that the national income of the United Kingdom, which has not more than twice the population of Nigeria, is £11,000 million, Honourable Members will be able to judge for themselves the relative wealth of Nigeria. A more scientific investigation into the national income of our country is now under weigh, but there can be little doubt that it will show that our national income is extremely low, and that Nigeria is a poor country. What I think my critics of a year ago had in mind was that Nigeria had large *potential* wealth which, if developed, could be a means of raising the standard of living in this country. With this I would most certainly agree. Factories which exist only on paper can add nothing to the wealth of a country. Minerals lying below the surface of the ground are not worth anything to a nation until they are brought to the surface. The problem is, therefore, how shall we get these minerals developed and these factories opened so that the wealth of the country can be increased and all the people brought to share in the resultant prosperity?

The only permanent way to achieve a higher level of industrial activity in this country is by the importation of capital goods. I don't think I would be far out if I gave as a formula for increasing the amount of goods and services produced in Nigeria the following :—

[F.S.]

[Appropriation Ordinance, 1951]

Labour + Technical skill + Capital = Production.

In Nigeria we have the labour, but we are short on capital and technical skill.

A lot of thought on raising the standard of living is often obscured by the belief that there is some way in which a poor country can raise the standard of living for its people by hoisting itself on its own boot-straps. I know of only one country in the history of the world which has raised from its own resources the necessary goods with which to pay for the importation of capital goods. That country is Russia, and it found the money to pay for the importation of capital goods by seizing the crops of the farmers, starving the proletariat, and selling the people's food abroad in order to buy capital equipment. It worked—up to a point—but the toll in human life and human suffering reached a peak unknown even in the most barbarous times of world history. We would not be willing, and indeed we would not wish to follow, such a savage and inhuman course, but we must find ways and means of attracting into this country the capital goods without which our labour cannot make its maximum contribution to the national economy. We need overseas capital—lots of it—if we are ever to make any impression on the poverty of this country and hold out some promise of future improvement for its people. But overseas capital is often chary of leaving home for undeveloped areas. With the example of Asia before them where, due to political instability, so much overseas capital investment has been lost, overseas holders of capital are understandably cautious that they may be burning their fingers in Africa. I had hoped to be able to introduce at this session proposals which would provide strong incentives to local and overseas investors to put their money into Nigeria. Unfortunately these proposals have not yet been finalised, but Government is earnestly considering whether, by means of tax relief, private capital from overseas countries can be induced to come and lend a hand in the development of Nigeria. Honourable Members will be pleased to learn that already one Oil Company is prepared to prospect in a large way in the Eastern districts, and Anglo-American capital has shown some interest in examining, with a view to developing, certain lead/zinc deposits, and the Colonial Development Corporation has registered the Fibre Industries Limited, which will operate at Onitsha. These enterprises are confined to the Eastern Provinces but will be a means of helping the development of Nigeria generally and the welfare of the Eastern Provinces in particular. I should like to see this type of enterprise repeated a hundredfold all over Nigeria.

But overseas capital will look not only to security, it will also ask whether it is worthwhile associating with Nigerian labour. In this country we hear too often the cry that the productivity of labour is falling, although monetary wages are constantly increasing. There are unfortunately far too many examples where this charge is justified. There is no short cut or easy road to a better way of life in Nigeria and, while the importation of overseas capital is a necessary ingredient, it cannot be regarded as some miraculous elixir which, by itself, can transform the Nigerian standards of living. All the capital in the world will not help Nigeria unless labour is prepared to pull its weight. Additional wages without additional production emphasises both the lack of incentive to the workmen and the boost given to inflation. There have, in the past year, been rises in wages and it would be comforting to learn that these rises had resulted in increased production. There is no reason to suppose that this is so, but I would wish to state categorically that the efforts of Government, of the Marketing Boards and of private capital will all be nullified unless there is a fair measure of co-operation from labour. The higher

[F.S.]

[Appropriation Ordinance, 1951]

standards of living which are so urgently required in this country can only be achieved by teamwork in which every man, be he in the factory, in the office or on the land, is giving a full day's work for a full day's pay.

Turning to the future, I am of the opinion, assuming there is no major war in the world, that the high level of activity at present prevailing in Nigeria will continue throughout the next twelve months. It may be that the prices of our primary products, particularly cotton, will move to higher levels. I do not think that Nigeria will have any difficulty in disposing of the crops and mineral produce of this country. Indeed, there are already cries for more of everything which this country produces, and we would be foolish if we did not hear the call and take advantage of the opportunities which are unlikely to be permanent.

I should perhaps sound one note of warning. Development is not merely planning schemes and spending money. There are many agencies fostering development in this country and the co-ordination between them is not strong. There may be a shortage of some materials towards the end of the financial year, there may well be shortages of technical expatriate staff, and there is certainly a limit to the amount of African technical and supervisory staff which is presently available. It would be unwise and economically wasteful for the various departments and Boards to be competing one with another for supplies of scarce labour and materials. I trust that those responsible for development projects will not permit their enthusiasm to outrun sound economics and that, if the circumstances demand, they will have the patience to learn that waiting in the queue may well be the cheapest and quickest method of securing the end in view.

There are big days ahead. This budget is expected to be the last I shall introduce to this Assembly. Next year there will probably be new faces, in a new Council, assembled in a new House. Honourable Members who are present today have guided the financial destiny of Nigeria throughout the past four years, under the guidance of various Financial Secretaries, of whom I am the latest and probably the one who has served in this Assembly the shortest time. I think that Honourable Members can be proud of what they have achieved in the lifetime of the present Constitution. The tempo of development in Nigeria has never been greater, the national revenues and expenditures have never been higher and, so far as I am aware, never before in its history has the country reached the eminence of financial strength and stability that it displays today. If this House were leaving no other heritage to the Assembly which will debate next year's budget, it would be a record of which Honourable Members could be proud. The essence of good politics, like the essence of good administration, is sound financial practice. We can hand over the duty of financial responsibility to those who will fill our places next year in firm confidence that the financial foundations of Nigeria are solid and strong. A better legacy no Constitutional Assembly could want or expect.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

His Excellency :

The question is that the Bill be read a first time.

Bill read a first time.

[F.S.]

[Appropriation Ordinance, 1951]

The Hon. the Financial Secretary :

Sir, I rise to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

The Hon. the Acting Chief Secretary to the Government :

Sir, I should like to suggest with your permission that we have a short break.

His Excellency :

If it is the wish of the House I propose that we break for ten to fifteen minutes.

Proposal accepted.

Council adjourned at 11.00 a.m.

Council resumed at 11.15 a.m.

THE NATIVE COURTS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the first reading of a Bill entitled :—
“ An Ordinance further to amend the Native Courts Ordinance ”.

It will be within the recollection of Honourable Members that at the meeting of this Council in August, 1948, a Bill, which is now the Native Courts Ordinance, 1948, was passed, and Honourable Members will also recollect that that Bill was necessitated by the judgment of the West African Court of Appeal in the case of Gwandu Native Authority *versus* Tsofo Gubba. It will be remembered that the effect of that judgment was this: where a native court exercises jurisdiction in relation to an act or omission which constitutes an offence against the Criminal Code, whether or not the act or omission is also an offence against native law and custom, the native court is required to exercise its jurisdiction in accordance with the provisions of the Criminal Code. Now, the Native Courts Ordinance, 1948, neutralises that decision of the Court of Appeal by enabling native courts to try cases in accordance with native law and custom even though the act or omission constituting the offence against native law and custom also constitutes an offence against the Criminal Code. And it will be remembered that the Ordinance also gives wide powers to appellate courts and authorities in criminal matters, powers wider than those contained in the principal Ordinance. The Ordinance also provides for an automatic review by the Supreme Court of all homicide cases. This Ordinance is expressed to expire on the first day of October this year unless extended.

Well, Sir, after the Ordinance of 1948 had passed into law and as a result of the debate in 1948, the Government appointed four Commissions of Inquiry, one for the Colony and one for each of the three Regions to enquire into the working of the native court system, if I may so put it generally. Mr Nevile Brooke, formerly a Judge of the Supreme Court, Nigeria, was considered the most suitable person to preside over those commissions. The Commission in the Colony was opened on the 9th December, 1949, and thereafter each of the other Commissions made their enquiries and took evidence. Now Honourable Members will recollect that Mr Brooke was in charge of the revision of the laws and it was not possible for him to undertake these four commissions until he had completed his duties as Commissioner for the Revision of the Laws. However, the four Commissions proceeded with their task with despatch, and I am happy to inform the Council that

their reports are now in the course of preparation. Some time must, however, elapse before their recommendations can receive consideration and before such recommendations, if they are accepted, can be implemented by legislation. Mr Brooke has therefore recommended that the 1948 Ordinance be repealed and that certain amendments be made to the Native Courts Ordinance, that is Chapter 142 of the 1948 Revised Laws, and similar amendments to the Native Courts (Colony) Ordinance, that is Chapter 143. The Bill now before the Council is the Bill to amend the Native Courts Ordinance.

The main features of the Bill may be shortly explained as follows. Clause 3 will enable Native Courts to try, as they have power to try now under the 1948 Ordinance, an offence against native law and custom in accordance with native law and custom even though the act or omission constituting the offence also constitutes an offence against the Criminal Code. But, and this is the important thing, it is expressly provided in that clause that where an act or omission constitutes an offence against native law and custom and also against the Criminal Code, the Court shall not in the event of a conviction impose a punishment in excess of the maximum permitted by the Criminal Code. Clause 4 of this Bill reproduces section 4 of the 1948 Ordinance, which section gives appellate courts and authorities wider powers in criminal appeals than they have under the principal Ordinance. Honourable Members will recollect that there is a fifth section in the 1948 Ordinance. That section we have not reproduced in this Bill. Section 5 of the 1948 Ordinance makes provision for the automatic review of trials for homicide and it has been found difficult of application in practice. The section, Sir, enjoins the Judge to set aside a decision and make one of several specified orders, including an order for retrial, if he is satisfied that by reason of the application to the case of native law and custom the decision is not satisfactory having regard to the provisions of the Criminal Code applicable in the circumstances. Well now, this criterion has led to difficulties because it has been subjected to different interpretations by different Judges. One interpretation led to a great number of retrials being ordered purely on the ground that a penalty less than death was inflicted in cases of homicide under native law and custom which, under the Criminal Code, amounted to murder. That is why we found the section unsatisfactory and it has been dropped.

I might briefly summarise the position. Clause 2 of this Bill enables Native Courts to administer native law and custom provided that where there is an analogous offence under the Criminal Code the punishment inflicted shall not exceed the maximum prescribed by the Code. Clause 3 of the Bill is purely a consequential matter, and clause 4 gives appellate courts and authorities wide powers on the hearing of an appeal which will enable them to remedy any injustice, for example, an excessive sentence.

As I have indicated, Sir, this Bill is necessary to bridge the gap between the present time and the time of the passing of legislation to implement the recommendations of the four Commissions presided over by Mr Justice Brooke, and I commend it to the consideration of this Council.

Sir, I beg to move.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the first reading of a Bill intituled :—

“An Ordinance further to amend the Native Courts (Colony) Ordinance.”

The purpose of this Bill is to make amendments to the Native Courts (Colony) Ordinance similar to those to be made to the Native Courts Ordinance by the Bill which has just been read a first time. There is, however, one point perhaps I should mention, and it is this. At the committee stage I shall move an amendment to delete sub-clause (5) of clause 3. That sub-clause, Sir, refers to the West African Court of Appeal. In the case of the Native Courts (Colony) Ordinance there is no appeal to the West African Court of Appeal and the sub-clause is unnecessary.

Sir, I beg to move.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE COLONIAL DEVELOPMENT CORPORATION (INCOME TAX)
ORDINANCE, 1951**The Hon. the Development Secretary :**

Sir, I beg to move the first reading of a Bill entitled :—

“An Ordinance to make provision touching the rate of Income Tax payable by the Colonial Development Corporation.”

I do not think, Sir, there is any real reason for me to add to the information supplied in the objects and reasons in introducing this Bill. Briefly, Sir, the position is that although the Colonial Development Corporation operates in Nigeria as a company it does not conform to the definition of a company contained in section 2 of the Income Tax Ordinance. Without the amendment which this Bill is designed to secure, therefore, it would be treated for Income Tax purposes as a private individual and it may, in certain circumstances, have to pay Income Tax at a higher rate than Companies Tax. Since the Corporation operates in Nigeria as a company, I suggest it is only fair that it be treated as a company for Income Tax purposes. There is a precedent in the case of the Cameroons Development Corporation where a similar amendment was moved.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Development Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE PENSIONS (PREVIOUS SERVICE ON CONTRACT) ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I rise to move the first reading of a Bill entitled :—

“ An Ordinance to make further provision with respect to the Pensions, Gratuities and other Allowances of certain officers appointed on contract to His Majesty's Service ”.

The purpose of this Bill, Sir, is to make provision by law to implement a term of employment on contract hitherto contained in Recruitment Memoranda, issued in 1946 by the Secretary of State for the Colonies to attract suitably qualified candidates to fill some of the many post war vacancies in the Colonial Service. It was stated therein that if an officer appointed on contract were subsequently selected for permanent appointment to the Service he would be allowed to count the whole of his service on contract as pensionable provided he relinquished his right to a gratuity under the contract.

The Bill has been considered by all the Regional Houses and has their support.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Financial Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE PUBLICATIONS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Chief Secretary to the Government :

Sir, I rise to move the first reading of a Bill entitled :—

“ An Ordinance to amend the Publications Ordinance, 1950.”

The Publications Ordinance contains a definition of the word “ book ” which is extremely wide. It is so wide that Government has been advised that it covers such things as printed letter headings, Treasury vouchers, account books, and possibly even a bus ticket. Under that Ordinance every “ book ”, or rather two copies of every “ book ” have to be sent to the University College Library and two copies have to be sent to the Chief Secretary who is charged with the responsibility of ensuring their safe custody—a very heavy burden on the Chief Secretary. The purpose of this amending Bill is to enable the Governor by Order to exempt certain so-called books from the operations of the Ordinance.

Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the first reading of a Bill intituled :—

“ An Ordinance further to amend the Townships Ordinance ”.

Sir, the purpose of this Bill is to empower town councils and local authorities established under the Townships Ordinance to borrow money upon the security of their property and revenue. First and second class townships have already power to mortgage their property and would be able to raise loans in that way, but it is as well that in these modern times, first and second class townships should be enabled to raise money upon the security not only of their property but of their revenue.

This does not apply in the case of third class townships. They have no property, and any revenue which they collect is payable to general revenue. They cannot therefore give any security for a loan, and for this reason I shall move at the committee stage the deletion of clause 4 of the Bill which relates to third class townships.

Sir, I beg to move.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE MANILLA PROHIBITION ORDINANCE, 1949 (DATE OF COMMENCEMENT AND VALIDATION) ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I rise to move the first reading of a Bill entitled :—

“ An Ordinance to make provision with respect to the date of commencement of the Manilla Prohibition Ordinance, 1949, and for the validation of acts done and legal proceedings taken in purported exercise of powers conferred by the said Ordinance ”.

Sir, I do not propose to enlarge on the purpose of this Bill, which is sufficiently clear from the title. I think, however, that it is proper that I should give Honourable Members an explanation of the need for this additional piece of legislation, since it is now some time since the withdrawal of manillas was so successfully carried out by officers of the Administration and the Treasury in the Eastern Provinces.

Honourable Members will recall that, following the successful conclusion of this operation, there was enacted at the 1949 Budget Session of Council the Manilla Prohibition Ordinance, 1949. Section 1 of this Ordinance provided that it should come into force upon a date, not earlier than the 1st of April, 1949, to be appointed by the Governor by notice in the Gazette. Owing to an unfortunate misunderstanding, this formal step was never taken, and the omission was not discovered until the end of 1950.

In the meantime, there had been three prosecutions in purported exercise of the powers conferred by the Ordinance.

[F.S.]

[*The Manilla Prohibition Ordinance, 1949 (Date of Commencement and Validation) Ordinance, 1951*]

There is no doubt that the general belief that the Ordinance had come into force has been effective in achieving the aim of the legislation, namely, to prevent the continued use of manillas as currency. It is therefore desirable that the legislation should become effective and should continue upon the Statute Book; it is desirable also to validate the action in purported exercise of the powers intended to be conferred by it.

Sir, I beg to move.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a first time.

The Hon. the Financial Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

His Excellency :

That concludes the business on the Order Paper for today. If it is agreeable to Honourable Members, Council will meet tomorrow morning at 9.30 a.m.

ADJOURNMENT

Council adjourned at 11.40 a.m.

Debates in the Legislative Council of Nigeria

Saturday, 3rd March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Saturday, the 3rd of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
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Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
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The Honourable G. H. H. O'Dwyer.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 2nd of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPER LAID

The Hon. the Development Secretary :

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

Annual Report of the Cameroons Development Corporation for the year 1949.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I rise to move the Resolution standing in my name which reads as follows :

RESOLUTION made under THE CUSTOMS ORDINANCE (Cap. 48)

In exercise of the powers conferred by section 9 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows :—

1. This Resolution may be cited as the Customs (Amendment of Export Short tit
Duties) Resolution, 1951.
2. Part II of the Schedule to the Customs Ordinance is hereby amended Amendm
by the deletion of items two to seventeen inclusive and the substitution of Expor
therefor of the following items :— Duties.

					£	s	d
" 2. Cattle Hides	.. the ton	.. ..	.. ..	.. ..	22	0	0
3. Goat Skins ..	.. the ton	.. ..	.. ..	.. ..	60	0	0
4. Shea Nuts ..	.. the ton	.. ..	.. ..	.. ..	2	10	0
5. Sheep Skins..	.. the ton	.. ..	.. ..	.. ..	35	0	0
6. Tin or Tin Ore	.. the ton	.. ..	.. ..	.. ..	0	7	8
7. Cocoa ..	.. 10 per cent	<i>ad valorem</i>	when the value,				
			calculated in accordance with Regulation				
			103A of the Customs Regulations, does not				
			exceed £150 per ton, with an additional				
			one-tenth of 1 per cent for every £ or part				
			of a £ by which the value, calculated as				
			aforesaid, exceeds £150 per ton.				

8. Ground Nuts ..	}	10 per cent <i>ad valorem</i> on the value calculated in accordance with Regulation 103A of the Customs Regulations.		
9. Ground Nut Oil ..				
10. Ground Nut Meal ..				
11. Ground Nut Cake ..				
12. Palm Kernels ..				
13. Palm Kernel Oil ..				
14. Palm Kernel Cake ..				
15. Palm Kernel Meal ..				
16. Palm Oil ..				
17. Benniseed ..				
18. Cotton Lint ..	}	10 per cent <i>ad valorem</i> on the value calculated in accordance with Regulation 103A of the Customs Regulations, when the value, calculated as aforesaid, is not less than 18d per lb.		
19. Cotton Seed ..				
20. Raw Rubber ..				
21. <i>Triplochiton scleroxylon</i> (Obeche)	}	per cu. ft. {	Exported in log	s. d.
22. <i>Entandrophragma</i> , all species (Sapelewood, Gedunohor, Omu)			form ..	0 3
23. <i>Khaya</i> , all species (African mahogany, Lagoswood, Beninwood)			Exported as	
24. <i>Chlorophora excelsa</i> (Iroko)			sawn timber	
25. <i>Terminalia superba</i> (Afara)			not exceeding	
26. <i>Lovoa klaineana</i> (African Walnut)			6 inches in	
27. <i>Guarea</i> , all species (Guaraca)			thickness ..	0 2
28. <i>Gossweilerodendron balsamiferum</i> (Agba)				
29. <i>Mitragyna spp.</i> (Abura)				
30. <i>Sarcocephalus diderrichii</i> (Opepe)				
31. <i>Mansonia altissima</i> (Mansonia)				
32. All other timbers not mentioned in the above schedule, sawn or log			per cu. ft.	0 1
33. Plywood	} 5 per cent <i>ad valorem</i> f.o.b.			
34. Veneers				
35. Curls	the curl	5 0		

Resolved by the Legislative Council this day of March, 1951.

Clerk of the Legislative Council

Honourable Members will recall that the present duties on export in respect of hides, skins and shea-nuts were revised in 1948, and those on exportable products handled by the Marketing Boards at the meeting of this House in September last.

Since these last revisions took place, the world has witnessed a scramble for raw materials of all kinds. The present high demand stems from the Korean war and the steps which are being taken by the Western Powers to place themselves in a position where they can meet an aggressive Russian imperialism with confidence. To a demand for civilian supplies, which

[F.S.]

[Customs (Amendment of Export Duties) Resolution, 1951]

was already running at high levels in a world of full employment, there has been superimposed the additional demands arising from rearmament and stockpiling. It is not surprising, therefore, that the universal eagerness to buy whatever supplies have been offering has pushed prices to unprecedented heights.

This world-wide demand for primary products has brought prosperity to countries producing raw materials and as a consequence much additional wealth has been added to the national income of Nigeria. I am sure Honourable Members will support me when I say that the whole country should share in the prevailing prosperity, and the way to do this is to increase substantially the duties on those exports which are bringing high prices in world markets. This is what this Resolution seeks to do.

I am informed that over the past two years the prices of cattle hides have increased from £178 to £255 per ton—an increase of 43 per cent. During the same period goatskins have increased in price from £615 to £837—an increase of 35 per cent, while sheepskins have increased from £326 to £395 per ton—an increase of 20 per cent. It has been decided to increase the duties on cattle hides from £18 to £22 per ton, on goatskins from £50 to £60 per ton, and on sheepskins from £30 to £35. The duty on shea-nuts is increased from £2 to £2 10s.

In the case of products handled by the Marketing Boards the rate of duty will be increased from the present 6 per cent *ad valorem* to 10 per cent *ad valorem*. It is also proposed to add cotton lint and cotton seed to the list of exportable commodities on which this duty shall be levied. Cotton had previously been exempt because it had only recently come within the purview of the Marketing Boards and required time in which to build up reserves.

It is further proposed that the export duty on cocoa shall be 10 per cent *ad valorem* when the overseas buying price of cocoa does exceed £150, with an additional one-tenth of 1 per cent for every pound or part of a pound such price exceeds £150. This means that the rate of duty goes up by 1 per cent for every £10 increase in price: so if the overseas price is £200 the rate of duty will be 15 per cent.

Honourable Members may well ask why cocoa is singled out for such treatment. Cocoa differs from other products handled by the Marketing Boards in that in times of scarcity, the price of cocoa is likely to rise much higher relative to other primary products. This is due to the fact that there is no substitute for cocoa, whereas vegetable oils of other types can be used if the price of Nigerian oil seeds rises too high, and synthetic fibres can be used to the exclusion of dear cotton. The fact that one kind of oil seed can often be used in substitution for another tends to keep prices of these commodities lower than would be the case if such products held the monopoly position in the world which cocoa can command. Since cocoa will bring higher prices relative to the other primary products produced in Nigeria, a steeper tax would appear to be justified when cocoa reaches very high prices. I might add that the proposed increases on cocoa are much less than those which have recently been imposed in the Gold Coast.

As explained in my Budget Speech, it is also proposed to introduce a duty of 10 per cent *ad valorem* on the export of raw rubber. I should point out that under the influence of very high world prices the production of rubber has risen from 15,000,000 pounds in 1949 to 28,000,000 pounds in 1950.

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[Customs (Amendment of Export Duties) Resolution, 1951]

Rubber presents some difficult problems. A lot of Nigerian rubber is of very low quality, badly packed, and reaches London in such poor condition that it cannot be sold in advance of shipment, but only at the price it will fetch on arrival at its destination. This rubber, therefore, has no known value at the time of export. So it becomes necessary to fix somewhat arbitrarily the price at which the duty shall be calculated. There is one price of rubber which is easily ascertainable and that is the London spot price for No. 1 Ribbed Smoked Sheet. This price may fluctuate from day to day and so it has been decided to follow the practice of some other rubber exporting countries and fix the duty as a percentage of the London spot price on a given day. The day which I have chosen is Tuesday, and the export duty will be calculated as 10 per cent of the London spot price on Tuesday, and this will be the duty which will apply to all shipments of rubber from Nigeria during the following week commencing Sunday midnight. So the effect will be that there will be one duty applying to all shipments during any given week but this duty will probably change from week to week as the world price of rubber fluctuates. The duty will bear more heavily on the poorer types of rubber and will therefore offer a strong incentive to exporters to improve the quality of Nigerian rubber. Rubber is not a commodity which lends itself to an export tax when the price is low, since low returns discourage production. It has therefore been decided that the duty on rubber should automatically cease to be operative when the London spot price is less than 18d per pound.

Finally, it has been decided to levy an export duty on certain hardwood timbers at the rate of 3d per cubic foot when exported in the log, and 2d per cubic foot when exported as sawn timber. Secondary and soft wood timbers will be charged a general duty of 1d per cubic foot. Owing to the very high prices prevailing for our timbers overseas, exports of timber from Nigeria have increased from 5,000,000 cubic feet in 1949 to over 8,500,000 cubic feet in 1950. The prices paid for Nigerian timbers have also increased. Timber, however, particularly in the Western Region, pays heavy fees to the Native Authorities for the purpose of rehabilitating the forests, and this factor has been taken into account when fixing the level of export duty. I should also add that in my opinion a tax on timber exports in Nigeria can only be justified while the world prices of timber are high. In the event of a substantial fall in these prices the tax will have to be abolished.

The yield from the revised taxes which I have proposed will be £2.7 million from cocoa, £4.6 million from other exports (excluding cotton) handled by the Marketing Boards, £400,000 from cotton, £200,000 from hides and skins, £300,000 from rubber and £100,000 from timber, making a grand total of £8.3 million. This may seem a formidable sum but there are two things I would like to mention before I close. The first is that the extra taxation I have proposed will not prove a burden to the agricultural industries in this country. The economy of this country should be well able to stand the proposed increases, and while no doubt some will complain that their profits are a little less than before, I believe there is still a wide profit margin available to those who are producing these export commodities. Moreover, in the course of the year that profit margin is likely to increase. Secondly, the revenue produced by these export taxes is no more than is required to balance the budget. But I must draw the attention of Honourable Members to the fact that the amount of the yield is dependent on world prices and, indeed, on world prices being maintained at something approximating their present levels. It is the fortuitous circumstances arising from

[F.S.]

[Customs (Amendment of Export Duties) Resolution, 1951]

world conditions which have enabled us to collect this revenue and we would be foolish if we did not grasp the opportunity. But I must repeat that it is fortuitous revenue. We have items in our budget of a non-recurrent nature such as Temporary Addition to Rates of Pay, contributions to the Revenue Equalisation Fund and the Loan Development Fund, which could be dispensed with in the event of a world price recession, but I would warn Honourable Members that revenue from export duties cannot and must not be used to finance schemes which involve large recurrent costs and which could not be kept going if and when the present level of world prices fall. I believe Honourable Members would like some time to examine the new scale of duties which I have proposed in this Resolution and I therefore move that the Resolution be referred to a Select Committee of this House which shall have the same composition as the Select Committee on the Estimates, namely all the Unofficial Members under the Chairmanship of the Financial Secretary. Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

His Excellency :

I take it that Honourable Members propose to accept the proposal of the Financial Secretary that this Resolution be referred to a Select Committee and that no Member wishes to join in a debate at this stage. The question is in terms of the motion.

Motion adopted.

BILLS

(Second and Third Readings)

THE NATIVE COURTS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill intituled :—

“ An Ordinance further to amend the Native Courts Ordinance. ”

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, there is only one point upon which I should like some information. That is, in the present Bill the provision contained in Ordinance No. 36 of 1948 regarding intervention by the Attorney-General in certain cases has been omitted. The Attorney-General yesterday, in speaking on the first reading of the Bill, merely mentioned the fact that this portion had been omitted but no reasons were advanced for the omission. I myself think that the safeguard that persons who are convicted in a Native Court should have a right to address the Attorney-General on any points which they think are in their favour contained in the 1948 Ordinance and that the provisions in the 1948 Ordinance for intervention by the Attorney-General should be maintained. Subject to that, Sir, I have nothing against the Bill.

His Excellency :

On that point I would merely say that a question has been asked. It is for the Honourable the Attorney-General to decide whether he will answer it now or not. If he does he will not lose his right to reply to the debate.

The Hon. the Acting Attorney-General :

Sir, I think it might conveniently be dealt with now. The Honourable and Learned Member is, I think, referring to section 5 of the 1948 Ordinance. That section, as I explained yesterday, Sir, makes for the automatic review of all cases of homicide tried in native courts and in the case of any other offence, only if the Attorney-General so directs. The Attorney-General's intervention is limited to cases of review under that section. As I explained yesterday, Sir, the suggestion was—and that suggestion was agreed to by Mr Brooke—that as that section had not operated satisfactorily it should be dropped, and I would add that I know of no case where the Attorney-General has actually intervened since the Ordinance passed into law. In my respectful submission there are adequate safeguards under clause 4 of the Bill which is now before this Council which gives wide powers to appellate courts and authorities.

His Excellency :

I take it that no other Honourable Member wishes to speak. The question is that the Bill be now read a second time.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Attorney-General :

Clause 2, Sir. The marginal note is incorrect and I move to delete the marginal note as it appears in the Bill and substitute the following :

“ Jurisdiction of native courts in relation to offences against native law and custom.”

Clause 2 as amended.

Clause 3.

Clause 4.

The Hon. the Acting Attorney-General :

Clause 4, Sir. In the new section 40 (A), sub-section (1) paragraph (v), at the end of the fifth line appears the word “ action ”. I do not think that that is quite appropriate because previously the clause refers to “ act or omission ” and “ action ” would seem to relate only to the word “ act ” which appears previously. I therefore move that the word “ action ” be deleted and that there be substituted therefor the word “ conduct ”.

Clause 4 as amended.

Clause 5.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Your Excellency, I beg to report this Bill from Committee with amendment and I now move that it be read a third time and passed.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a third time and passed.

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the second reading of a Bill intituled :—

“ An Ordinance further to amend the Native Courts (Colony) Ordinance.”

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Attorney-General :

Clause 2, Sir. I move, Sir, that the marginal note in the new section 9 (A) be deleted and that there be substituted therefor the following :—

“ Jurisdiction of native courts in relation to offences against native law and custom.”

Clause 2 as amended.

Clause 3.

The Hon. the Acting Attorney-General :

Clause 3, Sir. In the marginal note to the new section 25 (A) the word “ of ” has been omitted between the word “ powers ” and “ appellate ”. I beg to move that the word “ of ” be inserted.

His Excellency :

Are there any further amendments ?

The Hon. the Acting Attorney-General :

Yes, Sir, there are two further amendments which I am moving. In paragraph (v) of the new section 25 (A), sub-section (1), at the beginning of line 6 the word “ action ” appears. I move that that word be deleted and that the word “ conduct ” be substituted therefor. I further move that sub-clause (5) be deleted for the reason I gave yesterday.

Clause 3 as amended.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report this Bill from Committee with amendment and now move that it be read a third time and passed.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a third time and passed.

[Dev. Sec.] [The Colonial Development Corporation (Income Tax) Ordinance, 1951]

THE COLONIAL DEVELOPMENT CORPORATION (INCOME TAX)
ORDINANCE, 1951

The Hon. the Development Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance to make provision touching the rate of Income Tax payable by the Colonial Development Corporation.”

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Development Secretary :

Sir, I beg to report this Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE PENSIONS (PREVIOUS SERVICE ON CONTRACT) ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :—

“An Ordinance to make further provision with respect to the Pensions, Gratuities and other Allowances of certain officers appointed on contract to His Majesty's Service.”

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Preamble.

Title.

Council resumed.

The Hon. the Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment and move that it be now read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE PUBLICATIONS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I beg to move the second reading of a Bill entitled :—

“An Ordinance to amend the Publications Ordinance, 1950”.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to report this Bill from Committee without amendment and move that it be now read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE MANILLA PROHIBITION ORDINANCE, 1949 (DATE OF
COMMENCEMENT AND VALIDATION) ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :—

“ An Ordinance to make provision with respect to the date of commencement of the Manilla Prohibition Ordinance, 1949, and for the validation of acts done and legal proceedings taken in purported exercise of powers conferred by the said Ordinance.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 to 3.

Preamble.

Title.

Council resumed.

The Hon. the Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment and I move that the Bill be now read a third time and passed.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a third time and passed.

His Excellency :

That concludes the business on the Order Paper for to-day. Honourable Members have a great deal of material to study before the resumption of the debate on the second reading of the Appropriation Bill on Monday. Council will adjourn until 9.30 a.m. on Monday.

ADJOURNMENT

Council adjourned at 10.20 a.m.

Debates in the Legislative Council of Nigeria

Monday, 5th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.40 a.m. on Monday, the 5th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
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- The Senior Resident, Kano Province,
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- The Senior Resident, Oyo Province,
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- The Oni of Ife,
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The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 3rd of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PETITIONS

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

Your Excellency, I rise to present a petition from certain people in Owo, and I respectfully ask Your Excellency to refer the petition to a Select Committee before which I should like to give evidence from personal knowledge of the contents of the petition.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

Sir, I beg to second.

His Excellency :

Will the Honourable Member add a little information to that, not in narrative form, because the Standing Rules and Orders say that in presenting a petition the Member should confine himself to a statement of the persons from whom the petition comes, the number of signatures attached to it, and the material allegations and requests contained in it. Can we have the subject of the petition ?

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

Well, the petition is sent in through the solicitor of the people, and the contents really are about scrapping the title or the status of the Ojomo of Owo. The petition is addressed to this Council.

His Excellency :

The question is that the petition be dealt with as proposed in the Motion, that is that it be referred to a Select Committee.

The ayes have it.

PAPERS LAID

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to lay on the table the following Papers :—

Report of the Joint Select Committee of the Northern Regional Council on Electoral Procedure and Distribution of Seats.

Report of the Proceedings of the Select Committee of the Eastern House of Assembly appointed to consider Recommendations for Electoral Procedure and other matters under the new Constitution.

Report of the Select Committee of the Western House of Assembly on certain Recommendations of the General Conference on the Review of the Constitution.

NOTICE OF MOTIONS

The Fourth Member for the Western Provinces (The Hon. A. Soetan) :

Sir, I rise to give notice of the following motion :

“ Be it resolved :

[Hon. A. Soetan]

[Notice of Motion]

“ That the privileges attached to chargeable income under the Income Tax Ordinance (Chapter 92 of the Laws of Nigeria) be also made applicable to assessable income under the Direct Taxation Ordinance (Chapter 54 of the Laws of Nigeria).”

QUESTIONS

The Second Member for the Western Provinces (the Hon. T. A. Odutola, O.B.E.) :

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

(a) How many Government Secondary Schools are in the Eastern Provinces of Nigeria and when was each of them opened ?

(b) How many students were admitted into each of the Secondary Schools annually during the past six years up to 31st January, 1950, and to which tribes do they belong ?

Answer—

The Hon. the Director of Education :

(a) Two :—

(i) Umuahia Government College. Opened in 1930, as a full Secondary School.

(ii) Owerri Government Secondary School. Opened as a Middle School, with classes Middle I to IV, in 1937. Class V was added in 1951.

(b) Umuahia Government College.

	1945	1946	1947	1948	1949	1950
Ibo	22	19	17	41	24	21
Ibibio	3	3	6	7	1	1
Ijaw	1	2	2	5	3	2
Bali	1	—	—	1	—	—
Yakur	1	—	—	—	—	—
Bafang	—	1	—	—	—	—
Efik	—	—	1	—	—	—
Ngemba	—	—	1	—	—	—
Bafaw	—	—	1	—	—	—
Ga	—	—	1	—	—	—
Ekoi	—	—	—	1	—	1
Edo	—	—	—	1	1	—
Monemo	—	—	—	1	—	—
Kaka	—	—	—	1	—	—
Yaunde	—	—	—	1	—	—
Mbonge	—	—	—	—	1	—
Banyang	—	—	—	—	1	1
Fanti	—	—	—	—	—	1
TOTAL	28	25	29	59	31	27

In 1950, the following also were due to enter, but did not do so until January, 1951, because the buildings were not ready :—

24 Ibos, 3 Ibibios, 1 Ijaw.

Owerri Government Secondary School.

[Hon. T. A. Odotola]

[Question]

	1945	1946	1947	1948	1949	1950
Ibo	28	27	16	12	No admissions	26
Efik	2	1	2	3	No admissions	2
Ijaw	1	—	—	3	No admissions	1
Ijekiri	—	1	—	—	No admissions	—
Yoruba	—	1	—	1	No admissions	—
Benin	—	—	1	—	No admissions	1
TOTAL	31	30	19	19	—	30

The Second Member for the Western Provinces (the Hon. T. A. Odotola, O.B.E.) :

29. To ask the Honourable the Development Secretary :—

(a) Is Government aware of the heavy losses being sustained by Transport Owners in this country as the result of their being forced to use British manufactured trucks on this country's roads.

(b) If so, what steps are being taken by Government to relieve the Transporters of such losses.

(c) Will Government consider the advisability of allowing some quantity of American trucks to be imported into the country mainly for evacuation of produce, with a view to relieving the Transporters of some of the losses mentioned in (a) above ?

Answer—

The Hon. the Development Secretary :

(a) No Sir. Government is, however, aware of the average Nigerian transport owner's preference for the American type lorry.

(b) Does not arise.

(c) The great importance of saving dollars in the overall interests of the sterling area, of which Nigeria forms a part, will be appreciated and since lorries which are suitable for the work, even though they are not of the kind preferred, are available the expenditure of dollars on the purchase of American lorries would not be justified.

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

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

What are the recommendations of the Eastern House of Assembly in respect of electoral qualifications for the Eastern Region with reference to the revision of the Constitution ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

The Honourable Member is referred to the Report of the Select Committee of the Eastern House of Assembly appointed to consider recommendations for electoral procedure and other matters under the new Constitution which has been laid on the Table of this House. This Report was considered by the Eastern House of Assembly and adopted after amendments which have been incorporated in the copies laid on the Table.

Supplementary question to No. 34 by the Second Lagos Member (Dr the Hon. N. Azikiwe)

[Dr the Hon. N. Azikiwe]

[Question]

Will His Honour, the Chief Commissioner, Eastern Provinces, be good enough to let me have a copy of the Report ?

Answer—

It has been laid on the table of the House.

His Excellency :

Only just, I may say !

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

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

What is the constitution of the Onitsha Town Council and what are the circumstances of the birth of the council ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) The Onitsha Town Native Authority was created by Public Notice 146 of 1950, which notice designated the members of the Native Authority as the Onitsha Town Council. The persons who constitute this Council are as follows :—

<i>President</i> —The Obi of Onitsha	1
<i>Members</i> —(a) Six Ndichie selected by the Onitshas in such a manner that the principal quarters of the Inland Town are represented	6
(b) Two elected members from <i>each</i> of the six quarter groups of the Inland Town, <i>viz.</i> :	12
(i) Okebunabo	
(ii) Ogbotu, Obikporo and Umuikem	
(iii) Odoje and Isiekwe	
(iv) Umuezeoroli and Ogbeozoma	
(v) Umuase and Iyiauw	
(vi) Ogboli and Ogboli Olosi.	
(c) The Hausa Chief or his representative	1
(d) The Yoruba Chief or his representative	1
(e) The Nupe Chief or his representative	1
(f) Three representatives selected by the Non-Onitsha Ibos	3
(g) Two elected members from <i>each</i> of the five wards into which the waterside (including the Nupe Settlement) will be divided	10
(h) One woman member nominated by the Council for the Resident's approval, if no woman is elected	1
Total	36

(b) The circumstance that gave rise to the reform of the Onitsha Town Native Authority was specifically a dispute over the election of the Onowu in 1948. It was clear at that time however, that a reform of the Native Authority was desirable. A Committee was established consisting of 26 members—13 Onitsha Ibos, 10 Non-Onitsha Ibos and one each from the Hausa, Nupe and Yoruba communities—and the reforms that were finally approved were based on the majority report of that committee, with a few amendments.

[Dr the Hon. N. Azikiwe]

[Question]

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

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

(a) Is it true that the Eastern House of Assembly was petitioned by a section of the Onitsha community to nullify the last elections to the Onitsha Town Council ?

(b) If so, who were the petitioners ?

(c) What were their reasons ?

(d) And what was the decision of the House of Assembly ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) Yes, Sir.

(b) The Non-Onitsha Ibo Community resident in Onitsha and represented by Messrs Okoli and Okeke.

(c) The prayers contained in their petition were as follows :—

1. That this House nullify the recent elections in Onitsha and restrain the present Council from making laws and regulations.

2. That this House recommend that a commission of inquiry be appointed to inquire without delay into the constitution of and the method of election into the Onitsha Town Council and such other cause or causes as led to the non-participation in the recent election by the Non-Onitsha Ibo Community in Onitsha.

These prayers disclose that the reasons for presenting the petition were dissatisfaction with the constitution and method of election of the new Onitsha Town Council.

(d) The petition was referred to a Select Committee appointed by the Eastern House of Assembly. The Committee recommended that the House should regret that it was not constitutionally possible to accede to Part One of the Prayer to the petition. With respect to Part Two, the Committee was of the opinion that no commission of inquiry was called for and recommended accordingly to the House. The Committee also observed that the system of single voting in two member wards should be reviewed as soon as practicable.

The Report of the Committee was adopted by the House of Assembly by a resolution passed on the 18th of December, 1950.

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

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

(a) Are there other towns in the Eastern Provinces with peculiar constitutions *à la* Onitsha ?

(b) If so, what are these towns ?

(c) Has the time not arrived for a system of uniformity to be devised in the structure of municipal government and administration on a democratic basis throughout the Eastern Region ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) No, Sir.

(b) Does not therefore arise.

(c) Yes, Sir, and to this end the Eastern Region Local Government Ordinance has been enacted and is being implemented as rapidly as possible.

[Dr the Hon. N. Azikiwe]

[Question]

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

47. To ask His Honour the Chief Commissioner, Northern Provinces :—

What are the recommendations of (i) the Northern House of Assembly and (ii) the Northern House of Chiefs, in respect of electoral qualifications for the Northern Region with reference to the revision of the Constitution ?

*Answer—***His Honour the Chief Commissioner, Northern Provinces :**

The Honourable Member is referred to the Report of the Joint Select Committee of the Northern Regional Council on Electoral Procedure and Distribution of Seats which has been laid on the Table of this House. The Report (as amended) was adopted by the House of Chiefs and the House of Assembly.

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

51. To ask His Honour the Chief Commissioner, Western Provinces :—

What are the recommendations of the Western House of Assembly in respect of electoral qualifications for the Western Region with reference to the revision of the Constitution ?

*Answer—***His Honour the Chief Commissioner, Western Provinces :**

The Honourable Member is referred to the Report of the Select Committee of the Western House of Assembly on Certain Recommendations of the General Conference on the Review of the Constitution which has been laid on the Table of this House. * The Honourable Member will observe that this Select Committee consisted of all members of the House.

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

53. To ask the Honourable the Commissioner of Labour :—

(a) What is the latest figure in respect of wage-earners of Nigeria and how many of these are employed in (i) the Civil Service, (ii) Native Authorities, and (iii) private concerns ?

(b) Of the above, are you in position to indicate the number of wage-earners engaged (i) in agricultural pursuits, as distinct from peasant farmers, and (ii) in the service of missionary organisations ?

*Answer—***The Hon. the Commissioner of Labour :**

(a) Accurate statistics relating to the number of wage-earners—amongst whom I do not include salaried employees—are not available and the only figures I can give are very rough estimates based on information obtained from the larger employers.

<i>Employer</i>	<i>No. of wage-earners</i>
Government	107,000
Native authorities	41,000
Private concerns and corporations	146,000

(b) Included in these figures are 29,000 wage-earners employed in agricultural pursuits otherwise than as peasant farmers. I have no information regarding the employment of wage-earners by missionary organisations.

[Dr the Hon. N. Azikiwe]

[Question]

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

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

What efforts have been made by the Education Department to encourage technical education in this country following the Thorpe Report ?

*Answer—***The Hon. the Director of Education :**

It is assumed that the Question relates to the Report published as Sessional Paper No. 11 of 1950.

The Education Department is proceeding with all speed in its development of the Trade Centres and Technical Institutes mentioned in paragraph 6 of the Report. Other Trade Centres have been added to those originally planned in the Ten Year Plan for Technical Education.

At the highest level of Technical Education, the Education Department will not be responsible for the development of the Nigerian College of Arts, Science and Technology, financial provision for which has been made in the Revised Plan of Development and Welfare. A Bill is being drafted to establish this College with its own governing Council. So far, the College has begun buildings at Ibadan and a contour survey of the Zaria site has been completed. At Enugu there have been difficulties regarding a site which, it is hoped, will soon be resolved.

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

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

(a) How many technical schools (i) elementary and (ii) secondary are now in the country ?

(b) Of the above how many are under the auspices of the department and under voluntary agencies ?

(c) Is it contemplated to increase technical schools ? If so, in what manner ?

*Answer—***The Hon. the Director of Education :**

(a) and (b) It is assumed that the Honourable Member is not referring to schools conducted by Government Technical Departments providing training of a vocational character with special preparation for the pupils' future employment in those Departments.

Using the term "technical education" as meaning education of an unspecialised nature with a strong technical bias, the Education Department recognises no such courses in Nigeria at present except the Junior Technical Course conducted by the Department at Yaba. This course is secondary in character.

Practical and theoretical training for particular trades and branches of industry, for pupils who have had a full primary education, is being conducted by the Education Department at the Technical Institute, Yaba, and at Trade Training Centres at Yaba, Kaduna and Enugu.

A few Voluntary Agencies have established small trade training departments, generally for apprentices who have had a partial or full primary education, as part of large educational institutions. Information as to the exact number of these courses is not available, and none is yet recognised by the Department as fully efficient.

[Director of Education]

[Answer]

(c) Yes, Sir. The Honourable Member is referred to Sessional Paper No. 20 of 1947, Chapter XV. Additional Technical Institutes are to be established at Kaduna and Enugu, and Trade Centres for men at Ombe River (Camerouns), Sapele, Jos, Kano. Trade Centres for women are to be established at Abeokuta and Aba. Instructors for teaching handicrafts in Handicraft Centres for Primary School children, and in secondary schools, are being trained in Yaba Technical Institute.

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

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

(a) How has the Education Department interested itself in the widespread development of physical education in this country, in the last five years ?

(b) Has the department any programme of physical education on a large scale ?

(c) If so, will such programme be made available or will the gist of same be explained ?

Answer—

The Hon. the Director of Education :

(a) (i) By revising, with the aid of Curriculum Committees of the Boards of Education, the syllabuses for physical and health education for primary schools ;

(ii) By making satisfactory teaching ability in this subject a condition for the award of Teachers' Certificates ;

(iii) By posting Education Officers who are experts in physical education to Teacher Training Centres and Secondary Schools.

(b) and (c) The Honourable Member is referred to the revised syllabuses for Infant and Junior Schools and Senior Primary Schools, and for the award of Teachers' Certificates. The policy of the Department is to give Physical and Health Education its due place in balanced curricula for Primary and Secondary Schools.

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

85. To ask the Honourable the Chief Secretary to the Government :—

What is the correct position in respect of the catering service in the railway system :

(a) Is it operated by the Nigerian Railway or by a private concern ?

(b) Are the employees to be regarded as servants of the Nigerian Railway or of a private concern ?

(c) Is the management aware that the employees engaged in the catering service are in a dilemma with respect to their status since they are alleged to be denied rights as Railway servants, whilst they are said not to be recognised as employees of a private concern ?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The catering service in the railway system is provided under contract by N.R. Caterers Limited, a limited liability company registered as a private company under the Companies Ordinance (Chapter 38), of which the Chairman is the General Manager of the Nigerian Railway.

(b) The employees to whom the Honourable Member refers are employees of N.R. Caterers Limited and are not servants of the Railway.

[C.S.G.]

[Answer]

(c) No, Sir. The Chairman of N.R. Caterers Limited has informed Government that he is unaware of the existence of any such state of dilemma as is suggested by the Honourable Member.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

87. To ask the Honourable the Chief Secretary to the Government :—

For Government declared policy about Adamu-Orisha play in Lagos in the year 1951 ?

Answer—

The Hon. the Chief Secretary to the Government :

The celebration of the Adamu-Orisha play in Lagos is subject to the same conditions as apply to the holding of any dance, play or procession in a public place, and each application must as usual be considered on its merits.

MOTIONS

The Hon. the Development Secretary :

Sir, I rise to move the following Motion standing in my name :—

“ Be it resolved :

“That the Revised Plan of Development and Welfare for Nigeria set out
“ as Sessional Paper No. 6 of 1951 be referred to a Select Committee
“ of this Council for report and recommendations ”.

In introducing the Revised Development Plan for the years 1951 to 1956 I need not go over again the reasons which rendered necessary the revision of the plan—the rise in costs and wages since the plan was prepared and the altered circumstances which have rendered necessary the inclusion of new schemes and the revision of others. I do, however, think it is necessary at the beginning to say that the Plan represents but one aspect of development in Nigeria, and that while it is the foundation for all development and therefore of the greatest importance it is not that part which produces the greatest spectacle.

It is natural that economic and wealth producing developments, such as hydro-electric power and industrialisation, should be the ones which make the greatest appeal ; especially to those who look for the rapid increase of the wealth of Nigeria in competition with other countries in the world and its independence of imported supplies, but I do not think Sir, that any member of this Council would believe in the possibility of such progress unless there is also provided the foundation upon which it rests and the means by which the standard of living of the people is raised and their welfare assured. Industry and production depend upon the energy and ingenuity of human beings and their ability to adapt themselves to the changes which it brings in their mode of life more than upon any other factor. In Nigeria much has been done but there is practically no sphere in which much more is not still required. Education and Health services, for example, are far below the needs of the people and those which in due time they must have. But this is a practical world from which little comes without hard work, sacrifice and patience. If then Education, particularly in the directions necessary for economic development, health services and welfare are vital to progress, there is the equally vital problem of providing for them ; for they cost money. We are obliged therefore to compromise in development by balancing our planning between these essential human needs and the material resources for their production.

[Dev. Sec.]

[Motion]

While the theoretical economist would argue that all our energies should now be devoted to those forms of development which produce revenue, which will in time pay for schools and hospitals; the sociologist would ask for schools and hospitals first and expect industry to follow. I think both of them would be wrong and that however much we feel inclined individually to support either side we are compelled by the fact to see the logic of argument of the other side and to compromise with it. In the revised Development Plan, Sir, I hope this Council will find this fair compromise and a balance which promises the right sort of progress during the coming five years.

An important point which it has been necessary to keep constantly in view has been Nigeria's ability to bear the residual costs of the Plan when the Colonial Development and Welfare grants cease in 1956 and the greatest care has been taken to relate the residual costs to our ability to meet these costs on the expiration of the Plan.

The majority of Honourable Members will know from their own personal experience that the revised Plan of Development has been fully discussed at all levels, and that whatever may be its shortcomings and disappointments, it nevertheless represents the expressed wishes of the people of Nigeria within the limits which financial considerations permit. I hope, Sir, that we have now buried for ever the criticism levelled at the first Ten Year Plan that there had been failure to take Nigerian opinion into account. Furthermore the revised Plan, based as it is upon the will of the people, will be in consonance with the new constitution since it provides for the greatest possible freedom for the Regions to choose and carry out their own requirements within the Plan. In this connection I should like particularly to draw the attention of Honourable Members to the arrangement of the revised Plan as a list of projects set against financial ceilings; by this method very great flexibility will, it is hoped, be achieved and the Regions be in a position not only to decide upon their priorities in development, but to vary them without delay or difficulty as circumstances demand in order to ensure the maximum benefits as quickly as possible. This change in the form of the Plan and the simplified form of the estimates will, I believe, remove some serious causes of delay which we have experienced in the past.

In Nigeria, as elsewhere in the world in varying degrees, Sir, there is a limit to the amount of money we can find and there is a limit, apart from money, to the amount of work which we can do in five years. I believe that we have a very good chance of doing the amount of work which the revised Plan provides for the next five years, but I think it is unlikely that we could do any more in the particular fields of development which the Plan covers. With these limitations which I have mentioned it is inevitable that any development plan for a country so vast and so much in need must lead to disappointment to some. Let me remind the disappointed that development is for the good of Nigeria as a whole and that the revised Plan which we are now considering concerns itself with five years only: that is not the end, though we cannot plan in detail for too far ahead.

It has not been my purpose in this speech, Sir, to deal in detail with the provisions for individual development schemes in the Plan—that will be done in the Select Committee if the House accepts the motion now before it—but rather to give to this Council a brief account of the principles behind it, its origin and the background of development in Nigeria against which the Plan should be viewed and against which its purpose can be seen. As I

[Dev. Sec.]

[Motion]

have implied earlier in my speech, Sir, the Development Plan works as it were behind the scenes. For example we have heard much about food production, and we might now expect the question "what has the revised Plan done about it". Would anyone, Sir, deny that the research, experimentation and extension in the agricultural development schemes have made possible the great agricultural scheme at Mokwa and the schemes of development and production which the Regional Production Development Boards are now undertaking? I do not think anyone could deny this with conviction, for if he did so from whence came the knowledge of the climatic and soil conditions in Nigeria? We do get from all over the world machines and the technical skill for servicing them, but it is only here that we can find out what will grow, where it will grow best and what is suitable to the customs, habits and appetites of the people. Neither machines nor foreign skill can solve these problems. I could, Sir, illustrate the functions of the Plan by many such examples, but I do not wish to make my story a long one.

The immortal Pepys, Sir, made this record in his diary "A silk suit, which cost me much money". Perhaps the revised Plan is not of the quality of a silk suit, but I think it is a good one and I trust this Council will find it both well-fitting and fashionable.

Sir, I beg to move.

The Hon. the Director of Public Works :

Sir, I beg to second.

Motion adopted.

His Excellency :

In case I forget at the end of our business today, I now announce that the Select Committee will consist of the following :—

The Second Member for the Western Provinces

The Emir of Gwandu

The First Member for the Eastern Provinces

The Second Member for the Northern Provinces

The Second Member for the Eastern Provinces

The Fourth Member for the Northern Provinces

The Second Lagos Member

The First Nominated Member

The Fourth Member for the Western Provinces and

The Development Secretary will be Chairman.

BILLS

(Second Reading)

THE 1951-52 APPROPRIATION ORDINANCE, 1951

The Honourable the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :—

"An Ordinance to appropriate the sum of forty-two million, seven hundred and twenty-four thousand, eight hundred and twenty to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two."

[*Oba of Benin*][*Appropriation Ordinance, 1951*]**The Oba of Benin (the Hon. Akenzua II, C.M.G.,) :**

Your Excellency, before I support the Appropriation Bill I wish to say a few words about the affairs of Benin. The most important and distressing thing in Benin City at the moment is the felling of the ceremonial and sacred tree of Emotan. To understand what this sacred tree is and what it stands for in the lives of the Benin people it is very necessary to give its history. Emotan was a prophetess and Matron Saint and when she died she was buried in the King's Market and the sacred tree which the evil doer has now pulled down was planted on the top of the grave. That was a very long time ago, and it cost the Benin nation, we are told, very much. I don't know how many times the sacred tree had been replanted or whether or not the one which has been pulled down now was the original tree, but this particular one had been in existence before my great-great-grandfather became the Oba of Benin. All the visitors to Benin City since 1897 have seen the sacred tree in the market there in Benin City and any visitors who stayed a night or two in Benin City could not fail to see without being told how important this tree was in the life of the people. Administrative Officers and Mercantile Officials who have worked in Benin can give eloquent testimony concerning this tree. As I have said, when the Prophetess and Matron Saint Emotan, call her a witch if you wish, was buried in the King's Market and the sacred tree was planted on the top of the grave, it was decreed, we are told, that all the Benin people must worship and adore the good Prophetess and Matron Saint. Not only that it was decreed that during the burial of any person the spirit of the deceased must be brought in the form of an effigy or decorated case containing something representing the spirit of the deceased before the Matron Saint. Quite recently a young Benin chap, Chief Clerk, Public Works Department, Kaduna, attached an enlarged photograph of his late mother to the decorated funeral case when presenting the spirit of his late mother before the Emotan. It was also decreed that on the completion of title the title-holder must present himself or herself before the Matron Saint. According to the ancient decree too, children on the third month of their birth, sometimes earlier or longer than three months, that depends on the condition of the child and its parents, must be presented before the Matron Saint. Before the Army went to the battlefield, the soldiers must be marshalled before the Matron Saint and when they returned from the battlefield they must likewise be marshalled before the Matron Saint. During a contest of any kind, even the wrestling contests, the contestants must appear before the Matron Saint to draw an inspiration. Even the celebration of any success or triumph of any person of note must be ended before the Matron Saint by the individual concerned. From the earliest times to the present day, the Benin people grew to regard the Matron Saint Emotan as the soul of the Benin Nation and the sacred tree as the greatest landmark in Benin. Hardly was there any day that one form of celebration or another was not performed in Benin before the Matron Saint according to the ancient decree. Here, you see, even the casual visitor cannot fail, as I have said before, to observe how important and deeply wedded to the life of the Benin people was, and still would be, the Emotan.

Now, on or about the 17th of February, 1951, or thereabouts, a Syrian trader, who has a shop nearby, caused the sacred tree of Emotan to be pulled down. The Syrian did it in this way. First he injected some chemicals, it is understood, into the roots of the sacred tree to kill them. He then tied a strong chain or cable round the sacred tree with some mechanical appliance and pulled the sacred tree for a considerable length of time. But when the

[*Oba of Benin*][*Appropriation Ordinance, 1951*]

market women and many people rushed to the scene, the Syrian trader removed the chain but he had done havoc already. The following day the sacred tree fell. The chemicals and the chain and the mechanical appliances used by the Syrian trader are the kind the Forest Officers and timber workers are using to kill and pull down trees. The District Officer, Mr Cruddas, has informed the Resident that a young officer of the Administration has reported that he saw the market women and many people surrounded the sacred tree and the Syrian while committing his nefarious act. I am inclined to believe, as has been suggested, that some people have asked the Syrian to pull the sacred tree down. I cannot believe that a Syrian of no political consequence could act without a backing in the way as this Syrian did. Whether backed up or not, the wicked act had been committed already and the Syrian or anyone who had encouraged him to commit this grievous act upon our nation must be made to pay the penalty. All possible constitutional means will be employed in demanding redress. Since the thirteenth or fourteenth century when we came in contact with the white man, such a daring outrageous and violent act as this has never been committed in Benin by a white man and unless the Syrian makes the necessary atonement and the Government of his country not only call home for reprimand, the agent of the firm represented in Benin by this daring Syrian, but send a suitable note of apology which shall be kept in our Museum or State Library; we shall put down in our black list the country of this Syrian, or whatever national he is, as an enemy. This matter already is in the hands of our Resident, Mr Curwen whom I have described recently as one of the sort of men who can build up Nigeria as a friendly nation to Great Britain. The insult heaped on the Benin nation by this Syrian is too great to be swallowed lying low. The act of the Syrian is more than a challenge but he does not realise that this is Nigeria, not South Africa. It didn't occur to the daring Syrian that the sacred tree of Emotan was not dreadful as the once dreaded Bight of Benin whence many went, they say, but few came out. If it were possible to take the law into our own hands the first thing to do with the Syrian would be to give him twelve lashes on his bare back. However, we are not wild and outrageous as the Syrian, but all the same, he must be made to :—

- (i) Provide the money for the preservation of the sacred tree of Emotan, trunk and branches, in a special national museum in Benin. I saw the stump or the bottom part of a tree about twenty times the size of the sacred tree of Emotan in circumference kept and preserved in a Museum in London.
- (ii) Provide the money for the erection of a concrete statue of our Matron Saint Emotan on the spot with suitable inscriptions, giving the history of the sacred tree and the story of the daring act of the Syrian.

It was only yesterday Your Excellency opened the Second Festival of the Arts, and that shows, as I observed with my own eyes, in many places in London and elsewhere in the United Kingdom that the British people, like ourselves, are great lovers of antiquity. Unfortunately I do not know what sort of people they are, these Syrians; if this wicked destroyer of the sacred tree of Emotan, Goualin, the man is called, is not Syrian, I here and now tender an apology to the Syrians for associating them with the dastardly act of Goualin, but he is a coloured person from overseas.

I shall now sing another song before I sit down. In Your Excellency's speech you made reference to the local government of Lagos and the effort to establish the same in the Provinces. That's a very good talk. I have

[*Oba of Benin*][*Appropriation Ordinance, 1951*]

studied, and known very much of the local governments as practised today in the United Kingdom when I was in that country last year, and I should like to suggest for serious consideration that not only must the local governments be strengthened and well-guided by the Central Government, but they, in the interest of progress, peace and tranquillity of Nigeria, which you have always prayed for from that exalted seat, must not be constituted or constitute themselves as weapons for the destruction of the noble, cherished and dear custom, culture, traditions and institutions of the Nigerian peoples. Your Excellency I support the Appropriation Bill.

The First member for the Western Provinces (The Hon. A. Obisesan, O.B.E.) :

Your Excellency, whoever supports the Appropriation Bill in plain language can be said to support the running of the administration of the country and being convinced that the budget presented to the House during this Session contains nothing that can be condemned. I therefore say that the Appropriation Bill introduced in a very able manner by the Honourable the Financial Secretary receives my support. Nevertheless, Sir, I think it is my duty to call the attention of the Honourable House to what I consider must be put right and that is the expenditure of the Trust Territories known as the Cameroons to which the Honourable the Financial Secretary himself referred in his speech. Ever since I became a Member of this House each successive Financial Secretary has never failed to bring to the notice of the House every year that the expenditure to run the administration has always exceeded revenue. This year, in addition to another item of expenditure, the sum of £350,000 is earmarked for development of the roads in the Cameroons. To me, Sir, the administration of the Cameroons appears to be a liability to Nigeria rather than an asset, and the time is now ripe for Government to cure the ill. We love our brothers as we love ourselves, but we cannot love them more than we love ourselves. Over one million pounds is written off for the losses sustained by various Corporations and Boards. We hope, Sir, we are hearing the last word about such losses! Despite the criticisms of the Posts and Telegraphs Department for the past four years, the irregularities in the Department still go on. If one sends a telegram to a place like Kaduna and in the evening of the very day, he entrains for the place he will get there before the telegram does. I can go on quoting instances and it appears that this Department is telling the people of Nigeria that if you are wise stop criticising us because the more you do the greater your suffering becomes. In the Western House of Assembly the Public Works Department was severely criticised for bad roads in the Region. The critics were really actuated by good motives. As one of the users of roads, I dare say Sir, that in time to come if not now everybody in this country will have to share responsibility with this Department to a certain extent. I made exhaustive inquiries from the road overseers, foremen and others as to what is responsible for the bad state of roads, and I was told that where maintenance of a road requires fifty men only ten or six could be found because no-one is keen to accept the rate being paid to the worker. The only remedy perhaps would be, Sir, to resort to community road maintenance. Maintenance of roads by a community is not what certain people choose to call forced labour. I know a clan which has built over thirty miles of road and got pay for it from the Native Administration. I mention all this, Sir, because under the new Constitution which we are all eager to see come into being in a few months hence, Nigeria will have to face a big problem in matters of this

[Hon. A. Obisesan]

[Appropriation Ordinance, 1951]

kind. I appeal to Your Excellency and Honourable Members to give this matter deep consideration because most of the feeder roads and even some of the trunk roads cause a great deal of trouble to the vehicles running over them with consequent discomfort and suffering to passengers and travellers.

In Your Excellency's speech reference was made to the shortage of foodstuffs in the country and that some suggestions were offered to you as to the proper steps to be taken to get rid of the shortage. What we know to be responsible for this to a certain extent is the unwillingness of the rising generation to do farming work. Farmers' children can be classified into two—those who go to school and those who do not. Sons of farmers in school regard farming as an occupation for the illiterate people and the most objectionable side of the matter is that even those that do not go to school prefer to learn motor driving, bicycle repairing and so forth and proof of this can be found from the number of boys who are today motor apprentices and cycle repairers. With this army of our boys' non-participation in the work to prepare foodstuffs for the consumption of those engaged in other pursuits the supply of food in sufficient quantity is bound to suffer. Sir, in other directions shortage of labourers to assist in the growing of crops is another contributory factor. We in the Provinces are doing our best and if the rainfall is normal, good results during the present year will be achieved.

Your Excellency paid a great tribute to the late Chief Secretary, Sir Hugh Foot. Of this gentleman allow me, Sir, to describe him as a man who used the words of our God when he was about to create man. God said "Let us make man in our image, after our likeness....". In coming to Nigeria, I think Sir Hugh formally put a request to Your Excellency in the following words—namely. Let us make Nigerians in our image, after our likeness and let them have rule over themselves as we hitherto have ruled over them! If I am wrong, Sir, the number of men holding senior appointments in the Civil Service and the way he handled the new Constitution now under discussion is convincing proof of his good intentions. I wish him the best of blessings with his family.

Nigeria, Sir, is making history today, by the appointment of our highly esteemed Director of Medical Services, Dr the Honourable S. L. A. Manuwa, O.B.E., whose first three names signify what he has been in the past and what he is very likely to be in the future. We know who Samuel was according to the story in the Old Testament. Layinka or Olayinka means "honour surround me" and is no longer Dr Manuwa's case again as all Nigerians changed it to Olayiwaka and that is "honour surrounds us". Ayodele, meaning "Joy comes to the house" is also changed to Ayo-de-Aiye, that is "Joy comes to our world". Joy has surely come to the home of every Nigerian male and female, because the first African in the history of this country is made Director of Medical Services.

Miss Plummer I can only speak of as the title of a book which speaks of General Booth, the first General of the Salvation Army, and here it is, Sir: "General Booth enters into heaven". Miss Plummer, though still living, and will live longer still also enters into heaven. She has done faithfully and well what every good-natured Briton is expected to do. The thanks of all classes of people go to her in her retirement and the women say to her "O se o yio dara fun o", meaning, Sir, "You have done well, prosperity will be yours".

Your Excellency, I support the Appropriation Bill,

Emir of Abuja (The Hon. Sulemanu Barau) :

Your Excellency, in rising to support the Estimates I would like to say a few more words on the subject of education, and first to renew my appeal for a fresh approach to the problem of the shortage of well-trained and efficient teachers. In other respects the past twelve months have brought some encouraging progress, but in this matter we are still as far behind as ever. Witness the words of His Honour the Acting Chief Commissioner for the North which he spoke to us in December—"I must refer again" he said "to the gravity of the danger to our plans for the education of this country which arises from the reluctance of our youth to enrol in the all-important profession of teaching." Now twelve months ago I spoke at some length here on this subject, and I do not want to weary the House to-day by merely repeating what I said then; but I am quite sure in my own mind that some such change of attitude as I suggested in the status and remuneration of teachers is essential before we can hope, or even have the right to hope, for better results.

At that same meeting, my honourable friend the Director of Education replied to some of the points I had raised; but it is difficult for those of us for whom English is not the mother language to take in the meaning of all the points in a spoken answer. The printing of Hansard takes a very long time, and it was not until about November that I had my copy and was able to examine carefully all that the Director of Education had said. I do not know if it would be possible to find some way of letting us have written copies of the speeches made in debate by Heads of Departments whilst we are still here, or shortly after we come home; if so, it would be a very great convenience to some of us.

On that occasion, the Honourable Member reminded me that there are four tests by which the salaries of teachers must be judged: the test of personal need, the professional qualification test, the educational test, and the market test. All these are good, but in my opinion the fourth test, that of market value, is not being properly interpreted or applied. This market test is explained as follows. I quote—"The salaries should bear a relation to the earning of other professions and occupations so that the necessary supply of teachers of the right quality will be forthcoming." Now I agree entirely that this *should* be so, but I maintain that it is not, as a matter of fact, being carried out at all. I repeat from the quotation: "SO THAT the necessary supply. will be forthcoming." Now we know from the Acting Chief Commissioner's words that nothing of the sort is forthcoming. Why? Why this reluctance to enrol? Surely because the present status and salaries of teachers do not bear that relationship with other professions which they should. If they did, we should not have all this trouble to get candidates of the right kind; but until equal status is achieved, naturally the best men will go to the professions with the best status.

The Honourable Member suggested, I think, two things that might help: the formation of local education authorities, and secondly the award of special allowances for meritorious service. I think such local education authorities might be very useful in general educational matters, but no use to help in recruitment unless they had powers to improve the teachers' status. As to the suggestion of special allowances for very good service, that would certainly be a step forward on the sensible path, but has anything been done about it during the twelve months since it was suggested? Or has it been put in a pigeonhole and forgotten? I shall not say any more about this now, for I

[*Emir of Abuja*][*Appropriation Ordinance, 1951*]

know that my friend the Director of Education has this matter always at heart ; but I earnestly beg him to see that the tests he quoted to me are, in fact, applied to the teaching profession in such a way that the service does become as attractive as other professions, or more attractive, and does not fall into dullness and apathy.

In the second place, I come to female education ; and I want to speak a little about something that has been worrying many of us for a long time : the question of young girls selling foodstuffs in the streets and markets when they ought to be in the school or at least at home. In the Hausa newspaper, Gaskiya, Ta Fi Kwabo, there has been a series of very helpful articles about female education in the Sudan by Dr Geary, the Chief Woman Education Officer for the North, and, following them on 31st January last, came an editorial which, for bold and truthful writing on a difficult but vitally important subject, deserves thanks and praise from everyone—everyone, that is, who believes in the future of our country and in the increasing importance of the part which our daughters—the mothers of tomorrow—must be taught to play.

What is happening to-day and every day, not only in the North but in every town and even village in Nigeria, is described by the Editor of Gaskiya in powerful language, when he declares that it is this street trading and hawking which is the greatest enemy to the education of our girls. For myself, I should also call it the greatest enemy to the honour and security of our home life. I hope that the House will allow me to say in English something of what he wrote in Hausa, because I think everyone ought to hear about it : I am not translating word by word, of course, and I have added a few remarks. ' Even when the father has told his daughter to go to school, yet, after he has gone off to his own work the mother often prevents her, and gives her some foodstuffs to go and sell in the market or street. So she has to obey. Then if she comes back without having sold them the mother will scold her, or even beat her and drive her out again, saying she should not come home until she has sold them all and brings the money. What is the girl to do ? Supposing she cannot find people who want to buy, or sometimes may have an accident and spoils some things, or loses part of the money. How is she to make the amount to bring to her mother ? She may sell some little ornaments of her own at first, but after that, what has she to sell, except herself ? I do not say that all others are like this—God forbid—or that it happens every time ; but it is the sad truth that it has become very frequent indeed. Such a state of affairs can only happen in countries where the women themselves are uneducated, for it is this dark ignorance which makes a mother—sometimes without perhaps realising what will happen, but sometimes knowing perfectly well—force her own daughter to such pitiful ways. But we must not say it is only these women who are to blame. Men must take their share of responsibility in this way : there are many young men who despise and mock a girl if she goes to marriage without a big dowry in clothes and household goods, and they also mock her parents and look down on them. It is for fear of this mockery that many a young girl has taken the easy way and sold herself in prostitution, often with the knowledge of her parents. How else will she get money to buy the goods for marriage, and escape this cruel mocking ? So she agrees, and gets the money, and she comes to the husband with a full dowry, and everyone thoughtlessly praises her and praises her parents for the fine showing. A fine showing indeed, when her freshness has been sold for pots and pans, and she brings her husband a little rice and palm oil instead of her virginity.'

That, Honourable Members, is roughly what the Editor wrote, and every word of it is true, and there is no overstatement anywhere. I believe that this street trading by girls is not only the greatest enemy of education, completing a vicious circle of ignorance, but also one of the greatest evils of our country—a danger to the welfare of our peoples and to our family life. I would like to suggest that it should be prohibited by law. It might be difficult to enforce, and no doubt a great deal of opposition would be raised by ignorant people and even the foolish girls themselves would try to evade the order, but difficulties and opposition should not cause us to hesitate to do what we know is right for the good of our children and the future of our peoples.

Sir, I wish to support the Bill.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O. B. E.) :

Your Excellency, it was not my intention at all to speak at this meeting for sundry reasons, particularly as it is likely to be the last meeting that I will attend in this House before I go out of it, perhaps once and for all. But in view of Your Excellency's very impressive and comprehensive speech to this House on the opening day and the very lucid, scientific and I may say wonderful presentation of the Budget speech by our indefatigable Financial Secretary, whom I think I termed some time ago "the Master of Figures", I cannot help but say something. I must thank Your Excellency for the speech which was given to this House on the opening day. I think every Honourable Member of this House and all who were privileged to be within the precincts of this building must have realised from Your Excellency's speech that Nigeria is indeed on the verge of a new era.

There is no doubt that the past few years' work in preparing for a new Constitution have been very successful. We have met at all levels; various conferences have been held in the Regions and at the Centre. We are now just expecting, within the next few months, to be ushered into a new Nigeria so to speak. Your Excellency has given us full hopes of what is to follow after we shall have commenced the new Constitution. But permit me to say that I still have my fears and I have always expressed that fear and have been very much criticised and condemned for it, and that is that we are not yet fully prepared for this great responsibility. If we are, then we shall be able to take it up, but I say we are not yet prepared because up to this moment I am not convinced that Nigeria is sufficiently united—North, East and West. We still have differences to contend with and I only hope and hope very sincerely that these differences can be set aside before the new Constitution comes into being; otherwise we may be falling from the frying pan into the fire. We want the Constitution to be thoroughly workable, progressive and beneficial to the peoples of Nigeria. We want as Leaders for the future Nigeria honest, God-fearing men who will stick to the right through thick and thin in any circumstances to lead the way. Men who are prepared to think only of the common good of the people and not of themselves. Men who will put themselves afterwards—after they shall have done everything possible for the advancement of Nigeria, for the progress of the people, then themselves if necessary. We do not want men who will only think of the gains to be had from leadership, who will not think of the good of the people. We want men who will do their jobs honestly, fearlessly and straightforwardly. If we have such men to hold the Ministerial posts we are proposing, whether with portfolio or not—if we have such men gradually to take the place of various Heads

[Hon. H. Buowari Brown]

[Appropriation Ordinance, 1951]

of Departments, we can then hope for a successful Constitution for Nigeria. We have been reading very much of late of the success of the Gold Coast Constitution. Mr Nkrumah, who has made a name in history, has undoubtedly made very great sacrifices to lead his people and lead them right. He has succeeded and we want Nkrumahs in this country—men who will not be afraid to go to jail if necessary. He had differences with the British Government and he must have suffered in jail, but the British Government were gracious enough to let him out so that he could continue his leadership.

(Cries of 'He is a communist.')

We have communists in this country but they are not going to succeed—not in my area at any rate.

Your Excellency, we have been presented, I think, with the biggest Appropriation Bill that Nigeria has known in the history of all the years past—£42,000,000 odd. That is a very big sum indeed to be expended. I only hope as the Financial Secretary has very carefully manipulated his figures that we will be able to find the money for this expenditure. I should not like to hear tomorrow that Nigeria's debt continues to increase. The National Debt should not go any further. Our last Financial Secretary introduced the Revenue Equalization Fund which we had to tamper with last year owing to the introduction of T.A.R.P., but thank God I think it has been replaced. That fund should be carefully watched against the rainy day which is bound to come sometime. I am very thankful to the other high officials of this House who in turn have done their own work very well. In particular I would mention the valuable services of the Honourable the Development Secretary and I am sure Honourable Members of this House are very grateful to him for his very laudable efforts in piloting this Department so carefully through. There is no doubt under his guidance we shall be able by 1956 to be placed in such a position as to reduce the Colonial grant by our efforts.

I must thank the Government for their elevation of one of our brothers to be Head of the Medical and Health Services of Nigeria. I cannot describe to Honourable Members how joyful I was the morning when I tuned up my radio in my house and the news was flashed that the Colonial Office had announced the appointment of Dr Manuwa as Director of Medical and Health Services in succession to Dr Walker. I was so happy that I immediately sent him a telegram congratulating him heartily, and I am sure we all rejoice that he is not acting Director of Medical Services but the substantive holder of this post. We hope that before the new Constitution comes into being we shall have one or two more African Heads amongst us holding such posts but this will depend on our own efforts. Dr Manuwa has distinguished himself so cleverly that no-one doubts he received this honour on merit and merit alone. We would like all who are appointed to hold responsible positions in this country to take their place by merit as Dr Manuwa has done and not by any other means.

Before I take my seat, Your Excellency, I would sound a note of warning with regard to the need for more production. I think an Honourable Member has just touched upon it—and I think the Oba of Benin too. We are having troubles in the Provinces with regard to this production, not because we have not the lands, the material or the men to do the farming to produce more crops, but there is a tendency for our young men to go into the big cities. They would not like to go to the farms any more. They all want to be clerks—everyone wants to be in an office; no-one wants to touch

the land. Anything Government can do to induce the men to go back to the land and produce more crops, especially in regard to foodstuffs, will be very greatly appreciated. Some Members were opposed some time ago to the introduction of a Bill whereby communal services would be encouraged in the villages. Those Members were inclined to term it forced labour or oppression. Your Excellency, I do not think that is the case. Communal services have been the order, the practice, in our village lives and in our country life from time immemorial. In some parts of the Eastern Provinces it would be difficult to find anything that is not communal. In Lagos much of the land is owned individually, or by families, but most of our public land is communal. Everything was done communally so that if we are encouraged to do things as we were accustomed to do them before, without terming it forced labour or oppression, you will find that more and more of the educated elements, as they call themselves, will turn to the land. They will not consider it a shame to till the land. I realise that everything we get from overseas has been produced by educated people—by literate men with scientific degrees—and we should not be ashamed to put our hands in the soil. Anything that can be done in the matter, Your Excellency, should be done. Education drive must be intensified fully particularly technical and vocational as without such education we can get nowhere. Not only the education of men and boys but the girls and women also. Yesterday's exhibition, the Festival of Arts, was an indication of what good and efficient education can do for a country. We want this Festival of Arts, if possible, to be extended to the Regions so that our people will get to feel that Nigeria is one. They cannot always send their exhibits all the distance here, but if they have shows established in their Regions they also will do what they can to show Nigeria and the rest of the world what they can do on their own.

Your Excellency, I should like to say that I do not think this will be my last appearance in this House because I hope, all being well, to be here again before we finally disperse from this House as old men or old Members. Whatever may happen I wish those who come into the new House of Representatives good luck. I wish them well and I say once more they should put Nigeria first. The good of Nigeria, the benefits and progress and welfare of the people of Nigeria first before their own. Otherwise they will take us nowhere.

Your Excellency, I beg to support the motion.

His Excellency :

The question whether we have a break this morning depends very largely on how many Honourable Members propose to speak on the debate today. It would perhaps be useful if I were to say a few words at this stage. I think that Honourable Members will agree that from this Chair it has been my constant care to conduct the business of the House as a President or Speaker and not as Governor. Indeed, while I was in London in October I told the Speaker of the House of Commons that he could be, and indeed was, very much stricter with the members of the House of Commons than I allowed myself to be within this House, merely because I have another role as Governor. I make these comments because it may be that today or tomorrow I shall have to be a little chiding, if not strict. The debate on the second reading of the Appropriation Bill ranges wide and unfettered. We have no guillotine and no limitation of the number of speeches, although it has been our practice in past years to allow something like five or five and a half days for this debate. I can well understand it if any Honourable Member should

[H.E. the Governor]

[Business of the Council]

decide that his duty to the people he represents can be better carried out in Select Committee on the Estimates rather than in open debate. There is, of course, no obligation upon Members to speak in any debate on any subject. If we look ahead twelve months or less there will be 148 Members sitting in the House of Representatives, and it is not to be contemplated that all of them will speak on any one subject. I have no doubt that the House itself will work out some means to see that representative speakers take up a reasonable space of time. I also well understand that in a debate such as this an Honourable Member might wish to speak a little later, if only because it gives him longer to study the vast amount of material in the draft Estimates and Memorandum and in the speech of the Honourable the Financial Secretary in moving the first reading. But we have a duty to the country, and to those whom we represent, to conduct our business not only with dignity and efficiency, but with despatch, and with an eye to the cost to the public purse.

I should be well within my rights if I were now to call upon the Honourable the Financial Secretary to reply and then put the question, but I have a feeling that if I did this this morning, without warning, it would be a little unfair. I am obliged to state, however, that if this debate "folds up" quickly this morning, and if tomorrow we do not occupy ourselves with it for at least three or four hours I shall not hesitate to bring it to a close and put the question. I have made this explanation so that there should be no misunderstanding. This morning if more speakers are going to speak we might have a break now. If there are no more speakers we shall adjourn until tomorrow morning. I shall consult Honourable Members and put the question that we have a break now. If that is negatived I shall put the question that we adjourn until tomorrow. The question is that the House has a break for ten minutes.

Agreed.

Council adjourned at 11.10 a.m.

Council resumed at 11.30 a.m.

The Fourth Member for the Western Provinces (The Hon. A. Soetan) :

In view of the deadlock, may I humbly suggest that if Members know how many days are allowed for Budget speeches, Members may fit their speeches to suit that particular number of days and, if it is necessary, Your Excellency may extend the number of days within which to speak or some other arrangement may be made instead of just leaving it open as now. I wish to suggest that, in future, or even now, we may know how many days will be allocated for speeches and speakers will give their names for each day within that period.

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

Your Excellency, while I support most of what my Honourable Friend has just said, I think that a great number of the Unofficial Members feel that once the Clerk has given us a list to indicate what dates we are prepared to speak, we have been left under the impression that there will be no further debate on this issue. Unfortunately, a deadlock appears to have arisen and other issues have been raised. On the other hand, I want to repeat what I said before in this House that, in order to avoid confusion over the intention of Members to speak on the second reading of the Bill, it should be done according to order of precedence, and if they are not prepared to speak then another speaker will continue the debate.

[Hon. N. Essien]

[Business of the Council]

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, in support of what has already been said, I signed this morning a paper, in the form of a circular, which has been passed to Members, saying that I have got to speak on the 9th. If there is any ruling against that I wouldn't mind making it a day less.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, the Clerk to the Council did circulate a paper so that we might get some idea of the number of Members who were likely to want to speak and might be able to arrange our programme accordingly. That list, I don't know whether it is up to date, has at present about ten names of persons who want to speak. Of those, I think four have already spoken. I would like to suggest to the House that, in those circumstances, we should deal with the second reading of the Appropriation Bill during the next two days or, perhaps, we might even be able to deal with it in one day.

His Excellency :

I now see more clearly what has happened. In my remarks before the short recess I said that we hadn't any rules governing the length of the debate on the second reading of the Appropriation Bill but that, in the past, it had been our normal practice to take five or five and a half days for the debate. Presumably it was on the basis of that that the Clerk circulated a paper. I don't think anyone is to blame. This situation has occurred and it is a question of putting our heads together to see what is the best to be done in the circumstances. I think we must assume that there will not be further speeches this morning. It might be useful if Honourable Members stayed in the House for ten or fifteen minutes after the House adjourns this morning, as an informal Committee, and then we might arrive at a plan. I certainly think we would all feel we were not living up to our responsibilities if we "folded up" early tomorrow and there were a lot more speeches later in the week.

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

Your Excellency, on what you have just stated, I think we should adjourn this Meeting so that we might sit informally and consider the best way to speak on the Appropriation Bill—just for ten minutes.

His Excellency :

We want to dispose of our time in the best way we can. I think Honourable Members will agree that a plan can be made more easily in informal discussion rather than we should debate the matter in full Council where, strictly in accord with the Rules of the House, no Member can speak twice.

Council will adjourn until 9.30 tomorrow morning.

ADJOURNMENT

Council adjourned at 11.35 a.m.

Debates in the Legislative Council of Nigeria

Tuesday, 6th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Tuesday, the 6th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyéama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Baléwa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.
- The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 5th of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I rise to move the Resolution standing in my name in the Order of the Day, which reads as follows :—

RESOLUTION made under THE CUSTOMS ORDINANCE (Cap. 48)

In exercise of the powers conferred by section 11 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows :—

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1951. Short title.

2. Part I of the Schedule to the Customs Ordinance is hereby amended as follows :—

(a) by the deletion of paragraph (c) of sub-item (3) of item 25 and by the addition of the following paragraphs :—

	£	s	d
“(c) Fents the pound	0	1	0
“(d) Other the square yard	0	0	4.”

(b) by the deletion of sub-item (8) and sub-item (9) from item 26 ; and

(c) by the deletion of sub-item (1) of item 29 and by the substitution therefor of the following sub-item :—

“(1) Unmanufactured the pound 0 8 0.”

RESOLVED by the Legislative Council this.....day of.....1951

Clerk of the Legislative Council

I propose only three variations in the rates of Import Duties for the forthcoming financial year. Two are minor changes of little significance, but the last is of importance. I will deal with each in turn.

First, fents of artificial silk, item (a) in the Resolution.

Amendment
of Part I of
the Schedule
to the
Customs
Ordinance.

Artificial silk has recently begun to be imported by the fent, which is a piece of artificial silk not longer than six yards in length. A fent is then sold by the importer in weight, and the Comptroller of Customs and Excise considers it desirable that Import Duties should therefore be levied by weight. But under the present item 25 (3) (c), under which duty is now levied on this category of artificial silk, duty is charged by the square yard, and conversion is cumbersome and slow. No increase in the rate of duty will be effected by this change in the method of assessing duty, as the proposed rate of 1s per pound weight is considered to be the same as 4d the square yard paid now on this type of material as paid at present. The matter was referred to the Tariff Advisory Committee and they unanimously recommended the change.

Secondly, fresh potatoes and rice, item (b) in the Resolution.

In a Resolution which I will move following this one it is proposed to exempt fresh potatoes and rice from Customs Duty. The reasons for this I will give when I move the other Resolution. I mention it here because it is necessary first to delete the relevant items under which they are now charged duty from Part I of the Schedule.

Turning now to the increase on unmanufactured tobacco, item (c) in the Resolution, as Honourable Members are aware, at the present time the duty on imported cigarettes of 30s per pound weight, and 21s and 13s respectively on the two kinds of locally manufactured tobacco and cigarettes. It is considered that the duty on manufactured tobacco is disproportionately low and it is accordingly proposed to increase it by 2s 6d to 8s the pound weight. The proposed increase is estimated to bring in additional revenue of £300,000 per annum. The duty on unmanufactured tobacco has been increased from time to time over the last few years without any diminution in the consumption of tobacco, which I understand is largely used for chewing. It is therefore felt that this commodity can stand a moderate increase in the duty as now proposed.

It is not, however, intended to increase the duty on unmanufactured tobacco used in the production of locally-produced cigarettes and tobacco, which pay excise duty in addition to a smaller duty on importation, since the duty on these items is considered sufficiently high at the present time. Accordingly, Regulations have been approved by the Governor in Council to increase the draw-back from the present rate of 1s 6d to 4s per pound weight, leaving the net duty that is paid at the present rate of 4s.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

Resolution adopted.

The Hon. the Financial Secretary:

Your Excellency, I rise to move the second Resolution standing in my name, which reads as follows :—

RESOLUTION made under THE CUSTOMS ORDINANCE (Cap. 48)

In exercise of the powers conferred by section 11 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows :—

Short title. 1. This Resolution may be cited as the Customs (Exemption from Import Duties) (Amendment) Resolution, 1951.

[F.S.] [Customs (Exemption from Import Duties) (Amendment) Resolution, 1951]

2. Part III of the Schedule to the Customs Ordinance is hereby amended as follows :—

Amendment
of Part III
of the
Schedule to
the Custom
Ordinance.

(a) by the insertion of the following item immediately after item 26 :—

“26A. Machinery, apparatus, appliances and instruments (not including domestic or toilet machines or appliances except such as are elsewhere specifically exempted from import duties of customs) and electrical material used in connection therewith, for the generation, measurement, transformation, storage, transmission, distribution of, or lighting by, electric power, and parts thereof, but not including electroliers, lamps, lamp-shades or reflectors, portable batteries or electrical appliances for use in connection with vehicles.”;

(b) by the deletion of paragraph (e) of item 27 ;

(c) by the insertion of the word “ and ” immediately after the word “ Mining ” in paragraph (j) of item 27 ;

(d) by the insertion of the following item immediately after item 27 :—

“27A. Machinery, plant, materials and rolling stock imported and purchased prior to clearing through the Customs, by an individual or firm under contract to the Government, where such exemption from Customs duty forms part of the terms of contract.”;

(e) by the insertion of the words “ or cleared from a bonded warehouse ” immediately after the word “ imported ” occurring in the first line of paragraph (c) of item 33 ;

(f) by the insertion of the words “ or cleared from a bonded warehouse ” after the word “ imported ” where it occurs in the first and second lines of paragraph (d) of item 33 ;

(g) by the insertion of the following paragraph immediately after paragraph (i) of item 33 :—

(j) All goods purchased with funds provided by His Majesty's Government in the United Kingdom under the Colonial Development and Welfare Act, 1940, and imported direct or purchased prior to clearance through Customs by the person or body to whom the funds have been issued by His Majesty's Government in the United Kingdom.”;

(h) by the deletion of sub-item (2) of item 34 and the substitution therefor of the following :—

“ (2) Tin plate and flattened tin cans imported for the purpose of manufacturing into receptacles for the packing of foodstuffs for distribution within Nigeria, and empty tins imported for a similar purpose.”;

(i) by the deletion of the proviso to item 35 ;

(j) by the insertion of the following item immediately after item 35 :—

“35A. Passengers' Baggage, as defined in item 35, landed at any Customs port within two months of the arrival of the passenger, or within such further period as the Comptroller may allow, may be exempted from duty at the discretion of the Comptroller.”;

(k) by the deletion of paragraph (8) of item 43 and by the addition thereto of the following paragraphs :—

“(8) Potatoes (fresh).

(9) Rice.

(10) Sugar.” ; and

[F.S.] [Customs (Exemption from Import Duties) (Amendment) Resolution, 1951]

(l) by the deletion of item 44A and by the substitution of the following item therefor :—

“ 44A. Refrigerators, household, and parts thereof and accessories therefor.”

Resolved by the Legislative Council this.....day of.....1951.

Clerk of the Legislative Council

Part III of the Schedule to the Customs Ordinance concerns exemption from Import Duty and this Resolution, therefore, gives details of the list of articles and commodities to which it is proposed to accord exemption.

I will deal with each item separately.

First, electrical material and equipment, items (a) and (b) in the Resolution.

As Honourable Members are aware, on 1st April the Government's Electrical Undertaking will be vested in the newly formed Electricity Corporation. Without in any way wishing to bestow on the Corporation any special privileges as against private companies generating electricity, it is nevertheless desired to give it as good a start as possible with a view to providing cheap power for the country. It is believed that the best way of achieving this is to extend the scope of present exemption accorded to electrical material and equipment which will, of course, benefit private electricity companies as well. The present exemption made under item (e) of Part III of the Schedule gives only a limited exemption to the requirements of the Corporation in that cables and certain types of machinery and appliances are still liable to duty. It is considered that Customs duties on these would unnecessarily add to the cost of generating and transmitting electricity and it is, therefore, proposed to cancel the present exemption, item 27 (e), and insert a new item which will increase the number of articles and materials exempted. The wording of this item is based on existing legislation in East Africa where similar circumstances prevail.

Secondly, mining machinery, item (c) in the Resolution.

Machinery for mining for all purposes is now exempt but the wording of the existing law is ambiguous. The proposed addition to the wording will resolve all difficulties and interpretation.

Thirdly, machinery imported for Government contracts, item (d) in the Resolution.

When contracts are assigned by Government for large engineering undertakings such as the new extension to the Apapa Wharf, the fees paid to Consulting Engineers are normally based on a percentage of the total amount paid to the contractors. A considerable saving of capital costs, and hence taxpayers' money, can therefore for the work are allowed to be imported free of Customs duty. The total amount of the contract is thereby reduced with a consequent saving on the fees paid to the Consulting Engineer.

Fourthly, fuel oil for Planning Board and the Military, items (e) and (f) in the Resolution.

This oil is allowed in free of duty and it is proposed that it should continue to be so admitted. The wording of the law as it now stands, however, when strictly interpreted, exempts only *imported* oil, whereas in fact the oil used by the Planning Board and the Military is supplied from the bonded bulk oil installation and other oil imported to this installation and supplied to commercial firms pays duty. It is, therefore, not correct to say that the oil

[F.S.] [Customs (Exemption from Import Duties) (Amendment) Resolution, 1951]

has been imported free of duty but that it is released from bonded warehouse free of duty. It is desired to make the drafting of the Law quite clear on this point.

Fifthly, goods purchased with Colonial Development and Welfare Funds imported for Ibadan University College and other autonomous bodies, item (g) in the Resolution.

At the present time, goods purchased by Colonial Development and Welfare funds and imported for Ibadan University College and other autonomous bodies are liable to the same Customs duties as commercial firms, since they are not Government Departments or analogous to any other institution exempt under item 33. The effect of this is to reduce the value of the Colonial Development and Welfare Higher Education contribution and to reduce the funds available for the construction of buildings, etc. It is, therefore, proposed to exempt all goods imported direct or purchased prior to clearance by Customs by autonomous bodies from Colonial Development and Welfare funds.

Sixthly, packing materials, item (h) in the Resolution.

At the present time, all packing materials to be used solely as material for the packing of produce for export, and empty tins imported for packing foodstuffs for wholesale distribution within Nigeria, are exempt from Customs duty. But tinplate imported for making tins for packing foodstuffs for distribution within Nigeria is covered by neither exemption. The effect of this is to discourage the local manufacture of tins for such local industries as the extraction of groundnut oil. The Tariff Advisory Committee have therefore recommended total exemption of such packing material.

Seventhly, passengers' baggage, items (i) and (j) in the Resolution.

At the present time, passengers are required to fill in a "yellow form" on arrival in this country, which allows baggage arriving within two months to be admitted free of duty. In practice, passengers forget to fill in the form and the baggage, owing to inevitable delays, fails to arrive within the two months. The form, in fact, serves no useful purpose as failure to fill it in is not considered sufficient justification for charging duty on baggage. It is, therefore, proposed to abolish this form and to allow the Comptroller to extend the period in which baggage may be allowed in free of duty. The new wording has the added advantage of enabling the Comptroller to satisfy himself that there is no attempted fraud by ordering goods after arrival in the country and pretending that they are passengers' baggage.

Eighthly, potatoes (fresh) and rice, item (k) in the Resolution.

A duty was placed on fresh potatoes and rice in order to encourage local production. This has not succeeded in that demand still outruns supply. And the effect of the duty is only to increase the cost of living. It is therefore proposed to abolish the duty of 1d per pound on potatoes and $\frac{1}{2}$ d per pound on rice.

Ninthly, refrigerators, accessories and parts, item (l) in the Resolution.

At the present time, refrigerators are admitted free of duty but the Law as now drafted does not allow exemption on accessories and parts. This is considered anomalous and the Tariff Advisory Committee recommend their exemption. The effect of this exemption on the total revenue of the country is negligible. In some cases, for example rice, there have been no imports to date and consequently there can be no loss of revenue.

[F.S.] *(Customs (Exemption from Import Duties) (Amendment) Resolution, 1951)*

As Honourable Members are aware, we have a Tariff Advisory Committee, which has a majority of unofficial members, meets twice a year to consider representations made by individuals and firms for variations in the Customs Tariff. Many of the recommendations which are now before you, indeed the important ones, have been recommended by the Committee and I wish to take this opportunity of paying warm tribute to their work. The unofficial members, both expatriate and non-expatriate, all have had great commercial experience and their advice as to how any particular rate of duty affects trade is of great benefit to Government in deciding what articles and commodities are most deserving of a reduction of duty.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

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

I rise to ask the Honourable Financial Secretary through Your Excellency if the duties suggested on potatoes and rice are only for imported potatoes and rice and there is no excise duty on potatoes and rice grown in the country?

The Hon. the Financial Secretary :

Your Excellency, the duty which it is now proposed to abolish refers to imported fresh potatoes and imported rice. There is no excise duty on locally produced potatoes or rice.

Resolution adopted.

BILLS

(Second Reading)

THE 1951-52 APPROPRIATION ORDINANCE, 1951.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

Your Excellency, I rise to contribute my little quota to the debate on the second reading of the Appropriation Bill, but I am afraid this is going to be the shortest speech on record that I will ever make before this House. If that were so, Sir, then I am quite sure that all Heads of Department will be extremely glad to hear that that speech will not last more than twenty minutes.

I should like to warmly congratulate the Honourable Financial Secretary on his able Budget Address and also for placing before the House a Budget with an estimated surplus of some £604,720. Sir, I must confess that I expressed horror when I received the draft estimates for 1951-52 shewing that an estimated deficit of £1,795,280 was anticipated. So I said to myself "Oh boy! I shall certainly take the Honourable the Financial Secretary out for a ride during the second reading of the Appropriation Bill." I daresay Sir, that I was one of those to whom the Honourable Member referred at page twenty-six of his Address in the following terms: "I do not share the horror expressed by some financial purists against deficit financing". Be that as it may, I would seriously invite the attention of Honourable Members to the statements at pages thirteen, sixteen, seventeen and nineteen of the Budget Address. Said he at page thirteen "I mention these figures to show; that the cost of Government has increased and is increasing substantially indeed, such increases are—as I shall show later—outstripping normal increases in revenue, and they cannot in my opinion be permitted to proceed unchecked if this country is to remain financially solvent". At page sixteen

paragraph 1, he said " I said earlier that Government expenditure had shown a remarkable propensity to increase, and it is with regret that I have to open my remarks on the financial year 1951-52 by stating that Government expenditure will of necessity be higher next year than it has been in the past ". At page seventeen he remarked " Honourable Members who can recall the catastrophic 'thirties in this country will readily agree that never again must the country be called upon, in the absence of adequate financial reserves, to make those hard and difficult financial adjustments which, in the long run, did more harm to the country than good ".

Your Excellency I am constrained to ask the Honourable Member whether those statements to which I have referred are not in themselves a contradiction in terms. Why?—because, 1. How can this country remain financially solvent when Government expenditure has shown a remarkable propensity to increase and that increase will still be higher next year? 2. How can the economic catastrophe of the 'thirties be avoided when Government must continue to expend more than it can afford? Why cannot the Government cut its coat according to its size? I shall be delighted, Sir, to listen to the explanation of the Honourable the Financial Secretary when he replies. I notice that reference was made to the Revenue Equalisation Fund which will stand at £9,000,000 at the end of 1952 and possibly higher in the years ahead, but I would seriously draw his attention to my remarks which I made at Ibadan in 1949 when the question of contribution to the Revenue Equalisation Fund was mooted. I would advise him, Sir, to leave our Revenue Equalisation Fund severely alone if and when the pernicious policy of this Government involves the taxpayers in financial ruin. I suggest to him, Sir, that from now on Government should reorientate its fiscal policy, a policy which will entail the recruitment of only technical and professional personnel instead of recruiting more redundant European staff for purely clerical work in Nigeria. There are some 750 Administrative Officers in Nigeria today. If that number could be substantially reduced to 100 a saving of £198,000 could be expected annually exclusive of savings from passages and expatriation pay which will be well over £70,000, giving us £268,000 annually. But if Government expenditure must continue to show a remarkable propensity to increase then I am afraid we must be prepared to face the financial calamity of the 'thirties of which the Honourable Member is so afraid. Again I repeat my warning about leaving our Revenue Equalisation Fund severely alone, and should on no account be utilised for the payment of salaries, expatriation pay and other unnecessary allowances to redundant Officers whom this country can jolly well afford to do without.

At page nineteen of the Honourable the Financial Secretary's Budget Address I gathered that the Honourable Member like myself, detests post-mortem examinations into things which might or should not happen. I suggest to him, Sir, that in future he should try ante-mortem examinations with the assurance that he will find it extremely useful and handsomely profitable. But I would invite him to ruminate on the following formula and give an appropriate comment when he replies to the debate. Lack of revenue plus insatiable proclivity to spend more than one can afford equals bankruptcy.

The Agricultural Department. For the past five years this Department has been engaged in too many worthless experiments which give the country no substantial dividend and I am wondering whether there was not anything radically wrong with the Department. I invite the Honourable the Director

[Dr the Hon. I. Olorun-Nimbe]

[Appropriation Ordinance, 1951]

of Agriculture to make a general statement of policy on his Department especially with reference to the mass exodus of the members of the Junior Staff in his Department. This is exactly what I mean. Looking through the Gazette for the past twelve months one was astounded to notice that nearly every week six to eight members of the Junior Staff have resigned. I would like to know why. If we are to encourage our literate boys and girls to take up farming as a profession, then I suggest that that encouragement ought to come from the Agricultural Department.

The Policé. In the year 1946 the Honourable C. C. W. King, then Commissioner of Police, sought the permission of this House to improve the conditions of service of the members of the Force both Africans and Europeans, together with the provision of good housing amenities for members of the Junior Staff of the Department free of rent. This report received the unanimous and equified approval of this Honourable House. I must confess Sir, that we in Lagos very much regret the palpable inefficiency of the Police in recent years. Within the past eighteen months the inhabitants of Lagos have witnessed various kinds of hooliganism and barbarism unparalleled in the history of Lagos. All these atrocities have been perpetrated right under the very nose of the Police without any worthwhile action being taken. This is a serious reflection, Sir, on the administrative machinery of the Police Department. And yet, Sir, the Police, in spite of this noticeable inefficiency has the audacity to request that another redundant post of an Assistant Commissioner be created in next year's estimates. We, the Lagos battalion, will strongly oppose this unnecessary item of expenditure at the Select Committee. We begin to wonder whether we are under British rule or whether the rule of the jungle is or is not the order of the day in Lagos yesterday and today. And yet we daily pray here for the public wealth, peace, good government and tranquillity of Nigeria. I ask this Government in all seriousness. Has Lagos enjoyed any peace, good government or tranquillity within the past two years? I invite the Honourable the Chief Secretary to make a statement on behalf of the Police. Your Excellency, I will proceed to give yet another example of the glaring inefficiency on the part of the Police. On the 13th February, 1951, burglars infested some houses at Foresythe Street in Lafaji District of 'C' Ward in Lagos. One of the occupants managed to escape and went to Oke Suna Police Station to lodge a complaint. But the Police told him that nothing could be done. This man was so desperate that he went back again. When this matter was brought to my notice, I directed him to phone to the Commissioner of Police at his house and tell me what the Commissioner of Police said. That was at 11.45 p.m. on the 13th of February. The Commissioner of Police directed him to an expatriate Officer, who in turn re-directed him to Oke Suna Police Station. When this man got there, Sir, he was given a jolly good telling-off for daring to phone the Commissioner of Police at his house and failing to lodge a complaint at the Oke Suna Police Station. Your Excellency will appreciate my anxiety in so far as this Department is concerned if I read to you the following remarks by a learned Judge of the Supreme Court of Nigeria. It was culled from the "Daily Service" of Friday, the 18th of May, 1950. It had the following heading: "Odorous Conspiracy against the Accused". Then it goes on:

"Abeokuta B.M.—At the High Court Session presided over by His Honour Justice Johnstone, the Secretary of the Majeobaje Society Mr J. O. Shokeye and Chief J. K. Shofolahan Bamolu of Iporo were discharged in the case of offering bribe of £10 to some men in order as alleged, to prevent prosecution of the first accused in the looting case pending in the Magistrate Court.

[*Dr the Hon. I. Olorun-Nimbe*]

[*Appropriation Ordinance, 1951*]

Barristers Kayode, Fatayi Williams and Olu Sholanke appeared for the 1st accused and Mr Awoyele for the 2nd. Mr Odunsi was for the prosecution. The accused persons' lawyers submitted that there was no case for their clients to answer and the Judge in acquitting them remarked :

" The prosecution case is closed and in view of my impressions of the evidence and the witnesses, I have called upon the learned Counsel for the prosecution to make a submission in support of the Crown case.

" He has done so and I have noted his remarks. I wish to place it open that Mr Ladipo Odunsi has conducted the prosecution throughout with considerable skill, determination and devotion to the full discharge of the duty which has rested on him but not all Mr Odunsi's efforts can convert untruthful witnesses into credible witnesses. There is no single credible material prosecution witness in this case.

" The entire case is strongly odorous of conspiracy against the two accused and I cannot absolve two responsible Police witnesses, a constable and sub-inspector, both local officers, from being implicated in this expression of opinion.

" There is evidence against the accused but since it is wholly discredited and incredible it is not evidence to require the accused or either of them to make a defence. I have examined the documentary evidence.

" It stands wholly unsupported by credible oral evidence and is therefore valueless.

" I acquit both accused on all counts and set them at liberty.

" There is no case for them to answer."

Your Excellency, I feel sure you will agree with me Sir, that further comment on my part is superfluous. Before leaving the Police Department, Sir, may I take this opportunity to remind Government of the petition presented by the Lagos Fire Brigade two years ago at Ibadan for parity in conditions of service with the Police and the Warders—conditions they have enjoyed since 1926 until post-Harragin days. Government said it was unaware of a Commission of Enquiry having been set up in 1926, but I readily placed a copy of the report of that Enquiry and its recommendations at the disposal of the then Honourable the Financial Secretary, now His Excellency Sir A. W. L. Savage, K.C.M.G., Governor of Barbados. I also invite the Honourable Chief Secretary to make a definite and categorical pronouncement about the twelve unfortunate police-constables who are now serving in auxiliary capacities to some Departments of Government, as well as the commercial interests. Why should they be given notice of termination of appointment when those who are responsible for payment of their wages have not indicated their willingness to dispense with their services? I made a representation to the Honourable Chief Secretary to the Government some time ago on their behalf but up till now nothing definite has been done about it. Although ten days after my representation the Commissioner of Police threatened these men with wholesale transfer to Tarquah Bay as an alternative measure to the termination of their appointment. Sir, I invite the Honourable the Chief Secretary to make a statement on behalf of the Police.

The Military. Since the year 1930 and until quite recently I have read with mixed feelings the half-hearted and unsympathetic attitude of Great Britain towards the flogging of African soldiers. This topic Sir, was debated

[Dr the Hon. I. Olorun-Nimbe]

[Appropriation Ordinance, 1951]

in the House of Commons on the 25th of May last. I am totally disgusted at the unsympathetic and unstatesmanlike attitude of Great Britain on this subject, and I would like to draw the attention of England to what the "Little Corporal" commonly known as Napoleon Bonaparte said about the flogging of soldiers in 1796 during the battle of Bassano in Austria: Said the emperor:—

"I raised many thousands of Italians, who fought with a bravery equal to that of the French, and who did not desert me even in adversity. What was the cause? I abolished flogging. Instead of the lash, I introduced the stimulus of honour. Whatever debases a man cannot be serviceable. What honour can a man possibly have, who is flogged before his comrades? When a soldier has been debased by stripes, he cares little for his own reputation, or for the honour of his country. After an action, I assembled the officers and soldiers, and inquired who had proved themselves heroes. Such of them as were able to read and write, I promoted. Those who were not, I ordered to study five hours a day, until they had learned a sufficiency, and then promoted them. Thus I substituted honour and emulation for terror and lash."

Your Excellency I would very much like to appeal to the political and spiritual conscience of England, in the midst of the twentieth century to abolish once and for all time the flogging of African soldiers throughout the British Empire.

The Department of Commerce and Industries and the Department of Marketing and Exports. Your Excellency I am a little bit apprehensive at the phenomenal rate at which these Departments have grown. Last year the Department of Commerce and Industries spent £135,980, this year the Department proposes to spend £145,700, an increase of £9,720. Last year Marketing and Exports spent £189,100, this year it proposes to spend £239,080, an increase of £14,000. The next question is—are we sure that these two Departments will yield Nigeria any dividend—I mean substantial dividend? Speaking for myself Sir, I will admit that I am certainly not a prophet but I venture to prognosticate, that in the final analysis these two Departments will prove to be "white elephants". And why should Nigerian exporters and importers have any difficulty at all in getting the Department to issue licences I do not know. Perhaps the Honourable the Chief Secretary will offer any plausible explanation when he replies to the debate.

The Marine Department. Looking through the Estimates of special expenditure I am terribly disappointed Sir, in that no adequate provision has been made to improve Bonny! I would also like the Government to tell Nigerian taxpayers how much money we have spent on the experiment at Bar Beach in Lagos and whether there are any encouraging reports from Holland and how much longer these experiments will last and at what cost?

The Medical Department. First of all Your Excellency, I should like to pay a deserving tribute to our late Director of Medical Services, Dr G. B. Walker. He has served Nigeria conscientiously and to the best of his knowledge and ability for a period of twenty-eight years. More than that he has shown complete sympathy at all times to members of his Department, Africans and Europeans, not excluding the daily-paid workers; yet he was a strict disciplinarian, beloved and respected by all. Unlike many of his colleagues in the superscale posts, he has demonstrated very convincingly that temperamentally he was eminently qualified to have understood the psychology of the African and that has been the key to his successful

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administration during his tenure of office in Nigeria. Dr Walker's record shows that he was progressive, industrious—very industrious Your Excellency—and he was undoubtedly one of the most popular and sincere Director of Medical Services that Nigeria had the good fortune to possess. It is also on record in the annals of Nigeria that he was the first to be the head of a Department whence he started as a Medical Officer in 1922—I stand corrected. Had Dr Walker not got on top, I would have told him in no uncertain terms that he couldn't have been a very good Scotsman ! With the only exception of Dr Raeburn he was next in rank of the officials who withstood the terrific onslaught from some of the most troublesome Members of this House, with commendable dignity, and equitable equanimity. Nigeria wish him well in his retirement, and should the Colonial Office require the services and the rich experience of a willing worker like the late Director of Medical Services we are confident that he will be just as successful over there as he has been here in Nigeria ; and Nigerians will whole-heartedly support his application should he desire so to do.

Secondly, Sir, it is my pleasurable duty to heartily welcome the Honourable S. L. A. Manuwa to this Honourable House and to pay eloquent tribute to the record of his achievements. Today, the Continent of Africa in general and Nigeria in particular felicitate with him in his exalted position. Those of us whom he has inspired to take up Medicine as a profession record with pride that in vain have we tried to break the imperishable record he set up in one of the foremost British Universities, namely Edinburgh, but we are happy to record that although we have not been able to reach the dizzy heights to which he has attained, yet we, too, left some indelible impression in some of the British Universities. Speaking for myself Sir, and as one whom he inspired to be a Doctor exactly thirty years ago next month ; it happened in this way. On the 4th of April, 1921, the R.M.S. Appam left this shore. I was on board with my late father going to Palestine. Our Director of Medical Services and Mr Macarthy were also going to England to study. Mr Macarthy was going to study law. So I said to my father, if that fellow can be a doctor, I would also like to be a doctor. Sir, I, like my colleagues throughout the country, respect and admire his leadership in the field of medical science. And when the Honourable Director retires from the Civil Service of Nigeria and desires to set up a consulting surgical practice, I shall be delighted to work with him in a subordinate capacity as an embryo surgeon. I have referred to the attributes of Dr Manuwa's predecessor and the world at large looks forward with anxious eyes to Dr Manuwa's successful tenure of office and I would implore him to live up to the highest traditions of the profession which his predecessors have set before him. Nigeria is confident that Dr Manuwa will be as successful a Director as he was eminently successful in the Western Region.

Your Excellency, I was greatly perturbed shortly after Dr Manuwa's appointment was announced, to learn that no less than six European Medical Officers were alleged to have resigned, it is understood, in protest. Moreover, one of the Medical Officers was alleged to have said to a new recruit when he was clearing his gun at the Customs : " I cannot tolerate serving under a black man and I am therefore resigning my appointment immediately ". I hope these allegations are unfounded. If they are not, I respectfully ask the Honourable the Chief Secretary to make a statement. Furthermore I note with some considerable sigh of relief that our Director of Medical Services is profoundly interested in the National Health Service Scheme. If that is so Sir, then it augurs well for the future of the medical profession in Nigeria.

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The Survey Department. Your Excellency, I would not be speaking the truth if I told you that all is well in the Survey Department. By no means, Sir. Nobody in that Department is satisfied with the possible exception of the Director himself, and I would appeal to Your Excellency to institute a Commission of Enquiry into this Department of Government.

Administrator-General. There is a stench, Sir, a very offensive one, emanating from this Department and I cannot give it accurate description but I am sure Your Excellency would like to institute a Commission of Enquiry into this Department and give the Nigerian public a unique opportunity to tell their story of woe, and sorrow and misery.

The longest lane must have a turning, and I am about to get to the end of the road. I now come to the Nigerian Secretariat.

His Excellency :

I am obliged to draw the attention of the Honourable Member to the fact that he has exhausted his ration of thirty minutes.

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

I rise to beg leave of the House to extend the time of the Honourable Member.

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

I rise to second.

The First Lagos Member (Dr The Hon. I. Olorun-Nimbe) :

I am very grateful to the House and I hope I am not boring you. I shall now deal with the Secretariat in two parts; the Development Secretariat and secondly the Secretariat proper or the Great Secretariat. Your Excellency, I do not intend to speak very much at this stage on the Development Programme and its revised edition, which was referred to a Select Committee here yesterday. I would, however, like to make an open confession. When Mr F. E. V. Smith was relinquishing his post as our Development Secretary, I was one of those who entertained the fear that the Development Scheme might collapse if we were unable to secure the services of a capable and efficient officer of the calibre of Mr Smith. I went so far as to tell the Chairman of the Parliamentary delegation which came to this country some three years ago that, I very much regretted the departure of Mr Smith to the Cameroons, and I thought that the Development Scheme would unquestionably suffer. The Chairman replied that the members of this delegation shared the same views as myself on the capabilities of Mr Smith. But fortunately for us, the events of the past three years have proved me entirely wrong in that in our Honourable the Development Secretary we have just as competent and efficient a man as his predecessor was before him. Indeed Sir, the mantle of Elijah has rightly fallen on Elisha and Elisha has proved himself a worthy successor to the illustrious Elijah. I have nothing but undying admiration for our Development Secretary and it is gratifying to note, Sir, that he is one of the very few officials in this House who could speak for hours on end without any reference to notes. This is indeed a creditable achievement. But I would like to remind him through you Sir, that no development scheme for Nigeria would be complete which specifically excluded private medical practitioners throughout the country from playing a full, active and conspicuous role in the Development Programme for Nigeria.

[*Dr the Hon. I. Olorun-Nimbe*][*Appropriation Ordinance, 1951*]

The Great Nigerian Secretariat. Less than six months ago, Sir, our illustrious Chief Secretary to the Government assured this House that there was "no official inertia in the Secretariat"—that was one view: but there are other views. The view of the public is that the Acting Chief Secretary should make a statement as to why it normally takes the Nigerian Secretariat three months to open a letter and another three months to send a reply. Your Excellency, I am completely in sympathy with the Secretariat and I warmly welcome the innovation of sending letters to Honourable Members in Lagos by airmail which normally takes three days. I am anxious, Sir, to send a reply, also par avion if the Honourable Chief Secretary would indicate where the Secretariat aerodrome is situated, so that I can post my letter direct in order to elicit a prompt reply in an endeavour that business may be more expeditiously dealt with. We are indeed very sorry Sir, to have lost the services of Sir Hugh Foot but we are glad in Nigeria that within two years, Nigeria has had the distinction of producing two Governors from amongst its Civil Servants. We wish him well in his new office in Jamaica, and when he has served his time in the West Indies, Nigeria wholeheartedly recommends for the sympathetic consideration of the Colonial Office that he be further promoted to the Diplomatic Service preferably as an Ambassador to Moscow, a post for which he is eminently qualified by temperament, experience and brilliance and which he will hold with conspicuous merit. There are of course some of our competent Civil Servants who have already qualified and not those who are merely due for promotion and whose names I have no doubt are on the priority list. Nigeria looks forward to seeing many more Governors and Chief Secretaries being sent from among them to other parts of the Commonwealth. The Public Service and Scholarship Selection Boards should be abolished because they have lost public confidence—and should be replaced by more efficient, reliable and impartial ones. I invite the Honourable Chief Secretary and the Chief Commissioner, Northern Provinces to make a statement about one Mohammed Lawani, the Olupo of Ajase-Ipo, who was recently forcibly evicted from his house by some Administrative Officers in Ilorin Province.

In conclusion I wish to deal very briefly with the Education Department. I fully endorse all that the Emir of Abuja has said about educational facilities throughout Nigeria, particularly female education and one of the colossal tasks that will beset our future Minister for Social Services is the great problem of effective female education and how best to solve them. I trust that the Honourable the Director of Education will give these questions top priority consideration. The latest intelligence report I received from the North about expatriate women and male education officers is identical with what I shall presently describe below.

The University College at Ibadan. When the Bill for an ordinance for the Establishment of the University College at Ibadan was introduced to this House some three years ago, it received the unanimous and unqualified support of every member of this House. The entire population of Nigeria cherished the hope that in our University College of Ibadan, the people of Nigeria have an institution, not only of which we may justifiably be proud, but where we also expected great happenings. But unfortunately, Your Excellency, we are beginning to be frustrated and disillusioned. Instead, we find in that institution, a paradoxical exhibition of the remnants of Anglo-Saxon's arrogance, racial prejudice and intolerance and a stupid but philosophical political bigotry which Nigeria of to-day cannot tolerate

under any circumstances. Unless Dr Mellanby the Principal of that Institution re-orientates his present obnoxious and objectionable policy for the better, the people of Nigeria shall, like the dragon's teeth rise as one man, and either demand his immediate resignation or be reluctantly compelled to withdraw Nigeria's moral and financial support for that institution.

Finally, I must not fail to mention Nigeria's loss in my Honourable friend the Attorney-General.

I am sure Sir, that we shall certainly miss good old Pat among us. And while we look forward to his coming back to Nigeria in a higher capacity, we earnestly pray that he does not fall a victim to the North Koreans.

In principle, Your Excellency, I support the Appropriation Bill.

The Temporary Member for the Eastern Provinces (The Hon. L. N. Mbanefo) :

Your Excellency, I rise to speak in support of the Appropriation Bill and I do so with some trepidation. For some years now this House and myself have eluded each other, and now that I am here I would like to assure Honourable Members that I have not come merely to sing the Nunc Dimittis of the House under the existing Constitution. Your Excellency in your speech said that steps were being taken to accelerate the drafting of the Instruments for the new Constitution. That, Sir, is a very welcome assurance. During the discussions on the Constitution at all levels there was so much enthusiasm and quick despatch that we all felt at one time that we were going to have our new Constitution before the Gold Coast. It is a matter of disappointment to feel that the Gold Coast has beaten us by a short head ; but, Sir, we are anxiously looking forward to the introduction of the Constitution. There are some of us who think that it is not advanced enough and there are others who think that it is too advanced. Whichever side is right there is one thing to be said about the Constitution, namely, that it is a Constitution that has been prepared by us : prepared by representatives of the three Regions and the Colony, including the Honourable Members of this House. Whatever may be its shortcomings, if we work it to success we shall have advanced a considerable way on the road to national independence. To-day democracy is preached about as if in fact it has become a gospel ; but democratic ideas are not an end in themselves. They are only useful in so far as they provide an opportunity for the maximum development of the society and human abilities. If we are to achieve success in our democratic experiments we must at the same time aim at achieving efficiency. I would ask the Government to make it their policy to aim at both efficiency and democracy at the same time. In this connection I am forced to speak about the Civil Service. The Constitution is like the framework of a new building. The strength of a building is in the foundation and the Civil Service is the foundation which provides the strength for any Constitution. If our Constitution is to achieve any success it must have the backing of a strong and efficient Civil Service. It is gratifying to note that in the new Constitution we are going to have Ministers, but, Sir, one cannot help observing the gap that will exist between our Ministers, if and when they are appointed, and the highest paid African, or perhaps the highest responsible African in the various Departments over which the Ministers are going to preside.

It is with great pleasure that we welcome in this House an African who for the first time sits in this House as the Head of a Department. That appointment, Sir, is a worthy act of which both the Government and the

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general public are justly proud. But there are some of us, Sir, who think the appointment a bit belated. Five years ago if anybody had told the Government that there was in the Medical Department an African capable of being the Director of Medical Services they probably would not have believed it, and I would like to assure Your Excellency that if the Government got down to it and looked more closely they would find that in the other Departments there are potential Directors—Nigerian potential Directors—who can ably take up their duties as Heads of their Departments.

A few years ago a Committee was appointed to go into the question of the Nigerianisation of the Service. That Committee sat and produced its report with quick despatch. It is impressive to read the figures mentioned in Your Excellency's speech of the rate at which Nigerianisation is taking place. Impressive as the figures appear yet when compared with the overall total strength of the Civil Service they seem negligible. I would like to urge that steps be taken to accelerate the Nigerianisation of the Service, not only in the lower reaches of the Civil Service but also in the upper reaches as well. I have no doubt there will be found in the Service capable Nigerians who will be able to justify this trust when it is placed upon them. I have said before, Sir, that the strength of the Constitution lies in a strong and efficient Civil Service. There are to-day certain anomalies that exist in the Service which in my opinion make for despondency and lack of interest in the members of the Civil Service. I mention, first of all, Sir, the method of appointment and recruitment of Nigerians into the Senior Service. The Honourable the First Lagos Member criticised the Public Service and Scholarship Selection Board. He thinks it should be abolished. I shall not go so far as to say it should be abolished, but it certainly needs a drastic overhauling. Candidates who have been before the Board, whether successful or not, have formed the impression that it is a farce, and Your Excellency will permit me to state that it is ludicrous to expect a Medical Officer or a Lawyer applying to become a Medical Officer or a Magistrate to appear before a Board, some of whose members do not possess educational qualifications above to standard VI pass or fail. That, Sir, I feel is not satisfactory at all and it calls for a drastic examination of the composition of the Boards. If I may be allowed to make suggestions, I would say that the membership of the Board should be broadened so that in any particular case, when a candidate appears there can be formed a panel of men and women who would be able to assess his ability or character in the short interval of conversation which he has with the members of the Board and to say whether he is a deserving candidate or not. The impression now is—and that impression is growing fast—that the Public Service Board has become a matter of mere formality. That impression, Sir, should be removed as quickly as possible.

Another matter, Sir, is the anomaly that one occasionally finds when an expatriate officer is appointed and placed at a point on the scale far above his African counterpart of equal qualification and, sometimes, greater experience. Instances of this abound in the Judicial Department and in the other Departments. There is a definite dissatisfaction amongst the Civil Service on account of such—I do not like the word "discrimination"—differentiation between those locally recruited and those recruited from overseas. If the grading of an expatriate officer is based on efficiency, experience and qualifications, then I suggest that the same measure should be applied when Africans are locally recruited into the Service.

In recent years some members of the Junior Service have been sent on scholarship to England at Government expense. I have no doubt, Sir, that they were selected because of their efficiency and promise and of the fact they showed themselves worthy candidates at the time they were selected. Instances exist and they are not a few, where a Civil Servant has been sent abroad, sometimes to a University, where he spends two or three years, and on his return he is put back to the job he was doing, sometimes as a third-class clerk, at the time he was sent abroad. I cannot imagine, Sir, any greater waste of public revenue than to send a man abroad in the hope that he will become useful in a higher capacity on his return and to find after he has come back that he is put back to the job, which he was doing efficiently before he left and for which you could recruit efficient men locally. If instances are required, I shall supply them to the Honourable the Chief Secretary at any time. Such instances, I say with respect, tend to demoralise members of the Service and to make them less interested in the Service.

Now, Sir, the Honourable the Financial Secretary has presented us with a Budget that is as sound as it is lucid, but I would like, Sir, to sound a note of warning. As he said, Nigeria is experiencing a boom period, more than it has ever known in the past, but lest we might be elated by the present happy financial position we have got to think ahead. The expenditure of this country has risen from £23,898,427 actual expenditure in 1948-49 to £33,324,181 in the Estimates for 1951-52, including of course the expenditure on the Development Plan. That, Sir, represents an increase of nearly £10 million in four years. We are told that at the end of 1956 after we shall have completed the Development Plan there will be the residual recurrent cost of £2.3 million in order to maintain the services which will have been created during the next five years as a result of the Development Plan. On my calculation, Sir, our expenditure if it continues to increase at this rate will by 1956 come up to a high figure of something like £45 million. Now at present our revenue has kept up with our expenditure but if there happens to be a recess in world prices and trade become bad generally and there is a falling off in the revenue, what is going to happen to the services we shall have created in the meantime? That, Sir, is one of the problems that has not been fully explained in the speech of the Honourable the Financial Secretary on the Budget. He tried to answer that question in two ways. He says either there will be a cut in the services or there will be a subsidy from the Revenue Equalisation Fund. Now that fund stands at a figure of £9 million. If we anticipate—if and when it does happen—a falling off in the revenue half as fast as it has increased in recent years, we will find that by 1956, or sooner, that the £10 million which is proposed as the limit of the Revenue Equalisation Fund will not be sufficient and I venture to suggest, Sir, that the aim should be to raise that Fund to £20 million. Unless that is done we are not safe and we might find in the years to come what we regard as a successful Budget in 1951-52 would in 1956 create difficulties which we might not be able to overcome. I do not share the view that we should cut social services because of a fall in the revenue. I think, Sir, that if we plan ahead we shall be able to maintain essential social services without a reduction in our expenditure by drawing from the Revenue Equalisation Fund. That is, I understand, the purpose for which it was set up and therefore it must be raised to a figure which will give us confidence in the years to come.

We are told, Your Excellency, that the temporary addition to the rates of pay will cost this country by the end of this Financial Year something like £2 million. I am afraid, Sir, that temporary addition to the rates of pay has become a necessary evil we have got to accept. The £2 million which is being spent this year includes, I understand, the 12½ per cent allowance paid to Voluntary Agency teachers and Native Administration teachers. I understand, Sir, that in the next Financial Year the full 12½ per cent allowance would be maintained for Native Administration teachers, but that in the case of Voluntary Agency teachers it would be cut to 8 per cent. I am not happy about this at all. The Voluntary Agencies are performing essential services in the field of education and one wonders where this country would have been but for the efforts put into education by them. Now by Regulation 16 (1) of the Education Ordinance it was said that after 1949 the assumed local contribution of the Voluntary Agencies would be revised by the Director in consultation with the Central and Regional Boards of Education, and when they are approved by Your Excellency in Council they should remain unaltered for three years. Now if the Government reduces the allowance paid for the teachers, it would mean that the Voluntary Agencies, or the assumed local contribution would have to be increased contrary to the provisions of the Regulation. That, Sir, would be an act of breaking faith with the Voluntary Agencies and I would strongly urge the Government not to attempt to reduce the allowance paid to Voluntary Agency teachers. There are other reasons for saying that. The training colleges and elementary centres have no assumed local contribution. Where then do we expect them to find extra funds to meet the portion of the allowance which the Voluntary Agencies would be expected to bear? In recent years there has been created the extended scale of the secondary schools which the Voluntary Agencies are expected to finance, and it will not be reasonable to expect them to bear the additional burden of finding 4½ per cent of the 12½ per cent temporary addition to the rates of pay. This, Sir, is a serious matter in that it has far-reaching implications. We are just now emerging from the consequences of the bad conditions of service of the Voluntary Agency teachers in the pre-war days. Not only did teachers leave the teaching profession for clerical jobs in the Government service because they were not paid adequately, but some of those who remained behind were so disgruntled that instead of teaching the pupils to be good citizens they taught them how to become disgruntled themselves. I hope, Sir, that we shall not create such a situation again by overlooking the difficulties that will face the Voluntary Agencies if they are saddled with the responsibility of finding the money required to pay the extra allowance for the teachers.

Whilst on the question of education, Sir, there are two matters on which there has been a certain amount of inordinate delay on the part of Government to tackle. The first is the negotiating machinery for revising salary scales of teachers. The National Union of Teachers submitted a memorandum on this question to the Education Department. The report was submitted to Regional and Central Boards, who have expressed views upon it, and, although the report has been submitted now for over two years the matter is still receiving attention and nobody knows how far it has gone. There is also the Superannuation Scheme for Voluntary Agency teachers. At the time it was approved by Government it was said to take effect as from the 1st April, 1945. Regulations governing the application were published in August, 1950, but up to now no payments have been made although quite a number of teachers have either been invalidated or retired from the

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money spent, and I think that if we can get a full day's labour—a full day's service—from a workman for the full day's pay we shall have gone a considerable way towards solving our economic problems. On this question of labour I am sorry that I am one of those who take the view that there is at present an overpayment of certain members of the Civil Service for the services rendered. I appreciate that owing to difficulties of recruitment in the last few years the Government has been forced to accept officers that they would not normally accept, but that policy should not be encouraged especially as the labour market becomes more favourable. We do not mind the importation of expatriate officers—we do not mind paying high for their services—but what is more annoying is a high salary paid to an inefficient workman, and there are some officers, I am sorry to say, who are grossly overpaid for the amount of service that we get from them. As someone once said to me, we are paying second-class rates of pay to third-class men because we cannot find the class of men we want. It is a regrettable situation, Sir, but it has got to be tackled and solved.

In conclusion, Sir, I should like to mention the very strong appeal made yesterday by the Honourable the Oba of Benin about the famous ceremonial tree of Benin that has been so desecrated by someone whose nationality is still in doubt. Were it possible for me to do so, I would have moved that we vote a sum of £100,000 to be paid to the people of Benin as compensation for the destruction of this tree, but as this is not possible I would ask Your Excellency to command the Honourable the Acting Chief Secretary that we sever diplomatic relations forthwith with the country of this man who has so desecrated this tree.

Sir, I support the Bill.

His Excellency :

Honourable Members, I understand that the intention is that the balance of this morning be devoted to a meeting of the Standing Committee on Finance. I should like to add, in case the remarks I made yesterday should give rise to any misunderstanding, that in the discussion following the remarks I made yesterday it became quite clear that the Honourable Members of Council had no reason to think that the debate on the second reading of the Appropriation Bill would not follow its usual course and occupy five or more days. The only new circumstance—and it was quite a new one—was that it appeared that fewer Members than usual proposed to speak in the debate. I should like to make that clear in case there should be a misunderstanding. I should like to add, for the information of persons outside this Council, that in the discussion which followed the adjournment yesterday, all the Honourable Members co-operated fully in making arrangements for the prompt despatch of our business, and I am grateful to them.

If it should be the wish of Members of the Council, we shall adjourn our meeting until tomorrow at 9.30 a.m., and the Standing Committee on Finance can carry straight on.

ADJOURNMENT

Council adjourned at 11.15 a.m.

Debates in the Legislative Council of Nigeria

Wednesday, 7th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Wednesday, the 7th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odotola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahima.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.

The Third Nominated Member,
The Honourable N. B. Edwards.

The Fourth Member for the Western Provinces,
The Honourable A. Soetan.

The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.

The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

ABSENT

UNOFFICIAL MEMBERS

The First Nominated Member,
The Honourable P. J. Rogers.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 6th of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

NOTICE OF MOTIONS

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I rise to give notice of a motion in the following terms :—

“ Be it resolved :

“ That this House notes with deep regret the death of Mr
“ Douglas Alexander Skelton, Assistant Commissioner of
“ Trade and Commerce to the Government of Canada
“ and a Member of the Commission appointed by His
“ Excellency the Governor to enquire into the allocation
“ of revenue between the Regions of Nigeria and to
“ express appreciation of the work he did. It is also
“ requested that the Clerk of the House should convey
“ the sympathy of this House to the bereaved relatives ”.

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

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

“ Be it resolved :

“ That this Honourable House feels strongly that Cap. 114
“ in Volume IV of the Laws of Nigeria—the Liquor
“ Ordinance—is overdue for revision, and requests the
“ Honourable the Attorney-General to make arrangements
“ early for necessary amendments to modernise and to
“ democratise relevant sections thereof ”.

BILLS**(Second Reading)**

THE 1951-52 APPROPRIATION ORDINANCE, 1951

The Second Member for the Western Provinces (The Hon. T. A. Oduola, O.B.E.) :

Your Excellency, in your address to this Council last Thursday you made a number of personal references and I hope you will forgive me if I follow the same by making a few remarks that refer to personalities. First of all I wish to take this opportunity of congratulating Your Excellency not only in your position as Governor but as President of this House for the honour conferred upon you in the New Year Awards by His Majesty the King. It is an honour which I believe this House will agree is a very well deserved one. Your Excellency and your Government have had some very difficult periods in the last year or two and the statesmanship which has been shown all round in putting the country through deserves every praise. The problems of the new Constitution, the establishment and successful functioning of the various Marketing Boards, the new policy of creating independent Corporations to take over Government activities of a commercial character, for instance the Coal and Electricity Corporations, which have our good wishes for successful operation. These are solid achievements for which every credit is due to Your Excellency and your Government. This does not say that there have not been cases where Government has failed, but it is good to give credit where credit is due.

I also ask your indulgence to make reference to the appointment of Dr Manuwa as the Director of Medical Services to which one or two previous speakers have referred. There are few, if any at all, who will disagree with Your Excellency's remarks that the appointment has been made on merit and merit alone. Both Your Excellency and Your Government are to be congratulated however for the bold decision which you have taken in this connection, a decision which could not have been taken without much thought but which has received general approbation and which it is hoped will be followed by others. Dr Manuwa is undoubtedly an outstanding man, but I believe there are more Africans in the service who would give equally good account if given the opportunity. For instance, there is the Clerk of this Council, Mr Ojo. Before he was appointed about four or five years ago, few would have thought that an African appointed to that job would have been able to carry out the onerous and complex duties of that office. We have, however, seen how very successfully those duties have been performed. It is hoped that this progressive policy will be maintained and that as time goes on more and more discoveries will be made. There is something in this connection, Sir, which I should like to mention. There are murmurings, not without reason, that in not a few cases Africans who have been advanced to senior posts in the service are not given full scope in the exercise of the duties of their office, namely that while they carry high-sounding titles they are subjected to interference by some junior European officers. If there is any foundation for these reports, then it points to a most undesirable state of affairs which must be remedied and that quickly. There is no justification whatever for placing a man in an office, paying him a high salary and not to give him full scope to do the work for which he is appointed. It is only fair, when an African has been raised to a responsible position, that he should be given the fullest support in the discharge of his duties.

[Hon. T. A. Oduola]

[Appropriation Ordinance, 1951]

I have already, Sir, made reference earlier to the Coal and Electricity Corporations and have learnt with interest from the Financial Secretary's speech in introducing the Budget that Government was considering turning the Railway into a statutory Corporation and perhaps creating a Port Trust to take over the management of the ports. Now this is a matter of tremendous interest to the people of this country and one that has been exercising my mind for some long time. There have been from time to time in the last twenty years, or perhaps more, discussions on how to run the Nigerian Railway, which is one of the country's biggest assets, in a way that would be beneficial and profitable to the people instead of being a burden. At one time the suggestion was made that the whole business should be turned over to private enterprise. That was, perhaps, going to the extreme, but the idea of constituting it a Corporation seems to offer the solution, and I am sure this House would be pleased to have assurance that Government would deal with this matter with due urgency. While on this subject, perhaps it would not be out of place to suggest that in considering any future Railway scheme, the necessity for double track on all the main lines should be kept well in the forefront.

My Honourable Friend, the Financial Secretary, has also in his speech brought to the notice of this House and the country generally, a most disquieting picture about national production as shown in our export figures. It is revealed that with the exception of cotton and rubber none of our main export figures has shown any increase over a long period of years. That the highest level was that attained in the pre-war years when commodity prices were low; and that the increase in the prices of commodities has had no effect on production. Now looking at this picture from the point of view of a business man, this is what strikes me forcibly. Before the war the population of this country was given variously as between 22½ and 25 million. Today it is put modestly at 30 million, which is an increase of about 20 per cent. The only conclusion one could arrive at is that the additional population has contributed nothing whatever towards production of export commodities. Not only that, but that there has been no increased effort on the part of those who had been producing before. This is a very bad state of things and deserves very serious consideration. We talk of growing prosperity in the country, but the hard, bare fact is that there are large numbers of people ready to share in this benefit without contributing anything whatever. My feeling is that there is no real prosperity. I can only consider that real prosperity which shows large and increased results in our productivity. And the question naturally is, what are we going to do about it? The very first step is to bring vividly to the notice of the people the problem as it stands. Then to give increased emphasis to agricultural matters in all our schools, from the elementary stage to the top level and generally to give generous encouragement to the farmers and the primary producers. I am aware, Sir, that the Regional Production Boards are already engaged in widespread schemes of greater production but I believe that more could be done by focussing attention on the position as it is. Unless immediate steps are taken about this matter we shall find it difficult to face the problem that may follow any recession in the prices of our export produce.

The Honourable the Financial Secretary referred to the present favourable position of the timber trade and suggested export duty on certain species of wood, the motion about which is now before a Select Committee of this House. I would have thought that Government itself, being largely interested

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I have at an earlier stage in my speech referred to Your Excellency's efforts to bring a new Constitution to the people of this country. But what interest has the common man in the street in a new Constitution if he has not enough to eat. In this connection I would urge on Your Excellency and your Government to give the Department of Commerce and Industries a freer hand and generous encouragement to enable it to carry on more efficiently its duties in connection with the economic affairs of the country which is more important to an average Nigerian than any kind of Constitution which may be introduced.

In the past, especially before the present Head of the Department was appointed, there were reports of cases in which it took the Lagos Secretariat more than six months to reply to letters from that Department asking for approval to carry on certain special projects. No business house would run its business in such a way and expect any favourable results. I am not, however, asking that the Department be entirely free from Government control, but I am saying that such control, if any, should be exercised only as a matter of guidance. There is no country in the world to my knowledge where the Trade Department suffers such restriction by official red tape.

I know how broad minded Your Excellency is in the discharge of your difficult duties, but I wish you kindly to bring home to some officials in the Secretariat that they too must exercise such spirit if they really want progress for the country. The setting up of the Lagos Trade and Industrial Advisory Board by the Department of Commerce and Industries, which has been revealed in the speech of the Honourable the Financial Secretary, is a welcome move. But in view of the fact that a vast number of business men and industrialists are scattered all about in the Provinces, I should rather like to see that either an overall Nigeria Trade and Industrial Advisory Committee is set up in Lagos or that similar Committees are set up in the Regional headquarters or at more convenient places in the Regions, to give business men and industrialists in all Regions such facilities as the Committee now set up in Lagos offers to the people in Lagos. After all, it will be wrong for anybody (and I am sure the Director of Commerce and Industries is not unaware of this fact) to think that Lagos is Nigeria.

I am in full agreement with the remarks made by my Honourable Friend the First Temporary Member for the Eastern Provinces about the Education Department, especially about the temporary addition in pay to teachers in Voluntary Agency schools, full payment of which Government is contemplating to refuse. As I said in this House before, the education of the people of this country is undoubtedly the responsibility of Government. Voluntary Agencies are merely performing duties which belong properly to Government. It will be sheer ingratitude if Government should in any way give these bodies the impression that what they are doing in the field of education is not appreciated. One serious complaint which I should like to bring to the notice of this House is that the Education Department has been in the habit of snatching away teachers from Voluntary Agencies schools by offering them salaries at a rate which normally the Education Department would not approve if any Voluntary Agency should offer to pay. If the Education Department feels that Government has had a sufficiently strong organisation to cope with the Education problems of the country it should make it clear to the Voluntary Agencies in plain language instead of trying to upset their organisations. I know that the Education Department would be very bitter should any of the Voluntary Agencies indulge in such practice. A statement by the Director of Education explaining the reason for this practice is very necessary.

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[Appropriation Ordinance, 1951]

Talking about the economy of the country, I would like to refer again to my speech in this House a year ago about the awkward position in which the people engaged in road transport in this country are put. Besides the Gold Coast there are very few, if any, other countries in the British Commonwealth making as much contribution to Great Britain's dollar earnings as Nigeria. One therefore finds it difficult to understand why the Government is not willing to spend a small percentage of such dollars earned for Britain by the country to assist her export drive to enable the country to earn more dollars. We complain from time to time that the type of British manufactured trucks and cars imported into the country do not stand up to the roads here, but our representations have always fallen on deaf ears. I think it is time Government should stop giving us the impression that we can get them to respect our views and grant our legitimate demands only perhaps when violent methods are resorted to. I understand from reliable sources that motor vehicle manufacturers in Great Britain are not keen on making any effort to improve the design of their vehicles to suit our requirements and the Nigerian Government appears not capable either of doing anything about the matter. I wish Government to give this matter very serious consideration and make representations to the Colonial Office before it is too late.

Finally, Sir, I would like to make a few observations on the activities of the Forestry Department, a Department which a Member Friend of mine described in the Western House of Assembly as a silent but conscientious worker. In the past very little or nothing was said about the Department in this House, but the time has now come when close attention should be paid to the Department if we are to proceed with our development programmes.

Today timber in all unreserved areas is being cut at a terrific rate. The time may soon come when there will be no more timber in those areas; and unless the Department is encouraged to consolidate existing reserved areas and pursue systematic regeneration work, we may one day find we have no timber available for our development works.

As I would not like to take more of the time of the House, I reserve my detailed observations on the Estimates until the Select Committee stage.

Your Excellency, I support the Appropriation Bill.

The Third Member for the Western Provinces (The Hon. G. I. Obaseki) :

Your Excellency, I should like first of all to draw special attention to the fact that in spite of criticisms which Unofficial Members of this House made a few years ago on the late despatch of the Draft Estimates, I fear that the Honourable the Financial Secretary did not take those comments too seriously. At that time it was explained that it was due to unavoidable delay and an undertaking was given that in future the Draft Estimates would be despatched to reach Members at least four weeks before the beginning of the session. Your Excellency, the Draft Estimates for 1951-52 were again late. I do not know when they got to the hands of the Honourable Lagos Members, but speaking personally, the Draft Estimates reached me less than a fortnight before the opening of the present session. I have therefore been unable to examine them very carefully and I leave any scrutiny which I may be able to make until the Select Committee stage. However, I would like to associate myself with the Unofficial Members who have already spoken in congratulating the Honourable the Financial Secretary for his Budget speech. I would now comment on other matters of interest.

Nigerianisation.—The Nigerianisation policy of Your Excellency's administration proceeds with good pace and the elevation of an African to the high office of the Director of the Medical Department gives great assurance of Your Excellency's sincerity of purpose on this subject. Dr Manuwa's promotion is certainly one which the entire populace of Nigeria will not forget and for which Your Excellency's regime will be much praised. We hope, however, that more opportunities will be given to Africans in the Civil Service to fill executive posts. I am one of those who can give testimony of Your Excellency's regard and respect for African opinion, and I hope that all high officials will copy Your Excellency's example because that is the only interpretation of real partnership.

The New Constitution.—In conclusion, Your Excellency, I would like to say that in this last Budget session under the Richards' Constitution I wish to express my personal congratulations to Lord Milverton and Your Excellency for the success which has all along attended the working of the present constitution. There is no doubt that it is the "corner-stone" of the new Constitution which will shortly take its place. In the race for self-government by some of the Colonies, Nigeria had been rather slow until a few years ago when she became actively conscious about it. Let us all hope that the new Constitution which is the direct offspring of the present one and yet a child-in-the-making by Your Excellency will not lead our steps much faster than we can afford to move, as with it will come self-government in a way with all the heavy responsibilities which will inevitably fall on the shoulders of Nigerians themselves. I am confident, however, that with Your Excellency's continued guidance and the ready co-operation of other expatriate officers in Nigeria we shall face our future increased responsibilities with the courage necessary to make Nigeria a better, happier and more prosperous place.

Your Excellency, I support the Appropriation Bill.

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

Your Excellency, in rising to speak in support of the Appropriation Bill, I would like to express my views on certain points raised in the opening speech of the Honourable Mover and to make general comments on the financial and constitutional problems of Nigeria.

As the most important producer of tin on the continent of Africa, Nigeria has not derived ample benefit from this commodity, due to factors which are well-known to this House. With the purchase of the rights of a private company to share in our royalty on tin mining, we have derived substantial revenue of £400,000, and according to the Honourable the Financial Secretary revenue from tin royalties have been revised to £750,000.

It will be remembered that at the Budget session held at Kaduna the Financial Secretary was requested to clarify the position of taxing higher in prosperity than in adversity. The explanation was stated as follows :—

"The taxation which accrues to Government is only part of the national income of the country. Now, if the national income dwindles we obviously cannot get as much as when the national income is much higher. When people have a lot of money I hope that they don't notice the amount that the Financial Secretary takes, but if I attempted to impose high rates of taxes when incomes were low, I am quite certain that there would be many representations made to this House."

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As producer of about 10 per cent of the world's output of tin we are in a position to exploit the policy enunciated by Sir Alfred Savage to our best advantage. In 1948 when we had no export duty on tin, a cess was levied increasing the rate from 1s 6d in the £ to 6s 8d, in order to obtain from the industry a contribution to the International Tin Research Organisation; but it was not a revenue measure. This was in reply to my criticism that no increase had been made on royalty on tin.

Last year the present Financial Secretary introduced a Resolution which was adopted by this House incorporating an export duty on tin at the rate of 7s 8d per ton. As I pointed out at Kaduna the ceiling for royalty on tin in this country is 10 per cent, and I submitted then that it was desirable to increase this on a graduated scale according to price fluctuation in the world market. Whilst the former Financial Secretary agreed that it was desirable to review the policy of taxation on the mining industry, he sounded a note of warning that efforts should be made to encourage the existence of this principal source of revenue and that royalty should be levied at the barest minimum to prevent higher payment to a private company as its share of our royalty.

At the time when the above statements were made, the price of tin was in the neighbourhood of £500 per ton and the part payment of royalty to a private company had not been commuted. Now that the conditions which were in vogue in 1948 are no longer applicable, it is refreshing to observe the mention of increased price of tin when the present Financial Secretary opened this debate. According to the information at my disposal, the price of tin last Friday at the London Metal Exchange reached an all-high total of £1,520 per ton with the market described as easy.

My point, Sir, is that consistent with the views expressed by the Honourable Mover when he introduced the Resolution to amend the Customs Ordinance, it is now desirable that the yield to revenue should vary proportionately with the price obtained in the world market. If I have interpreted my Honourable and Learned Friend aright, then I have established a case for suggesting to him the need to increase both the royalty and export duty on tin by 200 per cent, since the prevailing price in London has soared by 200 per cent over the 1948 figure.

I am an admirer of the fiscal policy of the Union of South Africa in respect of mining taxation, although I must express in no uncertain terms my horror at the disgraceful and un-Christian policy of *apartheid* as propounded by that church-going Doctor of Divinity who is now Prime Minister of that Godless country.

According to Professor Frankel, "Mining has been the touchstone of economic development in most of Africa, and the areas most advanced economically are those whose main activities rest on mineral exploitation. In fact, a large part which mineral products form of African trade is, as a rule, not sufficiently stressed." In view of the fact that the above thesis is in accord with the mining policy of South Africa, which levies taxation on mining royalty with a ceiling of 42 per cent, it should be a pointer to Nigeria, especially in this era of prosperity in tin and in view of our favoured position in the world as a tin producer. In this connection, may I submit that Sir Alan Pym, the well-known expert on Colonial Economics, supports this point of view when he stated that "a fair share of profit must be for local administration, and there is much to learn from South African taxation."

I welcome the imposition of export duty on our raw rubber, and appreciate the argument of the Honourable the Financial Secretary to impose *ad valorem* duty on a sliding scale which will depend on the London spot price of rubber in the world market. It will be admitted that this country has been fair to rubber producers all these years when, in spite of their apparent prosperity following the fall of Malaya during the World War II, Government wisely decided to nurse it to a healthy state to enable it to withstand the shock of taxation. An estimated revenue of £300,000 should be ample from a young industry which was treated with rebuff after it had been an indispensable factor in the war effort.

The decision to impose export duty on all timbers is timely, although the anticipated revenue from this source is rather low. Nevertheless it is highly desirable that in these days of almost indiscriminate exploitation of our forest products, Nigerians should have a fair return for some. I hope that the demand for our timbers will continue to grow so that at no distant date increased duty which will bear equitable relationship with our total export trade on this commodity will be imposed.

The need for implementing the Thorpe Report on technical education is urgent. It is unfair to criticise our youths for discarding the overall in favour of the white collar, whilst we are unable either to provide them with a nation-wide network of technical schools or to encourage private individuals and Voluntary Agencies to do so. The official encouragement of physical education is appreciated. I look forward to the early construction of the National Stadium. Now that this country has been accepted as a member of the Olympic Federation we shall watch with interest what we are able to contribute to the Helsinki Olympiad next year.

My Honourable colleague the First Lagos Member referred to the unsavoury impression which is widespread about the University College at Ibadan. The unwillingness of the indigenous people of this country to give adequate support to the University Endowment Fund is evidence of frustration and disappointment. One hears a lot about squandering of funds, nepotism and discrimination, but one is not in a position to sift truth from half-truths and untruths. It is evident, however, that the Principal of the University College is experiencing embarrassment, partly due to his own making and partly to the problems which must face any institution of learning of such nature in a Colonial territory. Until the Provisional Council of the University College has been filled with men and women in whom the taxpayers of this country have implicit confidence, the University College will continue to grope blindly and to blunder.

It is with pleasure that I associate myself with the views of the Honourable and Learned Temporary Member for the Eastern Provinces who, in an excellent maiden speech yesterday, called attention to the need to avoid discriminatory measures in respect of the award of 12½ per cent Cost of Living Allowance to the Native Authority and Voluntary Agency teachers. No matter what may be the reason adduced to reduce the Cost of Living Allowance of Voluntary Agency teachers to 8 per cent, it is patent that it would demoralise them and give an impetus to an exodus from the teaching profession. I suggest that the Cost of Living Allowance be continued on the basis of parity between the Native Authority and Voluntary Agency teachers.

The Department of Commerce and Industries is still in its inchoate stage. Whether it will enrich the commerce and industries of this country by positive contributions or not remains to be seen. But I must respectfully call attention to recent Orders-in-Council empowering the Head of that Department to grant or refuse import and export permits to taxpayers of this country without assigning any reason. This is most dictatorial. If for any reason the Director of Commerce and Industries decides not to grant licences it is only fair and reasonable that he should state a case for the applicant to answer and his decision should be subject to appeal, even in the Law Courts. Otherwise we have no right to point an accusing finger against certain countries as totalitarian, whilst in reality we are not without blemish in that respect.

The Police Department is gradually becoming modernised and our young men are proving their aptitude for this type of job. In view of the growing number of female offenders I am suggesting, through Your Excellency, to the Commissioner of Police to consider the possibility of recruiting Police-women as is done elsewhere. The Prisons Department has already tackled this social problem with realism.

Although I have heard it said in high places that Nigeria is not a Police State, yet certain activities of the Police have baffled me. In the Police Ordinance there is a provision which makes any peaceful assembly unlawful, if it is convened without previous sanction of the Police authorities. In my opinion the conferring of this right is presumed to be exercised impartially. We who represent the Municipality of Lagos in this House have been enjoined to protest against the recent action of the Police in preventing a certain section of the community from holding a public meeting in connection with the recent municipal by-election, whilst another section of the community opposed to the first, did so without any objection from the Police. True, the Police gave reason for refusal on the ground that a previous meeting had resulted in disorder, yet had the Police been efficient the disorder could have been averted, for they were warned twenty-four hours in advance and they paid no heed to the apprehensions of the conveners of the said meeting. It is evidence of inefficiency for any Police Force to fail to post sufficient number of Constables when it is necessary for the preservation of the peace of the community. A change of attitude and an energetic execution of duty are very desirable if the Police Department would continue to enjoy the high esteem with which it is held by the people of this country.

The Lagos Town Council was granted a measure of autonomy in order to have increased powers, wider franchise and an elected unofficial majority. The enactment of the Lagos Local Government Bill into law was an epoch-making event in this community. Whilst I appreciate that the Governor-in-Council reserves the right to approve or reject the estimates of this local body, yet it is inconsistent with democratic practice for such power to be exercised without due consideration to the opinion of the elected African majority. What is the use of giving the Lagos Town Council autonomy and then in practice deny its Councillors the power to exercise that right? We should either have a Town Council which will reflect the will of the majority in accordance with democratic practice, or none.

The idea of nationalising certain quasi-commercial departments of the Civil Service is progressing. I note with personal satisfaction that the Nigerian Railway and our Ports would soon toe the line with the Electricity and Coal Corporations. Whilst on this subject, I cannot overlook the fate of the West African Airways Corporation which suffered a total deficit of

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£245,294 in the financial year ended 31st March, 1950. Means of augmenting the revenue of this body must be found, as it is the case in private corporations of this nature, although we must admit that civil aviation in this part of the world will take a long time before it becomes a paying proposition. May I suggest that the West African Airways Corporation should take a leaf from the Railway and operate more second-class passenger services in its sphere of operations. If not already done, the introduction of express delivery service and cheap rates for packages, newspapers, etc. can conduce to increased use of the air for mailing and freighting purposes, thereby earning more revenue.

The Military vote has soared again ; this time from £805,960 to £1,083,570. Ever since I became a member of this Honourable House, I have opposed the Military vote mainly because of the racial arrogance of the military hierarchy. It is patent that this Department believes in the myth of racial inferiority of Africans, otherwise, it should have occurred to these " brass hats " to Nigerianize the Army by granting more commissions to Nigerians. I understand that the first Nigerian to receive the King's commission has been demobbed, and the impression is widespread that he was a victim of discrimination, especially in respect of his race and personal emoluments. Perhaps the official responsible will clarify matters but I must again register my strongest protest against the policy of the Military by continuing to regard the Negroid races as inferior to the Caucasoid races. Yesterday, my honourable friend mentioned the practice of the Military in flogging African soldiers. I want to know whether European soldiers are flogged and, if not, why are black soldiers singled out for this brutality ?

The Judicial Department is pursuing a policy of Nigerianisation which gives hope and encourages mutual confidence. The appointment of Africans as Magistrates and Judges continues apace. I must offer my congratulations to Sir John Verity, our Chief Justice, under whose aegis this progressive policy is being implemented. The recent promotions of Mr J. S. Manyo-Plange and Mr G. F. Dove-Edwin are worthy of commendation, but we look forward to more appointments of suitable and qualified Nigerians to the Bench.

The administration of justice in this country has recently suffered a setback and I would like to be assured that no perversion of justice is intended. I refer to a publication in today's issue of the *West African Pilot* about the case of Ewa Udofa of Ekpiri Ikang, in Calabar Province, who was sentenced to death on 15th July, 1950, for the murder of Kalu Nwojo of Ohafia during the looting which took place at Calabar, following the Enugu shooting incidents. When he sought leave to appeal to the West African Court of Appeal I understand that it was refused. I do not know whether Your Excellency had exercised Executive clemency or commuted his death sentence. But I am informed that this offender is still alive. In the interest of good government, a clarification of this issue to the public is imperative.

I would like to call the attention of His Honour the Chief Commissioner, Northern Provinces, through Your Excellency, to a complaint of non-Native Africans who reside in Sokoto. They submitted that the continued refusal on the part of the Provincial Administration to grant club liquor licences to those who are hoteliers is unreasonable. If the reason for the refusal is because contact with Natives would contaminate them, I submit that their petition be reviewed in the light of the Motion tabled by the Honourable and Learned First Member for the Eastern Provinces last September, which was adopted by this House.

On the much vexed question of Regional, Provincial and Divisional boundaries, Your Excellency is convinced that "the overriding national interests" make it necessary that this subject be postponed. Whilst I agree that national interests must take top priority in our constitutional development, yet I would be failing in my duty as an elected representative if I did not emphasise the need for urgency in tackling it.

I have with me here a telegram from Lokoja dated 3rd March, from the Ogori Progressive Union which reads thus :—

"Reminding you plight of Ogoris in Northern Provinces demanding separation from Igbirra and regrouping with kith and kin in the Western Provinces during forthcoming new Constitution."

The telegram, Sir, is typical of very strong feeling among the Iyagba of Kabba Province and the Yoruba-speaking peoples who live in Ilorin Province. We know that this agitation is also widespread among the Edo-speaking people of Ondo Province who seek reunion with their kinsfolk in Benin Province, the Ibo-speaking people in Benin, Calabar, Ogoja, Rivers, and Warri Provinces, who seek reunion with their kith and kin in the Onitsha and Owerri Provinces, not to mention the Idoma people of Benue Province who seek to be grouped in the Ogoja Province, and the Ndoro and Tigon people who desire to be regrouped from Adamawa Province to Benue Province. It is expected that Your Excellency will expedite the solution of this boundary problem at the earliest convenience.

The new Constitution is now in the offing. Without attempting to prejudge its fate on the future of this country, yet it is my sincere belief that, like all make-shifts, it will flounder and necessitate early revision. No Constitution which fails to measure up to the highest standards of democratic living can have lasting benefit for the people. It is patent that the life of such Constitution will be a chequered one as that of the Richards' Constitution which is now on the verge of burial.

Based as it is mainly on the principle of indirect election, history will yet indicate that it is a panacea and not a cure for our political malady. As my Honourable Friend the Second Member for the Northern Provinces expressed on 1st October, 1948, during the debate on Local Government at the African Conference held in London :—

"The system of election is a democratic instrument. . . The system of indirect election to the central legislature is recognised as an immediate compromise in view of the high proportion of illiteracy now prevailing in the African colonial territories. It is not acceptable, Sir, as a final method of choice, and we hope that the ultimate policy must aim at the polls and the ballot box as the final method of choice for selection of members of the central legislature."

That, Your Excellency, is a correct diagnosis of the disease which is bound to hasten the new Constitution to an untimely grave.

The recent success of the Convention Peoples Party at the first experiment in democracy in tropical Africa has elicited comments from different sources. The Honourable the Second Member for the Eastern Provinces has sung paeans of deserved praise for Mr Kwame Nkrumah, leader of the majority party in the Gold Coast. But in doing so, he yearned for "more Nkrumahs in Nigeria." If only he knew that reactionary and conservative elements who are very influential did their best to thwart the so-called extremist

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nationalist party in that land of yellow metals but failed ingloriously, he would have appreciated that we have counterparts of Nkrumah in Nigeria but chronic fault-finders and Uncle Toms have been active in denouncing nationalists all these years, because they were victims of a defeatist complex which made them to doubt the capacity of Nigerians to assume the *toga virilis* of political responsibility.

It was left to Dr Daniel Malan, the arch-enemy of the black race and one of the fossils of Nazism extant today, to denounce Britain for its willingness to apply wisdom and vision in emancipating Colonial peoples. I was happy to observe the moral courage of the Right Honourable the Secretary of State for the Colonies and other eminent Members of Parliament when they denounced the race-baiting propensity of this ecclesiastical dignitary of the Dutch Reformed Church. Whether Dr Malan likes it or not, we the nationalists of British and French Tropical Africa, have agreed among ourselves that after gaining our freedom we shall have an account to settle with the Union of South Africa for the hegemony of the black man on the continent of Africa.

In conclusion, I wish to pay deserved tribute to Dr the Honourable S. L. A. Manuwa on his appointment as Director of Medical Services and I wish him a successful tenure of office. May I also extend my felicitations to Sir Hugh Mackintosh Foot, the former Chief Secretary of Nigeria who is now Governor-designate of Jamaica. Your Excellency's eulogium of this shrewd Civil Servant is in order. Personally I cannot add to what you and other Honourable Members have said, than to quote with Your Excellency's permission, from a cablegram which I sent to the Editor of *West Africa*, London, on 5th February this year, in answer to a question posed by his Special Correspondent—whether the departure of Sir Hugh from Nigeria was a relief or regret to me? This was my reply:—

“Please inform your correspondent that I view the departure from Nigeria of Sir Hugh Foot, Governor-designate of Jamaica, with regret, as we hand him over to his old friends, Hon. W. A. Bustamente and Mr Norman Manley. However, in spite of violent disagreement of political opinion, it did not affect our personal relationship which was always cordial right up to the time he flew away from Nigeria. Yes, he was ‘worthy of any politicians's mettle’ and I shall miss him at the Budget Session of the Legislative Council next March. Bustamente and Manley are sure to have their hands full and I don't envy them.”

Sir, I support the Appropriation Bill.

His Excellency :

Any break we take should fit in conveniently with the speeches of Honourable Members. It is now just after 11 o'clock. I am not sure what are the wishes of the House. We could break now for twenty minutes or half an hour, or adjourn now and meet again this afternoon. Perhaps Members would give me an indication of their preference. I will put the question: that we should recess now for twenty minutes.

The ayes have it.

Council adjourned at 10.55 a.m.

Council resumed at 11.20 a.m.

[Hon. C. D. Onyeama]

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The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I did not propose to speak at this Budget Session but in view of certain representations made to me, I think I shall be failing in my duty if I do not give expression to these representations. I propose to touch on only two matters, the first being the question of teachers' salaries and the second being the condition in the General Hospital in Lagos. We have been told, Your Excellency, that it would be a good thing if this country had enough teachers to deal with the problem of educating the youths. Today there is a desire on the part of the Department to reduce the amount of Temporary Addition to Rates of Pay granted to teachers and Voluntary Agencies. Not only would I myself be opposed to any such reduction, but I would suggest that the basic salary of the fully qualified teacher should be raised above the minimum for a clerical or technical workers. Now the average clerk just commencing in his employment is paid £7 a month. The civil servant who is lucky to get employment in a junior technical grade is paid £8 a month. I would suggest that if the basic salary of a teacher were increased to £9 or £10 on qualification there would be a steady movement from the clerical and technical establishments to the teaching field. Not only would a boy leaving school prefer the teaching profession but the Education Department or Voluntary Agencies would be in a position to pick and choose their teachers. As it is now, nobody is disposed to accept the teaching profession where he thinks that there is a better future in the Clerical Service. The question of teachers naturally brings me to the question of education as a whole.

I have listened to the statements made on the Ibadan University. I myself regret that the necessity should exist for those statements to be made and I have in mind the fact that Dr Lewis in one of the British Universities who is a Professor is not an Englishman but a man of African descent. In any event I think that for a University to discharge its duties and its obligations it should be completely unfettered and free from political influences of any kind. I think, Sir, that were we to give way to racial affinities or racial prejudices we might convert the University into a place staffed by unqualified people and while we are quite in order to criticise the actual administration in the sense of the spending of the money for the University we must also be careful that we do not so interfere that the University, pressed on all sides by political power, might be disposed to give in to our demands and adulterate the quality of the professors.

On the question of hospitals, I bring with respect to the notice of the Director of Medical Services the urgent need for alleviation in the congestion in the General Hospital in Lagos. A few years ago I had occasion to make the same complaint about the hospital in Enugu. I am glad to say that Dr Walker, the previous Director of Medical Services was able to acquire two sheds from the Military Department and put up two temporary wards where patients could be treated without congestion and fear of further infection. I think, Sir, that if the Department of Medicine were to erect temporary sheds in the different municipal wards of Lagos instead of concentrating in the General Hospital much distress could be removed. There was a particular question brought to my notice about the apathy of the nurses in the General Hospital in Lagos. I must admit that this is not a failing which is peculiar to Lagos. It is common all over the country that several nurses, I would not say all nurses, have not lived up to the high traditions of their profession. An instance was given to me where a nurse

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felt asleep at the time of her duty to the great danger of the patients in the hospital. I am certain that this Department should have it in mind that they more than any other Department have in their charge and keeping the lives of the people of this country.

Now, Your Excellency, I do not propose to say more than this except to add my small quota to the congratulations which we all have to express to Dr Manuwa. I am certain that we all wish him well, and I have no doubt that he will discharge his duty at least as well as his predecessor in office. I thank you.

The Temporary Member for the Eastern Provinces (The Hon. G. H. H. O'Dwyer) :

Sir, I rise to join forces with the previous speakers to pay tribute to the very efficient and able manner in which the Honourable the Financial Secretary has presented his Budget Speech to this House, and also for the very brilliant and masterly speech accompanying the figures. It shows indeed that Nigeria is really progressive. Mention has been made of inflation in the country: that is quite evident. Money is flowing rich and plentiful in the country but to my mind I think it is getting into some people's pockets and coming out of others. There is a great problem lying ahead of us, and that is how best can we bring down the cost of living to prevent inflation? Temporary Addition to Rates of Pay, which is a common and very familiar name to many appears to benefit just one class of people—that is the salaried and wage-earning classes. But to the other peasant classes of people they just have to fend for themselves. I think Sir in my humble way that the problem can be solved as you suggest, Sir, by nation-wide propaganda for more production of foodstuffs. If the cost of living index is reduced it naturally follows that the wages of this class should also be reduced out of our Estimates. But if one class enjoys it, Sir, I support the other Members who have spoken on behalf of Native Administration and Voluntary Agency teachers that they should also participate in full in acquiring the full award of 12½ per cent instead of 8 per cent. Years ago, in the war years, Sir, we had a team of Administrative and Agricultural Officers who went round the country trying to induce the people to produce more oil and kernels for the war effort. I think if the Agricultural Department could in the same way, by means of propaganda, give a demonstration to the farmers and organise agricultural shows either by mechanized methods or other means people could be induced to get back to the land coupled with the fact that they could get loans from the Loans Board. There are a lot of people willing to return to the land but they have not the means. Labour is another problem—they find more attractions in the townships. In Aba, Port Harcourt, Calabar, etc., they are attracted by cinemas and other amenities. After enjoying these amenities they find it is useless to return to their own villages. We in the East have put this problem before our Community Development Officer and in some way or another he hopes to devise ways and means of dealing with the problem. I am more or less surprised, Sir, that although there is a shortage of man power in the country that a big quota of able-bodied men have been sent away from the country to the Spanish territories and to the French Gabon. The Treaty specified a figure of 250 a quarter, but I notice recently in the Labour Quarterly Review that this figure has increased by 100 per cent and I am not quite sure why this has been the case. Quite recently I passed through Benin and the Public Works who were about to tar one of runways in the Airport found it very difficult, I was told, to get labour because in Benin most people had been attracted to the rubber plantations where they

were earning as much as four times what the Public Works Department paid them. If, Sir, some branch of the Labour Department could be set up in the country for getting people registered and from that centre they could be able to give a supply of men to the various Government institutes, I think, Sir, our Development Plan would grow much quicker than at present. The alternative, Sir, is that the work should be given out to contractors. I agree with the previous speakers that quite a lot of people who have had experience from the Public Works of the technical staff grade or some more retired expatriates who would gladly come out to undertake these jobs, and that should settle our difficulties and we will be able to see our Development Plan grow much quicker than it is at the moment.

A few years ago, Sir, you did set up a Commission, headed by Mr Adshead, to find out the reasons for conditional sales and to make a report to you, Sir. I happened to be a member of that Commission and we went round all the four corners of Nigeria. A report was submitted to you, Sir, making certain recommendations and I am more or less surprised that up to the moment no steps have been taken and today it is very alarming to see how the high cost of imported goods has risen. We have reasons given that freight has gone up to 12½ per cent, but you find that the quoted prices are 150 per cent. Take for instance an item like cement. If the freight is 12½ per cent and cement costs 6s a bag, it really does not follow that cement should be sold at 16s a bag. Corrugated iron sheets have gone up. I think it is high time that Government should take some stringent measures to control prices. The small traders have very little capital and find it very difficult to obtain import licences. I pay a very high tribute to the Commerce and Industries Department. I know the Director personally and he does everything physically possible to help small people but there is room for improvement. If, as was suggested, an Association of African Merchants could be formed in various Provinces they could make representations to the Director of Commerce and Industries and see what can be done.

I join the First Lagos Member in paying tribute to the Development Secretary for the very able way he has been able to present the revised development estimates for the last remaining five year period but I would like to remind him not to forget Calabar. In the original first five year period Calabar was very prominently put down there as regards the dredging of the Calabar River and also the extension to the Ivy Pier Head. Calabar has traditions in connection with shipping. We should like to see Calabar Harbour, if not exactly like Lagos and Port Harcourt, but something very near it. We should like to see steamers come alongside. It is very disgraceful that the shipping companies have their very good wharves and yet Government could not have a good one. I earnestly request that some notice be taken of our request.

Sir, other Members have mentioned the Posts and Telegraphs Department. It is the usual complaint, if you want to send a telegram before you travel you might as well send it on your arrival. The telephone service in the East is very appalling. I do not know if the Posts and Telegraphs intend to combine the telephone service with the Radio Rediffusion Service. It is not necessary to subscribe to a Radio Rediffusion set. All you have to do is to pick up your telephone receiver and you can listen to the B.B.C. news. We hope that in time things might right themselves and there will be no cause for further complaint.

I cannot sit down without offering my congratulations to our first African Director of Medical Services, and in doing so I would think of his first

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appointment to St. Margarets Hospital, Calabar. As a matter of fact Calabar made him. I do not know if Lagos could claim that ! He had a stimulus in a very capable physician, the late Dr Edgar Maples, and even today he is regarded as one of the finest surgeons in Calabar. I might remind him that he has a big responsibility ahead of him, and I can only pray that Divine influence might help him in his great responsibility and that he will be able to carry out his work faithfully, zealously and conscientiously until such time as he is relieved by another African.

Sir, I will not say very much more. I am never long-winded, and I thank you for listening to me so very carefully, I also support the Appropriation Bill.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, I would have deferred my speech in this session, but in view of the fact that this is the last Budget under the existing Constitution, it appears, as it were, a Caesar dead and all of us in this House, Sir, have come to bury this Caesar. I cannot say, as that Roman Orator said "and not to praise him"; but we do come to give this Caesar a burial, to praise him and not very much to condemn him, because there is a maxim which says "Say nothing of the dead but good". This is a most opportune moment for us to prepare a full and satisfactory handing-over note. Therefore we need not rush over its work. Why I say that, is not because of the coveted allowance. Were we here merely for the allowance, Your Excellency, I would have followed the trades of my fathers, farming, fishing, trading and other things; I would not come here to incur hatred from those I should not. Hatred outside from those who do not understand the self-sacrifice some of us are making here; and hatred inside too due to misunderstanding, misinterpretation, and intentional and purposeful misrepresentation. Not allowance, but duty—duty must be done. This rule applies to everyone, and painful though such a duty may be, to run away from doing your duty, Sir, is worse than foolishness. Your Excellency, this is a Budget of Budget Sessions under the Nigerian Constitution. Anything that happens, anything that has birth in Nigeria is Nigerian. Therefore I need not say that a Constitution which gave birth to this Budget Session, the Richards' Constitution, is not a Nigerian Constitution—it is a Nigerian one, and in history it will be mentioned as a Nigerian Constitution. When we mention this Constitution as having been born of or having been created by Richards, we say so in order to bring to mind, and to give history to our posterity, that Richards had immortalised his name in the annals of Nigeria as one who has given impetus to Nigerians to make their own Constitution for themselves. Your Excellency, the Budget Session in any Constitution of a country is a minor which reflects the innermost part of every inhabitant of that nation and brings the wayward into the right pathway. It is the Budget Session that has got the rod and the staff in his hand: the rod to beat the enemy away and the staff to bring the child of the inhabitant to its proper home. This Budget Session, Sir, is a most important Budget Session. As I said before, we should not rush away. It is here as a mother—she was born and grew and has got children. Her children are still existing; those children are found under the names of Regional Houses, Committees, Boards, scholarships to Africans, higher appointments to Africans, and Nigerianisation of the Administration. All these jointly and severally have restored to this Honourable House its harmony, goodwill and beauty.

Your Excellency, this Budget Session does not die for ever. It is a matter of ringing out the old and ringing in the new. The King is dead, long live

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the King ! It is dead, but it has a resurrection in another Constitution. Therefore, Sir, I will not touch upon all that has been mentioned. I am not a mathematician, nor am I a secretary, nor a head of department. Nevertheless I am bound faithfully to come to this House and present grievances and the needs of my people. Therefore, Sir, this Budget Session is such with which I cannot trifle.

Your Excellency, coming to this Budget Session I travelled through roads. On my arrival here, Sir, a newspaper was placed in my hand. This was "The Pilot" of the 28th of February, 1951, published in the interest of the Western Ibos, under the caption of "Western Ibo Problem". I will not read the whole article, because the time at our disposal is very very short, except the portions I have underlined which read as follow :—

"When the Ibo State Union delegates toured the two divisions in November last, the people expressed the desire to go East.

"Yes, one Nigeria, but in a free Nigeria there will be free domestic control and free local government.

"Members of the same family or tribe or nationality will not be cut through, leaving parts of the same family, tribe or nationality to be administered by different governments or different systems.

* * * * *

"Therefore there will be no complicated problem if the Western Ibos go East".

I need not go further, Sir. This is not the age of Pharaohism : "Pharaoh let my people go". "No. They must remain in bondage". Human beings, Your Excellency, should not be experimented with. They are not chattels. It is the duty of every good Government to experiment with policy and if that policy is wrong, it should submit itself to two principles—that principle which is justice, that principle which is goodwill, that principle, Your Excellency, which is the golden rule of life—do unto others as you would they should do unto you. So, Sir, it has been mentioned in this House about boundary settlement. And not only in this House, Your Excellency. Your excellent speech gave it out on page 4 : "This whole question has been very much in my mind ever since the General Conference at Ibadan, in January, 1950, passed by a majority the following resolution :—

"The question of Inter-Regional boundaries, Provincial boundaries and Divisional boundaries should be left in the hands of His Excellency the Governor to examine and make arrangements for their settlement as early as possible."

I stress that phrase "as early as possible" to be interpreted as "before the new Constitution finds the soles of its feet on the shores of Nigeria"; but Sir, with due deference to your august office, Your Excellency says : "Since the last meeting of the Western House of Assembly, I have given further anxious consideration to this question : but I find myself still of the same mind. I said then, and I repeat now, that in my view the first and vital task before us is to get the new Constitution into being," we all agree with Your Excellency, "allowing nothing to divert us from that task. When it has been successfully accomplished the difficult and delicate question of boundaries, which can give rise to so much turmoil and unhappiness, can be considered."

Well, Sir, I am not here to contradict Your Excellency ; but my duty here is just to submit that every structure or superstructure finds its strength and places its body on a solid foundation and that foundation is laid on the

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ground otherwise, without a solid foundation, that structure or super-structure becomes a castle in the air, and is like placing a cart before a horse.

“ In the revised Constitution, as in the present Constitution, any question of the alteration of Regional boundaries will be for the Governor's decision,” Your Excellency went on. That is why we, at the General Conference, reposed our implicit confidence on Your Excellency on this question, because Your Excellency is a square peg in a square hole or a round peg in a round hole. Your Address continues: “ In the revised Constitution, as in the present Constitution, any question of the alteration of Regional boundaries will be for the Governor's decision, and I give a pledge that when the new Constitution is in being I shall personally examine the question of boundary revision and decide whether, and if so what, action should be taken.” Your Excellency as a father you have gathered your children around you here. What pleases all of us, and you find us being so charmed with your smile as you sit up there, is that you solicit our advice. You have got the power to move the whole of Nigeria, but no, you cannot do so, because that is not Britishism. Your Address still continues: “ I am convinced that the overriding national interests make this the best course to follow, and I ask for the confidence and support of Honourable Members of this Council in following this course”. Well, Sir, it is in the father as it is in the child to hand out whatever he thinks fit, just at the moment that fitness is found fit. I, Sir, with the cry of the people in the Regions, with the cry of the people in the Provinces, with the cry of the people in the Divisions, let us go back to our Canaan and worship the old god of Israel according to the rites and ceremonies of our fathers. Your Excellency, to defer settlement of the problem until the Constitution comes, that Constitution, Your Excellency, will find itself as a dove—the first dove that was let loose from the ark. It had nowhere to rest the sole of its feet. It got lost in the deluge and up to today no one knows where that dove is. Your Excellency, now I submit, Sir, that we will all rally around you to see to the settlement of this question of boundaries first before the Constitution arrives, because a stitch in time saves nine. Misunderstanding can do a great deal of harm. It was misunderstanding that gave rise to the troubles in the East. Here are the two volumes of the Proceedings and the report of the Commission of Enquiry into the violence in the Iva Valley at Enugu. We do not know what might come! Prevention is better than cure. Like attracts like and birds of a feather flock together. Of all places in the wide world home is the best. Our fathers' sepulchres are there, our kindred and our children too. How can we love another land so well? So say all those who are settling away from the fountain-head of their customary laws. Your Excellency, let this boundary question be settled in the strictest terms of justice, and let the people join their kith and kin in accordance with the dictates of law and order. This, Sir, is the peoples' dire need of your help. This is their wish. This is their demand for redress. It is on this sure foundation, Sir, the Constitution will firmly rest and most satisfactorily balance itself. Then with equality of other things Your Excellency will immortalise your name for good on the pages of Nigerian history.

Your Excellency, the Honourable Member and His Highness the Oba of Benin has discussed a very serious grievance of himself and his people touching their tradition and culture. I give him all support. I brought a similar incident to this House about the Idiong Society. I do not want to go further than to mention the name of that particular cult. Benin is one of the ancient kingdoms of Nigeria in Africa. According to the Oba, the

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sacred tree signified the tradition and culture of Benin fame. That tree was there before he himself was born, and before his father was born. He did present to the House the facts disclosing the importance of the tree and its indispensable usefulness to his people. Such a culture should not be destroyed. I respectfully crave that this House give consideration to the application which the Oba has made. Investigation should be set up to trace the parties connected with the destruction of that tree. The Oba has recommended a good Resident who is administering his area. The Resident may deal with the matter and find out the culprits. Today in Britain there is a stone, a certain stone, used by King Egbert of the Britons. It is a stone used in succession by all the Monarchs of Britain in their coronation in the present days. If there be anything further away from the truth in my statement I am not responsible, it is British historians who are responsible.

Today I thank the Government very much for helping us to preserve our culture and our traditions ; only such that might prove to be incompatible with the principles of humanity should be destroyed. Your Excellency, that matter should be looked into. As for compensation, Sir, no stone, statue, or monument erected on that holy ground is as traditional, valuable and inspiring as that tree. No pecuniary value can call back that tree. Our tradition and culture serve as a background to our religion. Destruction of that tree may carry with it many human lives. Therefore I am suggesting the sum of one million pounds as a recompense to maintain the memory of that tree. The support I give in this matter is not because the act was committed by an alien ; but because, in my understanding, that tree was a relic to Benin people and to the world. Why are museums established in Nigeria today ? Why are museums established in other countries including Great Britain ? The reason is to preserve and maintain history for the education and the pride of posterity.

Your Excellency, the next point that I should like to raise is that of the workers in Nigeria. A strike is a stoppage of work by workpeople in order to obtain or to resist a change in their wages, hours, or conditions. It is an indispensable implement between employers and employees. The employer has got the money and the employee gets the labour. One obtains in exchange from the other what one needs. The employer, though he might be a multi-millionaire, has got no labour ; and the labourer needs and wants money. So there must be mutual exchange between them. It is in the employer to say : " I am not satisfied with this work." He then cuts the wages or fines. If this is done justly the labourer will be quite satisfied, because he does understand the nature of their relationship. But if the employer says : " I want more work than the wages I am paying ", the worker is quite right to say " I will not work without pay." I wonder why there should not be strikes in Nigeria ! Square-deal kills strikes ; but injustice fans their flames. They are all over the world. It is a city of refuse for all workers. And why then do strikes in Nigeria spell dissatisfaction to the employer ? I am unable to answer that question ; but the Labour Department is here to do so. I trace the blame to the door of the Labour Department without disparaging the services of the Commissioner of Labour, his ability, and the efficiency of his Department. He knows better than I do that a stitch in time saves nine. The moment the employer or the worker complains, it is the duty of the Labour Department to deal with the matter and treat it with all urgency possible. To wait until expression of grievances becomes a matter of correspondence is worse than useless. The workers have got to go and complain to their secretary whom they pay monthly ;

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and the secretary, as a matter of fact, may not work. It is those who actually handle the work in their hands who bear the brunt. For what reason should the Labour Department wait until correspondence upon correspondence has been received. I here and now beg leave to advise Your Excellency to direct the Labour Department to realise that the world of today needs a ready man; and that whenever any dissatisfaction is expressed to him from the workers' group, he should not wait for correspondence in every case, but to treat each in its merits. He should let committees be formed to go straight at once to enquire into the cause of the dispute. Strikes in Nigeria should be useful instruments in the hands of the workers and the cutting of wages or a lock-out also should be a reciprocal instrument in the hands of the employers. What is sauce for the goose is sauce also for the gander. We are in one and the same system of democracy even though ours is in its inception. We aim to grow, we are growing, and we shall grow.

Your Excellency, another point I have got to raise, is about teachers. President Jefferson said "Educate the People". I maintain, Sir, that a primary duty of Government is to educate the people. Voluntary Agencies in the persons of missionaries have played their party very efficiently. It was they who championed the cause of education as pioneers in Nigeria. We whom they produced have seen that they have done their best. We turn to our Government and say "It is now your duty to pay all the teachers." With this, Your Excellency, I associate the name of one Mr T. K. Utchay, a son of Nigeria, who has been thought of as a spoilt child. He has been thrashed and kicked out of the house. He is just by the wayside there; he keeps on crying and crying, but no-one takes any notice of him. People passing on their ways to their business calls think he is a spoiled child and give no heed to him. When they return they find that he has won the sympathy of those who did not at first sympathise with him. Is there anyone who could be so inhuman? Who would not say "Come along, follow me". The Government is the father of this child, and Nigeria is the mother. The Government is those parties who pass by the child and see the child crying and it is the duty of the Government to take this child back home and do him justice. This child, Your Excellency, I am proud to name is the "Education Missionary Society" with which the name of Mr T. K. Utchay is associated. At Ibadan I mentioned at large the duties and the usefulness of this man and of his Mission. Seven full schools were closed down by a stroke of the pen. I am asking this Government to grant mercy to Utchay and redress his grievances. Even felons stand a chance of obtaining pardon from His Majesty the King if there be sufficient evidence to prove that the offender had repented of his waywardness. Your Excellency, this Honourable House was never in a single session when this man did not appear in petitions and so forth exactly as he has done on this occasion. The genius of this man is not such that should be trampled on in Nigeria. Britain has acknowledged the genius of that man. Where is a human being without a fault? Let him stone Utchay! We have punished him sufficiently. He now stands in need of our forgiveness. I submit his name, Sir, I submit his Mission, especially a Mission that opened seven schools for the children of Nigeria, the Nigerians of the future for Africa, and for the future mothers and the future fathers of this land. They are now here watching to see what steps we are taking to mould their future in regard to the seven schools of the Education Missionary Society which were closed down. Nigeria prays for reopening of the same. I have come, Your Excellency, with due deference to that august and authoritative chair, to be convinced that Utchay, whatever might be the nature of the offence committed by him, should remain an educational outlaw.

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His Excellency :

This august chair is bound to point out that the Honourable Member has exceeded the ration of half an hour.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I rise to beg leave of the House to extend the time of the Honourable Member.

The Member for Calabar (The Hon. E. E. E. Anwan) :

I beg to second.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, the next point that I have got to raise is about the Marketing and Exports, Produce Inspection Department. I need not go into details on the policy of that Department. I only mention the name, so that the Head of that Department may prepare himself to meet the Finance Committee in a challenge. We want to help him to build up that Department. I want his name to go into the Debates of this House: that is why I mention him here.

Your Excellency, my next point is the Police. The Honourable the First Member for Lagos has properly and very efficiently dealt with this Department. The Department of my pride—the Department upon which I place my confidence. Ever since my participation in this House from 1938, November, I have been trying to contribute my humble quota to the up-lift of that Department and to the enjoyment of amenities belonging to it. I need not blow my own trumpet, if I were to do so, there is no-one who can blow the other person's trumpet as well as that person himself. Your Excellency, the members of the Police Force know that amongst others I am one who champion their cause and let them have what they had not got. I do make comparative studies of the Police Department comparing the Nigeria Police with the Police in Britain, which is the mother of the Police Force here. Yes! our Police is efficient when they are sent out to destroy and they do it because it is their duty to obey and carry out orders. Our Police are quite all right as orderlies. I can assure you, Sir, that in certain private places where a policeman or a group of policemen is sent to go and investigate offences, they forget not only their responsibility to their Government, but also the very law by which they were trained to abide. It is disgraceful, shameful! Money! money! money! even at the expense of human life is their supreme quest! Yet in England the Police are known as the "friends" of the public. But in Nigeria the Police are the "terror" of the public. We must weigh the Police of Nigeria in the balance, and if we find them wanting, let us cast them all away and bring expatriate Policemen to this country. Let all our Policemen go back to the land, since they have failed to know and do their duty. It makes a front page news when a cat turns itself to a mouse and consumes bread, cake and cheese to which it was set to protect. Nevertheless a few of the Police are honest. A colony of hooligans surrounded me with bicycles on a section of Broad Street here in Lagos where I was walking with my handbag. After a thorough search was made on me, they found no treasure on me; and fortunately friends rushed in and rescued me from their hands. A Policeman who was standing near by disappeared, to my surprise! If this can happen in the capital of a country how much more could it not happen in the bush? Your Excellency, we have got no Police in Nigeria in so far as Africans are concerned. Whatever representations might come to them if they keep the faith and do their

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duty, it is because there is no bargain for money, I have got instances in papers to prove this. I do not hate them; but they have woefully let me down. If you are not satisfied with your wages, my dear friends, resign. I submit, Sir, that that Department should be looked into, for the safety of our lives and property in this country.

Your Excellency, I join the chorus of congratulations to our Honourable Financial Secretary. When one official does his duty efficiently and satisfactorily to the time when he retires or is promoted and gone away, the people whom he served lament as if they would not get another. Such was the case when our former Secretary for Finance, Mr Savage, retired. He was a real father. We all thought we were left fatherless when he went away. But lo and behold another Savage is here—another servant and friend is at hand. This sentiment of goodwill applies to our Development Secretary also. There he is, so quiet, so humble, yet touch him in the genius of his Department—he spells a man. I congratulate them and wish them more successes. And so are all our Heads of Departments. But one of them may prove himself a black sheep in the fold; and to such a one Nigeria of today is fully prepared to take up his gauntlet against him.

Your Excellency, congratulations for the honour His Majesty has conferred upon you! Long may you live to enjoy the same, and win more laurels!

I turn now, Sir, to the other side of the house. One most important aspect of the Administration under your regime is Nigerianisation of the Civil Service. In that your interest in the progress and development of our fatherland is evident. Formerly under the old Constitution we found all Africans on one side of this House and Europeans on the opposite side. But today we have a mixture of black and white on both sides. This is a demonstration of Aggrey's vision. I cannot help following others to contravene Standing Rules and Orders by mentioning the name of the Honourable Member. Dr Manuwa merits his promotion which was long overdue. I came in contact with him in 1927-29 in Calabar and those who knew Dr Manuwa then cannot help associating with him the spirit of Dr Maples of Calabar who was his intimate friend and colleague in the Calabar General Hospital, giving him haloes and auras in which he has to move and is moving, and the magnetism with which he attracts everything good for his people; and so he gets it, not for himself but for his people. At that time I was a patient in that hospital. If it had not been for him I would not have had the chance of standing here to play a part in this meeting. His hands, his voice, even his eyes constitute a reservoir of healing. To do justice let me associate with him the name of another great soul who was serving side by side at Calabar with our Director of Medical Services. That soul is Dr L. R. Henshaw, O.B.E., Deputy Assistant Director, Medical Services. Both of them were like twin brothers in Dr Maple's Medical Administration. I owe him a lot. The other side of this Honourable House depicts a rainbow in its full beauty of seven complete colours. Congratulations to Dr Manuwa! This is a great prediction to the greatness and advancement of Nigeria in the near future.

The Education Department is wanting a Head, and who knows before the close of the year if an African or a Nigerian will not be found there.

Other Departments, too, are there with our expatriate friends on the chairs. We wish to keep you for ever in this country, not as rulers, but as brothers in the same walk of life as we too are in your country. When we gain sufficient strength to stand alone you will participate in our government. Here you will remain with us and enjoy the fruits of your labour. If I were

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in your shoes that's what I would do. We all are human beings, and what is true of one man is also true of all men. When the time will come for man to say "I have not got the power to rule over myself", then we will exchange the right hand of fellowship with one another.

Your Excellency, I support the Appropriation Bill.

The Fourth Member for the Western Provinces (The Hon. A. Soetan) :

Your Excellency, I did not think I would have to speak today as I am scheduled to speak tomorrow, but it appears that there is going to be another deadlock. I therefore rise to make a few observations on the Appropriation Bill, even though I have not as yet prepared a speech.

I rise to support the motion for the Appropriation Bill. The Honourable the Financial Secretary has presented the Budget in a thirty-five page masterly and illuminating speech explaining and giving reasons for every part of our financial aspect. The Budget seeks to appropriate the sum of £42,724,820 for the service of Nigeria for the year ending 31st March, 1952. This is a bold venture. It is, I think, the largest Budget ever presented to Nigeria.

Touching on the salient features of the Budget and the country's economic position I congratulate the Honourable the Financial Secretary and his staff for this achievement. I shall not repeat all that has been said by previous speakers but Your Excellency I have some misgivings about the Korean war referred to in the Financial Secretary's speech. Let us hope and pray that this war will not develop to World War No. 3. The outbreak is unfortunate for those who have thought that the United Nations Organisation would be able to effect lasting peace have had to change their minds and start rearming. Although we are so far away from the real scene of action still we feel, and the Financial Secretary has said, it does not matter how far—the effect will reach us here. Let us hope and pray that such will never happen.

Now, Sir, many have expressed their opinions on different aspects of Government Departments. Your Excellency, I join those who express much concern about the educational policy in our country. As I have always said, too much money cannot be spent on education in Nigeria and the Emir of Abuja, the Northern Educationist, for he has always spoken in support of education, and rightly so, has struck the note which I trust will be heeded. I support him in his statement that we must pay more attention to the education of our girls, along with that of our boys. Your Excellency the last speaker referred to one particular individual, Mr Utchay. I also plead that if only for his importunities the education authorities may consider giving Mr Utchay another chance, or giving him conditions which, if he fulfils, he will be allowed to resume his educational work in the Eastern Provinces. It appears that he is dying with anxiety to do some educational work among his own people. I really do not know all the reasons why his seven schools have been closed down. I know that they wouldn't have been closed down without substantial reasons, but I also join in the petition that he should be given another chance. He should be given certain conditions which, if he fulfils, he should be allowed to carry on. He appears to be rather unhappy. Your Excellency, while I am on this point I wish to say that I join the chorus of those who say that the Government should not reduce the Temporary Addition to Rates of Pay for the Native Authorities or Voluntary Agencies or in any way allow it to affect their grant-in-aid which I understand is being contemplated to be reduced from 12½ per cent to 8 per cent. Really and truly Voluntary Agencies have done and are still doing very

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good work. They are the pioneers of education among us, and I say, Sir, that Government should encourage and help them to overcome any obstacle in their way. I think it was at the last session of this august assembly that notice of the activities of certain Voluntary Agencies to prevent their teachers joining the Union of Teachers came before this House, and a ratification of certain provisions of International Labour Conventions, I think Articles 87 and 98, was asked to be secured for Nigeria. Perhaps the Honourable the Acting Chief Secretary or the Director of Education will make a statement as regards this point as to whether those articles have been ratified and also about the reinstatement of Mr Utchay's schools.

Now, Sir, Your Excellency has expressed anxiety about food shortage. It is right, Sir, that the Government should be concerned in this matter, but it does not seem to me, Sir, that all available avenues have been explored so as to solve the problem. I do not think any sacrifice is too much to make to ease the situation in order to avert famine. The Government, as well as individuals, must tax their energies to the fullest capacity. I agree with my Honourable Friend, the First Temporary Member for the Eastern Division, who made some suggestions about this food shortage, when he said that there should be Co-operative farming and that some board or band of people should unite together to do extensive farming work. I will also implement that by saying that the Government should be prepared to provide some sort of subsidy or make loans available to farmers in a way that will make them able to cope with the situation. The question of labour is a vexed one, and if village life is made more attractive perhaps there will not be such an exodus of men from the rural areas to large cities. The attractions in the large cities have proved, in most cases to be only a mirage. They only go to the large cities to swell the army of unemployed, and they make life in large cities more difficult than it should be. Your Excellency, the payment of Temporary Addition to Rates of Pay or high salary will not solve the problem of the high cost of living. Now, Sir, we say food is much dearer than before : let us look into the cause. The cost of production is very high because of the cost of imported goods. Cutlasses or machets that the farmers used to buy for 6d or 1s have now risen to 2s 6d or 3s and articles of clothing have risen very high ; it follows that cost of living must rise too. Sir, I think it will go a long way if effective control can be used to keep down the prices of imported goods. Although the cost of production is high, nevertheless I think the selling price is not made commensurate with the cost price. If Government will once more come to the rescue in this direction, I think all concerned will benefit and prices will not be as high as they are now. Government will say that the cost price plus the minimum overhead charges should fix the selling price. Price control of imported goods is a suggestion which I think should be tried. Government should also be prepared with other suggestions to ease the life of the people and the high cost of living should be tackled much more seriously than now.

Your Excellency, there is current an allegation that in the report of the Livestock Mission which visited Nigeria in 1948 it was said that no less than £200,000 is lost every year in the livestock industry of this country. Perhaps the Director of Agriculture will be able to make some statement as to whether there is any foundation for this allegation or not, and if there is, what steps have been or are being taken to ease the situation and to obviate any further loss in this direction.

Sir, I associate myself with all that has been said as regards the Posts and Telegraphs Department, but in the Honourable the Financial Secretary's

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speech it was revealed that this Department is at present being run at a loss : that the takings or the earnings of the Department are not commensurate with the expenditure, although it is hoped that in the near future the Department will be able to pay its way. It is quite a long time since this Department was put in operation, and I think it is high time that it should pay its way. Year in, year out, there has been criticism of this Department, of delay in delivery of telegrams and other postal matters, and also inefficiency in the telephone department, but I think the position is being looked into and there is much less complaint now, although one cannot say that the situation is altogether satisfactory.

The Public Works Department. There is still a great deal of complaint that our roads are very bad. I do not know what else any one can say about roads in the Regions and Provinces, but I say that the roads are not what they should be. They are ruinous to vehicles. I am aware that efforts are being made in different directions to improve the roads, but I think that such efforts should be doubled.

There is no doubt, Sir, that the gesture of the Government in implementing the promise to acknowledge merit has been reflected in the appointment of an African Head of Department. In my maiden speech to this Assembly in 1949 I mentioned that the time is not far distant when Nigerians will become Heads of Departments, rubbing shoulders and sitting side by side with their expatriate brothers, and I am happy that my prophesy has come true. The promotion of Dr Manuwa is acknowledged to be a step in the right direction, and it is welcomed by all Nigerians. The First Lagos Member mentioned certain facts about six expatriate officers leaving under protest. If that is true, I hope steps will be taken to nip any such action in the bud, for in British West Africa particularly in our Civil Service we like to see nothing of racial discrimination. All that is needed should be merit and merit alone, and it is no exaggeration when I say that every African, nay, every Nigerian, looks up to the expatriates to realise that no feelings of racial superiority will be tolerated. Sir, it is gratifying to see that Dr Manuwa has received from his white colleagues the right hand of fellowship and that augurs well for the future. While congratulating Dr Manuwa I bespeak for him the co-operation of all the African members of his Department and not only of his Department but of all in the Civil Service. Let us hope and pray as I do that Dr Manuwa will deliver the goods, and let us all seek to support him and give him all encouragement. We know the stuff of which he is made, and we have no doubt that as a torch bearer he will carry the torch successfully to the end.

Your Excellency, we also appreciate the steps that the Judicial Department is taking in this country. The Judiciary took the lead and they still continue to do so. It has just been announced that two Africans have been promoted to the post of Puisne Judges and we do hope that as there are more vacancies we shall also see more Nigerians promoted to fill the posts. The Nigerianization Commission made its suggestions and report, and I am aware that the Recommendations are being gradually implemented. The Nigerians in the Senior Service has risen I think from 195 to 325. This number is not high enough and I hope that the pace will be quickened more effectively without any further delay.

Your Excellency, I would like to make some observations as regards the Public Service Board and the Scholarship Board. I do not say, Sir, that these Boards should be scrapped. No. They were created to do effective service. I associate myself with the statement of my Honourable Friend the First Temporary Member for the Eastern Provinces that these Boards should be

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overhauled. The members of the Boards should be qualified in all directions to judge who and who are fit for promotion and Scholarship awards and not to be merely formal Boards. Then their recommendations will have greater weight and respect among the public.

Your Excellency, the University College at Ibadan has come in for some scathing remarks. If the allegations are true I think that Department will reorientate its policy in due course, but I feel, Sir, that the University should be free from and unaffected by politics. And although criticisms are necessary to assist any department, I hope such criticisms as have been offered will be taken in good part, and we shall soon see a change for the better.

Now, Sir, the Revenue Equalization Fund was a very thoughtful proposition, and really and truly we should like to see that only on occasions of last resort that that fund should be touched. For it is a provision for a rainy day and anyone not only individuals but also Governments should plan ahead. It was created by our late Financial Secretary, and I hope we shall have no further occasion to touch this fund but to increase it.

As regards development, we all have nothing but admiration for the way and manner in which the Development Secretary has been performing his duties. As regards Mr Smith I too shared the opinion expressed yesterday by the First Lagos Member that when he was leaving, it was thought that his position would be difficult to fill. This has been proved wrong by the activities of the present Development Secretary. Quite apart from efficiency in his work he combines socialism with his work, he is very accessible and quite willing to discuss matters affecting his Department with anyone. He is one in whom there is nothing at all about colour. We are glad to see that he is loved by all and we hope he will continue to be loved unto the time of his retirement.

Now, Sir, Your Excellency mentioned something about Abeokuta in the general survey of Government as regards the abdication of the Alake. At the last session of the Western House of Assembly I had occasion to mention that on his return, all was not well at Abeokuta—the country was divided, and now I am happy to say that that situation has been cured, and I wish to place on record the efforts of His Honour, the Chief Commissioner, the Honourable Aderemi, the Oni of Ife, the Resident of Oyo Province, Mr Main, the Secretary, Western Provinces, Mr Shankland who spared no pains in seeing that peace was restored to Abeokuta. Particularly must I place on record, Sir, the efforts of the Resident, Mr I. F. W. Schofield. He returned just in time when feelings were running very high. The Egba Central Council in December was the first meeting of the Council presided over by the Alake, it was boycotted by a large number of members and everything was going wrong. Just at that time Mr Schofield returned to Abeokuta and he spared no pains but made all efforts to pour oil on the troubled waters, and like a magic spell he was able by tactful handling of a difficult situation to bring the opposing parties together and in a way to effect what we may call, we hope, a lasting peace. The last hurdle was cleared in January when His Honour the Chief Commissioner visited Abeokuta, and had consultations with the Resident, and certain efforts were made. I am in a position now to say that peace and tranquillity have begun to reign in Abeokuta and we hope they will reign supreme for a long time.

Your Excellency, I support the Appropriation Bill.

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

Your Excellency, my speech may take some fairly long time. I therefore crave the indulgence of Your Excellency to let me start tomorrow morning.

[*Director of Agriculture*]

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His Excellency :

Perhaps the leader of the official team will give us some indication of their plans and say how long the speeches of the officials will take.

The Honourable the Acting Chief Secretary to the Government :

Your Excellency, I should say that the official side will take about four or five hours, and we are ready to start now. We are ready to bat.

His Excellency :

We know there is one Unofficial Member who will start tomorrow morning. Are there any other Unofficial Members wishing to bowl; I should like to have an indication. I mention this because the Official side normally want to be in a position to deal with any criticism made. Any who are not going to be under later attack could speak now.

The Hon. the Director of Agriculture :

Your Excellency, the activities of my Department have been covered by a statement laid on the table of the House and I feel that they have been adequately and comprehensively dealt with to a point where I feel justified in confining my remarks to questions which have been raised by Honourable Members. I am gratified to find that uppermost in the minds of many Honourable Members is the very real problem of how best to increase production of foodstuffs. Certainly a true realisation of the need for such an increase is the first essential in any effective campaign for greater production. Your Excellency's suggestion for a popular campaign must certainly merit the support of all Honourable Members.

Your Excellency has recently opened a Festival of the Arts in Lagos. I submit, Sir, that it would not be out of order that we should endeavour to open at the village level something which might suitably be described as a Festival of Foodstuffs or a Festival of Production. Quite a large number of Honourable Members have referred to this question of production—the First Member for the Western Provinces, the Second and Fourth Members for the Western Provinces, the Second Member for the Eastern Provinces and the two Temporary Members from the Eastern Provinces. Some reference has been made to the part that Production Development Boards should and indeed must play in the production of foodstuffs as well as commodities for exports. Reference has been made to the part that Co-operative Societies might play. I suggest, Sir, that the springboard for production by Co-operative Societies must emanate from the people themselves if it is indeed to be effective because it is a thing which cannot be imposed from above, and I indeed hope that it may be possible for village committees to submit suggestions by means of which Co-operative Societies can play a greater part in production. Government, I am sure, will be willing to give every possible assistance in the matter of propaganda. The Production Development Boards have plans for increasing their facilities for propaganda, and although the Boards are financed by Marketing Boards nominally concerned with export crops, their programme must of course of necessity include the production of food crops for the people if they are to be effective in their programmes.

The Fourth Member for the Western Provinces has mentioned the need for greater facilities for loans to farmers. I might mention that in all Regions, I think I am correct in this; this facility is still available for farmers of repute with the capacity to make full use of the loans. The same Honourable

[Director of Agriculture]

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Member, Sir, referred to the Livestock Mission Report. I may say that this report is now receiving serious study and wherever effective action can be taken to obviate the loss of livestock products, proper attention will be given. I should mention that the losses sustained by the Livestock industry are inevitably complicated, and perhaps the greatest loss arises from the effects of disease. There is also the limited capacity of owners to feed adequately, or limited knowledge of owners in respect of how best to feed livestock. It is a complicated and difficult question. It really is a matter of education and demonstration. These matters are receiving our serious attention Sir, and in due course no doubt more effective measures will be taken ; they must be progressive ; they cannot be immediate, but active steps will be taken to help to offset these losses.

Now, Sir, I should like to mention the attention drawn to the activities of my Department by the First Lagos Member. The Honourable Member suggested that the Director of Agriculture should make a general statement of policy on his Department especially with reference to the mass exodus of the members of the junior staff in his Department. I haven't had an opportunity yet to study this in detail. I do know that there have been resignations by a number of members of the junior staff but I do not regard it as excessive. Certainly a number of those who have resigned will not be missed, and those who will be missed have gone on to higher things. The Honourable Member suggested that if we are to encourage our illiterate boys to take up farming as a profession, that encouragement ought to come from the Agricultural Department. All I can say in regard to that, Sir, is that the two Agricultural Schools in existence at present are full to capacity. We have had to turn away a large number of applicants, so that despite the suggestion of dissatisfaction of certain members of the junior staff, there is still a strong and sustained interest in the work of the Department, and I am fairly satisfied that all that can be done within reason to encourage boys and girls to take up farming as a profession is being done.

I would mention in respect of some remarks about the capacity of Production Development Boards to do more in the matter of foodstuffs. Corporations and Boards need guidance and assistance just as everyone else does. The corporate bodies are not necessarily inviolate in the sense that they may not themselves make mistakes, and I suggest for the Finance Committees of the future that greater attention should be given to maintaining a strong agricultural service in each of the Regions. Without a strong agricultural service with able advisers in the communities, fundamental mistakes are bound to take place. At the present time the effective staffing in the field, for Production Development Boards are very largely done or carried on by officers of my Department. Steps are being taken to remedy this in that the Boards are setting out to obtain their own staff and I suggest that Finance Committees should do their utmost to foster this development.

Sir, I support the Appropriation Bill.

His Excellency :

It may be the wish of Honourable Members that we should now adjourn until tomorrow. I will now put the question.

The ayes have it. Council will adjourn until 9.30 tomorrow morning.

ADJOURNMENT

Council adjourned at 1.20 p.m.

Debates in the Legislative Council of Nigeria

Thursday, 8th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Thursday, the 8th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

[D. of E.]

[Answer]

Edo College.

	1945	1946	1947	1948	1949	1950
Benin	25	25	19	15	11	13
Ibo	4	10	3	6	10	10
Itsekiri	1	—	—	—	—	—
Yoruba	—	2	—	2	3	2
Ijaw	—	3	—	—	1	—
Efik	—	2	—	—	—	—
Cameroons	—	1	—	—	—	—
Urhobo	—	—	1	—	1	—
Gold Coast	—	—	—	—	1	—
TOTAL.. .. .	30	43	23	23	27	25

Warri College.

	1945	1946	1947	1948	1949	1950
Urhobo	14	14	10	16	4	7
Itsekiri	1	1	4	6	3	3
Ibo	3	2	4	6	6	6
Benin	1	2	3	7	2	3
Ijaw	—	2	2	2	4	1
Kwale-Ibo	—	1	1	5	1	—
Yoruba	—	2	—	4	4	1
Ga-Yoruba	—	—	—	1	—	—
Kwale	—	—	—	—	—	3
TOTAL.. .. .	19	24	24	47	24	24

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

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

(a) Has any town or community in the Eastern Provinces made representations to Government for direct election to the House of Assembly ?

(b) If so, what was the basis of such request ?

(c) Is it intended to grant the demand ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) Yes, Sir. Calabar.

(b) The basis of such a request was that Calabar is entitled under the existing Constitution to elect its own member to Legislative Council by direct election.

(c) In order to preserve the privilege which Calabar has enjoyed for many years and to comply with the decision of Select Committee of Legislative Council it has been decided as follows :—

Delegates will be elected by Calabar Township to the Divisional Electoral Meeting. The Divisional Electoral Meeting will then elect from amongst Calabar Township delegates a member to represent the Township, this member will sit in the House of Assembly and in the Central Legislature.

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

44. To ask the Honourable the Chief Secretary to the Government :—

(a) What were the circumstances under which Police Constable Daniel U. Obetta was discharged at Zungeru ?

[C.S.G.]

[Answer]

- (b) Is it intended to reinstate him ?
- (c) If so, when will he be reinstated ?
- (d) If not, of what significance are Force Orders Part II, Serial No. 11 of 1947, Serial No. 49 of 1948, sub. No. 4 issue of December 9, 1948 ?

*Answer—***The Honourable the Chief Secretary to the Government :**

(a) The Police Constable was discharged from the Force following the investigation of the following disciplinary charges :—

- (i) Absent without leave, contrary to Regulation 17 (40) of Police Regulation No. 10 of 1943.
- (ii) Disobedience of lawful Orders, contrary to Regulation 17 (2) of Police Regulation No. 10 of 1943.
- (iii) Leaving his point of duty without permission contrary to Regulation 17 (19) of Police Regulation No. 10 of 1943.

(b) No. Sir.

(c) Does not arise.

(d) This constable was suspended from duty on the 4th of February, 1947, prior to the hearing of the charges referred to at (a) above, for which it was possible his dismissal might result. In the event, he was not dismissed but discharged from the Force with effect from the 2nd of March, 1947, as unfit for the Office of Constable, Force Orders No. 11/47 refer. In accordance with Police Regulation then numbered 26 (2) (now Regulation 25 (2) of Cap. 172) it was necessary that he should be reinstated for the period 4th February, 1947, to 1st March, 1947, in order that he might enjoy full pay and other privileges up to the date of his discharge, to which he was entitled by virtue of being discharged instead of dismissed. Owing to a typographical error, Force Orders 11/47 published the reinstatement as with effect from the 15th of February, 1947. This was subsequently amended in Force Orders 49/48 to read 4th February, 1947, namely the date of his original suspension.

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

49. To ask His Honour the Chief Commissioner, Northern Provinces :—

(a) Is it a fact that the Bi-Rom Progressive Union has petitioned Government urging the removal of Mr K. P. Maddocks, Administrative Officer, from Jos Division ?

(b) If so, will a summary of the petition be made ?

(c) Has any action been taken on the petition ?

(d) Was any compensation paid to the land-owners ?

(e) If so, how was the value assessed and did it receive the approval of the land-owners ?

*Answer—***His Honour the Chief Commissioner, Northern Provinces :**

(a) Yes Sir.

(b) No good purpose would, it is considered, be served by attempting to summarise a document the contents of which constitute a complete misrepresentation of facts and events.

(c) After due enquiries His Excellency reached the conclusion that Mr Maddocks had fulfilled his duties as Senior District Officer, Jos Division, with judgment and fairness to all concerned.

(d) Compensation is paid in cases of disturbance.

[C.C.N.P.]

[Answer]

(e) Speaking in general terms compensation in Jos Division is based on ten times the annual cropping value of the land in question. Farmers have a right of appeal where they consider a compensation inadequate.

Supplementary Question to No. 49 (b) by the Second Lagos Member (Dr the Hon. N. Azikiwe):

What was the nature of the misrepresentation ?

Answer—

His Honour the Chief Commissioner, Northern Provinces :

It is a very long document, Sir, and the example of the misrepresentation was that the District Officer had authority to alienate land. No District Officer has any authority to alienate land.

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

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

Has Government considered the possibility of treating the grasslands of this country with manure in order to enable them to be fertile? If so what has been done ?

Answer—

The Hon. the Director of Agriculture :

Yes. Consideration has been given to the treatment of grasslands but the economic use of artificial fertilisers on such lands can only be obtained when grazing can be controlled. Present experience indicates that best results from manures are to be obtained by direct application to crops such as cereals, cotton or groundnuts, and that grass grown in rotations which include such crops as these will benefit from the residual effects of the manures.

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

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

Do experiments show that artificial fertilizers are good for certain types of Nigerian soil? If so, in what regions of the country can they be used on a large scale ?

Answer—

The Hon. the Director of Agriculture :

Yes. Satisfactory responses to artificial fertilisers have been obtained in certain types of soil in all three regions but more particularly in the Northern and Eastern Provinces. It is anticipated that they can be used on a large scale in all regions when Farmers have learned fully to appreciate their value.

Supplementary Question to No. 67 by the Fourth Member for the Western Provinces (The Hon. A. Soetan) :

What steps if any are being taken to make farmers in the Western Region appreciate the use of fertilizers ?

Answer—

The Hon. the Director of Agriculture :

Sir, the use of fertilizers in the Western Region has not reached so advanced a stage as in either the North or East for various reasons. We are still not thoroughly satisfied with the experimental work which is being conducted with fertilizers, and the most that can be said is that this experimental work with fertilizers is being actively pursued and we hope to be able to make definite recommendations in the Western Region at an early date.

[Hon. H. Buowari Brown]

[Supplementary Question]

Further Supplementary Question to No. 67 by the Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.):

What arrangements have been made and are being made by the Agricultural Department to make easily available to farmers in the Eastern Region artificial fertilizers of the types likely to be most useful and beneficial to the Region?

Answer—

The Hon. the Director of Agriculture :

In the Eastern Provinces, Sir, the Regional Production Development Board has a programme which includes the making available to farmers commercial fertilizers on a very considerable scale. Farmers may at present obtain lime by application to the Deputy Director of Agriculture in the Eastern Provinces.

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

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

Is it a fact that responsible opinion disfavours mechanized farming on a large scale in certain parts of Nigeria? If so, what is the basis of such view?

Answer—

The Hon. the Director of Agriculture :

No Sir. Responsible opinion, however, does advocate caution in the adoption of large scale mechanised farming until its economics have been adequately investigated.

Experiments with varying degrees of mechanization are now being conducted in all three regions.

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

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

Is the Mokwa experiment succeeding? What factors are responsible for its success?

Answer—

The Hon. the Director of Agriculture :

It is too early yet to assess the measure of success achieved at Mokwa, for the project is in the nature of a long-term agricultural experiment involving the establishment of Nigerian settlers. The factors essential to its success are the successful participation of Nigerian settlers in a system of agriculture which will safeguard the fertility of the land and at the same time provide them with a higher standard of living than they would normally enjoy.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

86. To ask the Honourable the Chief Secretary to the Government:—

(a) How many Lecturers and Assistant Lecturers are there in the Department of Mathematics at the University College, Ibadan? What are their academic qualifications and experience? What emoluments do they enjoy?

(b) Is it a fact that the Assistant Professor possesses an ordinary Degree in Arts (Mathematics) Cambridge University, and although at the time of his recruitment, he had little or no teaching experience, yet he was appointed Assistant Professor and not an Assistant Lecturer, Grade III?

[Dr the Hon. I. Olorun-Nimbe]

[Question]

(c) Is it a fact that the Principal, University College, Ibadan, did offer a Nigerian graduate of Aberdeen University an appointment in the College at an initial salary of £1,100 per annum without any teaching experience, whereas another Nigerian graduate with an identical qualification has been offered an appointment at the salary of £720 per annum?

(d) Having regard to an unsigned Press Release in the West African Pilot of the 16th January, 1951, purported to have emanated from the University Authorities at Ibadan that "it is usual for those with no previous teaching experience to be appointed to the grade of Assistant Lecturer for a probationary period," to ask:—

How many members of the Staff of the College in all Faculties, Europeans, Asiatics and Africans, etc., have been appointed without any previous experience, and what was the normal period under which they were on probation?

Answer—

The Hon. the Chief Secretary to the Government :

The Honourable Member's question raises a question of principle to which reference was made in my reply to question No. 178 of 1949 on the subject of the staff of the Cameroons Development Corporation and their salaries. Like the Cameroons Development Corporation the University College, Ibadan, is an autonomous body. The Provisional Council of the University College is established by Ordinance No. 25 of 1948 and the functions of the Council are laid down in section 5 (2) of that Ordinance, and the University is in no way a Department of Government. That being so, I suggest, as was suggested in the previous reply to which I have referred, that it would not be proper to deal with questions in this Council about the internal administration of the University College in the same way as we deal with questions about the activities of Government Departments.

2. I might, however, refer the Honourable Member to the Annual Report of the Academic Board of the Provisional Council of the University College, Ibadan, for the Session 1949-50, which sets out the staff of the University College for the Staff Session 1950-51 and gives their academic qualifications. A copy of this Report is in the Library of the Nigerian Secretariat.

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

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

(a) Is it a fact that certain elements of the Onitsha community refrained from participating in the recent elections to the Onitsha Town Council?

(b) Were these complaints brought to the notice of the Chief Commissioner as the chief executive of the Eastern Region?

(c) If so, what was his reaction?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) Yes, Sir.

(b) The facts that certain elements had raised a fundamental objection and that they had not nominated any candidates to the elections, thereby implying a boycott, were known to His Honour when he replied to a letter raising this objection and before he received formal notice by way of a resolution dated 10th May, 1950, that they would boycott the election. The issue, single voting in two member wards, was formally presented to His Honour by a letter dated 3rd May, 1950, ten days before the closing date for nominations, and twenty-eight days before the latest date for the elections themselves. This time table had received the widest possible publicity.

[F.S.]

[Motion]

(c) The view that His Honour expressed in reply was that any last minute change in the election procedure, to which all other parties had raised no objection, could only have the effect of delaying the elections. Such delay would be very undesirable since it was, in His Honour's view, of great importance to establish a reformed Native Authority Council as soon as possible. His Honour therefore trusted that, in the interests of Onitsha as a whole, the community would co-operate.

MOTIONS

The Hon. the Financial Secretary :

Sir, I rise to move the following :—

“ Be it resolved :

“ That the Report of the Finance Committee which was laid on the table today be adopted ”.

This Report, Sir, relates to the meetings of the Standing Committee on Finance held in the month of October, November, January and March, 1950. It is a summary of matters approved by the Committee at these meetings and includes in detail the additional provision made in respect of this and previous financial years, together with brief explanatory remarks. There is only one point to which I would draw attention, that is at paragraph (e) of Part III of the Report. In accordance with the procedure followed last year the Committee agreed that a resolution extending to the 31st March, 1952, the resolution relating to the increase of pensions which was passed in March, 1949, should be included in this Report and should be moved as a part of this Report. The necessary permanent legislation embodying the increases in pensions and consolidating the present laws and regulations relating to pensions, for both the Junior Service and the Senior Service, has now been drafted and sent to the Secretary of State for his consideration and it is hoped to introduce the revised legislation into this House at its next meeting.

Sir, I beg to move.

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

Sir, I beg to second.

Resolved in the affirmative.

BILLS

(Second Reading)

THE 1951-52 APPROPRIATION ORDINANCE, 1951

The Second Nominated Member (Major the Hon. J. West, M.C., E.D.) :

Your Excellency, I did not intend to speak at this Budget session, but now I feel it my duty to make some remarks, and if possible remove some misconceptions, on the subject of royalties and mining taxation.

Yesterday a comparison was made between the mining taxation in South Africa and royalties in Nigeria. Now I submit that that is not a fair comparison and cannot be a fair comparison because two entirely different systems reign. One cannot compare two different things unless a common denominator can be found. We will try and find that later.

In South Africa, after prospecting the ground the lessee and Government agree on a formula—a taxation formula—which is based on profits. This formula is such that low-grade ground or small profits benefit very much more than higher grade ground, and there is an upper limit which my Honourable Friend mentioned yesterday of 42 to 43 per cent of the profits—that being the upper limit of the money which goes to Government. Now in Nigeria we have two forms of taxation. The first one is we pay on our profits 9s in the £—that is Company Taxation and is equivalent to 45 per cent. Now in addition to that royalty is paid. With the price of tin above £1,000 the royalty is nominally 17 per cent but owing to the smelters the receipts are based on the three months price and owing to the backwardation a lower price than the spot price is received. The result is that. contracts. in practice that usually the royalty is in the order of 18 or 19 per cent. Now this 19 per cent is not on profits; it is 19 per cent on the value of the products—that is 19 per cent of the total revenue. Suppose we just consider it as 17 per cent without worrying about the other 2 per cent. To try to indicate what that means on the basis of profits we will have to assume, say, that production costs are two-thirds (just to give an illustration) of the total revenue. That would mean that one-third goes to profits, but if the incidence of the tax on one-third is three times 17 per cent, that is 51 per cent. Now it would not be right to add this 51 per cent to the 45 per cent because of the effect of profits tax, and 45 per cent of that would be roughly 22½ per cent. The remainder of 27½ to 30 per cent is a true charge and for purposes of comparison can be added to the 45 per cent, making 72½ to 75 per cent of taxation in this country against 42 to 43 per cent in South Africa. I submit that Government collects its pound of flesh. Now these are extraordinary forms of taxation but we are having extraordinary prices and I, for one, consider that the Government of Nigeria should benefit by these high prices, but I would like to have assurance from Government that if and when these prices recede consideration will be given to the revision of these extraordinary high royalties.

Sir, I beg to support the Bill.

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

Your Excellency, I would not like it to be thought that it was designed that the First Lagos Member should speak on Tuesday, the Second Lagos Member yesterday and the Third today. It is just a matter of coincidence.

Your Excellency, I have not much to say on the Appropriation Bill seeing that previous speakers have covered almost all the ground; but the Honourable the Financial Secretary, who is the keeper of Your Excellency's financial conscience, has inserted in the Estimates a novel item of the Loan Fund which is as important as the Revenue Equalisation Fund, which was originated by his predecessor in office. This Loan Fund, Sir, will surely enhance, among other things, industrialisation in Nigeria; but farming schemes and projects, however, should be given priority in the administration of this Fund. Our farmers should have sufficient money to improve agriculture in a scientific manner to make it attractive to young Nigerians who would thereby be willing to "go back to the land." In the interest of development generally and security, both funds should be speedily increased, and considerably too. I whole-heartedly agree that the Marketing Boards are the financial backbone of Nigeria and in due course these Boards will accumulate sufficient sums of money to build factories in Nigeria for the purpose of manufacturing various articles from our raw materials.

Sir, the handing over of Government commercial undertakings to statutory bodies is a plausible and wise move. Both the Coal and Electricity Corporations are joining the "band of good hope", and it is gratifying that the Railway and Harbour Corporation is already applying for membership. The more the merrier and I sincerely hope that the time will soon come when the Government will think about a sort of Corporation which will work the mines of Nigeria.

Your Excellency, it is regretted that both Sir Hugh Mackintosh Foot, our former Chief Secretary to the Government, and Sir Gerard Howe, the Honourable Attorney-General, should leave us almost at the same time when we sorely need their services, especially in connection with the new Constitution: but all the same we cannot, and we should not, stand in their way of promotion. I have no doubt that one or both of them might be returning to Nigeria to serve. I learnt from Sir Hugh Foot the art of getting what I want from a group of people who would not yield at the first approach: convince them separately one by one and then call them together. Put the question to them again—you definitely have won! As for Sir Gerard Howe I would say, Sir, that amongst us here he was really very sociable, sympathetic and highly respected, and it was his tact and geniality that removed a threatened and seemingly inevitable yet formidable impasse at the Ibadan Conference on constitutional revision in 1950. This was on the question of the representation of the Northern Region in the House of Representatives. They wanted 50 per cent and the East and West and Colony would not yield and so it was really a very serious matter. But after all the Northerners, as I said before, have got what they wanted and must be grateful to our ex-Chief Secretary. I wish the orator and diplomat Sir Hugh Mackintosh Foot, a successful tenure of office as the Governor and Captain-General of Jamaica; and as for Sir Gerard Howe I wish him every success as Chief Justice of Hong Kong and I sincerely pray that no bullets from Korea reach him.

Your Excellency the appointment of the Honourable Dr S. L. A. Manuwa as Director of Medical Services is not exactly what I should think is worth a lot to say something about in the way of eulogising Government. The appointment has been made too late. This was not due to Your Excellency's fault nor is it due to the fault of Dr Manuwa himself, and one could have said a lot about this but for the simple reason that his immediate predecessor in office was very good and gave us no room to grumble. I wish Dr Manuwa, who is Nigeria's pride and inspiration, a very successful tenure of office and permit me in this connection to say to Your Excellency 'Go Thou and continue to do likewise'.

Now I come to the Development Secretary's Department. The Development Secretary, Sir, is now in a position to tell us to "learn to labour and to wait". It might have been due to the fact that we did not wait enough to see what was going to happen at the time we all bombarded the Development Secretary right and left with criticisms concerning his Department and development works in general. He was rigorously attacked by this Honourable House for the past two or three years and has spared no pains all the same to inspect development works personally in the North and in the West and in the East and in the Cameroons, and everybody believes now that he will pilot the Development Scheme to a success. He is an indefatigable and conscientious worker and I shall not be surprised if he were snatched away from us at no distant date and made the Governor of another country.

Your Excellency, I appeal to you, Sir, and very strongly too, not to allow the proposed reduction of the Government contribution of Temporary Addition to Rates of Pay to Voluntary Agencies from 12½ per cent to 8 per cent. If there should be discretion or discrimination at all in this matter it should be exercised in favour of the poor teachers whose status and salaries should be raised rather than lowered. Your Excellency I should like the Honourable the Director of Education to confirm or deny that Standard VI or Middle II examination papers in the Provinces are set by Education Officers, whilst in the Colony such certificates are awarded to students according to the whims and caprices of the school masters. If this information is true, where then is uniformity and how is he guarding against favouritism and dishonesty?

Your Excellency, I am happy to inform you that Lagos has by the by-law of the Lagos Town Council forbidden any girls under fourteen years of age to hawk articles for sale in the municipality and as such I shall, through Your Excellency, invite the Honourable the Emir of Abuja and the Native Authorities of the Northern Provinces to follow the lead of Lagos in this connection.

Your Excellency, I hereby join hands with those who urge that our Central Public Service Boards should be re-organised. Many of the members of the Scholarship Selection Board, many of the members of the Civil Service Selection Board, are incompetent and absolutely ignorant. They represent nobody, and are responsible to no one. They waste the revenue of the country by indirectly keeping academically qualified and well experienced Nigerians away from the Senior Service of the country, thereby encouraging the perpetual influx of expatriate recruits who, in many cases, are inferior academically and in experience to the Nigerians whose applications have been turned down by the Civil Service Selection Board. The whole members of the Boards should be scrapped and citizens who enjoy the confidence of the people should be appointed in their stead. That is my serious and humble suggestion, Your Excellency.

Your Excellency, the Honourable the Financial Secretary at page 34 of his Budget address said, *inter alia*, that "the higher standards of living which are so urgently required in this country can only be achieved by teamwork in which every man, be he in the factory, in the office or on the land, is giving a full day's work for a full day's pay." Really speaking this applies mostly to the workers—manual labourers or manual workers for that matter, but the Honourable the Financial Secretary must not forget that it is the employer who fixes a full day's pay and he also is the judge of a full day's work. Employers must, therefore, also be advised to fix and to give a full day's pay for a full day's work, and all will then—and only then—be well. Government is the greatest employer of labour in Nigeria and I do not envy the work of the Honourable the Commissioner of Labour, because both employers and employees look on him with suspicion.

On this question of the cost of living I would, subject to the indulgence of Your Excellency, read an article which I read in a newspaper last year concerning price control. It is as follows:—

"PRICE CONTROL NOT COLA

One hundred and fifty years ago, in a remote northern suburb of England, Justices of the Peace of Berkshire were summoned to Speenhamland in Newbury to fix and enforce a minimum wage for the farm workers of the County in relation to the price of Bread.

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

But as usual with vested interests, (aside to the First Nominated Member, the Honourable P. J. Rogers, 'I do not mean anything personal!') these Magistrates were persuaded to vary their terms of reference. They did not enforce the raising of wages, but recommended that existing low wages should be supplemented out of the parish rates.

They drew a scale vulgarly known as the "Speenhamland Act" by which "every *poor and industrial person* should receive from the parish a certain sum per week in addition to his wages, so much for himself and so much for other members of his family, when the loaf cost 1s". In other words, as the price of a loaf of bread rose, the dole was to rise with it.

The result was the relief not of the underpaid and ill-nourished farmhand, but of the large employing farmer from the necessity of giving a living wage to his work people. It pauperised the employed workmen and kept wages down, while it ruined the rate-payers.

For almost a decade now, we in this country have been faced with the task of controlling the increase in the cost of living of both our rural and urban populations.

The first attempt made at obtaining a correct index figure was made in connection with the demand of workers for Cost of Living Allowance to meet the soaring cost of living during the war years. And now the Government tells us that "it has not been possible to establish a cost of living index figure for the country as a whole and no reliable statistics exist to indicate the exact increase in the cost of living which has taken place." It admitted, however, that "the actual increase in the cost of living since 1946 has been substantial."

The recent "statement of Conditions of Government Service" (from which the above is quoted) issued last Thursday, 30th March, has again focussed the attention of the whole country on this very grave issue which is fast becoming chronic.

The grant of family allowances and temporary (?) Cost of Living Allowance as a measure of relief is as doubtful in its results as the measure the "Speenhamland Act" of 1795 which, by all accounts, diverted the trend of social welfare in England into very unhappy channels.

To reduce the cost of living in Nigeria (and West Africa for that), the one palpable remedy which of all others has the greatest chances of success is the stabilization and control of prices of imported consumer goods. This the Nigerian Government have consistently refused to do.

As stated by the Honourable the Financial Secretary, "it is the Government's firm view that no effective action could be taken merely by attempting to fix prices." But this reference was to the prices of local foodstuffs, control of which would rightly and "in fact merely result in the creation of a black market with a consequent further increase in prices."

But why beg the question and argue in circles? The Government statement has deliberately avoided mention of the possibilities of stabilizing and controlling prices of imported goods, from an ordinary office pin to the latest stream-lined automobile.

I disagree with the Government conclusion, backed though it is by the combined weight of the support of the Executive Council and of the Finance Committee of the Legislative Council, that "the main cause of the cost of living increases has been the increase in prices of local foodstuffs."

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

The real diagnosis and treatment of our social ailment will be achieved if Government will face the issue squarely that the main "cause of the increase in prices of local foodstuffs" has been the increase in the cost of all categories of imported articles.

Leaving aside the industrial workers in the towns and the clerks and teachers scattered all over the four corners of this country, the real producer of wealth, the peasant-farmer has had to pay more for his machet and fertilizers. The primitive fisherman on the coast has had also to pay more for his hooks and line. Schools all over the country have raised school fees, and we as well as the Government, knew of the new racket in school books and stationery.

Farm labour is very dear if not absolutely scarce, and yet the Government talks glibly of the increase in prices of local foodstuffs being the "main cause of the cost of living increase."

So much for the faulty diagnosis of the Government financial experts which but postulates that the prescribed treatment must naturally be wrong.

The mere suggestion of effecting equilibrium in the cost of living by "very drastically reducing the prices now paid to producers of export crops" is in itself an admission of failure to face the issue. While such a measure might divert efforts to mere local food production, there is no guarantee that cost of living index will automatically drop. Rather than reduce our COLI, it would prove merely advantageous to the British worker and housewife.

Any way what guarantee do we have that should the price of export crops be further reduced the British manufacturer and local trader will give us a modicum of relief in drastically reducing the prices of cotton textiles and other consumer goods required in this country?

Our national economy is irresistibly yoked with that of the British. To effect therefore any degree of equilibrium both in the cost to the British of the raw products needed to feed her factories and keep her teeming million of workers in guaranteed employment, and in the cost to us of the finished goods, machines and automobiles needed to intensify production and evacuation of our products, a two-way system must be evolved.

The stabilization and control of prices of imported articles and consumer goods must have priority of all other measures.

When I had the privilege of discussing this issue with our late Financial Secretary (now Governor of Barbados), I had the impression that he agreed with the principle enunciated above, but his hands were tied by Government policy,—that of furthering the increase of British exports in an unsympathetic world market.

While not on all fours with the infamous "Speenhamland Act" our Government's policy appears to be, rather than fix prices in relation to wages (a reverse of conditions in 18th century England), they have been saddling the taxpayer with additional burdens by increasing wages, and indirectly the consumer through the resultant increases in prices.

The present grant of Cost of Living Allowance does not cover the average monthly house rent anywhere in Nigeria of the lowest paid clerk or artisan. It is almost certain that prices will rise, however imperceptibly, if private employers heed the Government's gentle hint to grant similar reliefs to their employees.

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

Rather than continue the negative policy of asking for more increase in wages with its attendant evils of impaired industrial relationships, the Trade Union Congress and the Nigeria National Federation of Labour representing the majority of Nigerian workers should stop their fratricidal duel and draw up a set of proposals for the consideration of Government for the stabilization and control of prices, local and imports, as a contribution to the standardization of the cost of living.

I suggest that such pegging of prices should date from 1946. It has been done in Canada and Eire (the Irish Free State) during the war with great success. We can do it too.

If the Nigerian Government is hampered by dictated policy, we can at least, by united action, compel concession of our view that priority be given to the interests of our farmers and workers in the great fight for the consolidation of Commonwealth happiness and progress."

The end.

Your Excellency, I would like to stress this particular paragraph "that the stabilization and control of consumer goods must have priority over all other measures."

Your Excellency, in the Judicial Department we are really very happy indeed that the degree of Africanisation in that Department is the highest of any Government Department in Nigeria, but—and it is a big but—Africanisation is a bit different from Nigerianisation and it will augur well to remind the Chief Justice that we want Nigerianisation and that as quickly as possible. We are waiting for the time when we shall see the Chief Justice of Nigeria is a Nigerian. Magistrates' salaries are inadequate and discriminatory. Temporary Magistrates are being rated with salaries different from one another. I humbly advocate that a fixed salary of £1,200 per annum as against the Judge's salary of £1,950, should be given to the Magistrates so that we can have legal luminaries on the Bench. At the moment Magistrates will have to go before the Civil Service Selection Board for examination before their appointment. Invariably the members of this Board know nothing about Law: many of them have never been to any Court of Law, but they are expected within five minutes to decide the fate of a qualified legal practitioner, and as such the matter of Magistrates being engaged into the Service by the Public Service Selection Board is absolutely undesirable. Perhaps it will come to what I would term "Trial of Peers by Peers" that is, people who understand the job for which a man has applied should be those qualified to test his capability, his efficiency, his temperament and his qualifications generally.

I am also recommending very strongly to Your Excellency that a separate magisterial area be created as early as possible to deal with cases emanating from the Ijebu Province and the Ikorodu and Epe districts of the Colony. From personal experience I would say, Sir, that there is an accumulation of cases in this area and nothing short of a separate magisterial area will solve the problem.

Now I come to the Administrative Officers in general. It is absolutely clear that administrative officers are speedily becoming more and more redundant in Nigeria as we have modern, efficient and responsible Local Governments and Native Authorities. These officers should be reduced considerably, and only a few of them should be retained for purely supervisory and advisory work. They should be replaced by technical experts for the rapid development of the country generally.

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

Your Excellency, the Honourable the Director of Public Works, I should think, would agree with me that the road from Abeokuta to Ijebu is really very bad, and I hope, Sir, that he will see to it that it is tarred during the next financial year. All cars are afraid to travel on this ruinous corrugated highway. Again, Sir, I would like to call the attention of the Director of Public Works, through Your Excellency, to the fact that certain employees in his Department—the night and day watchmen at Ijora—are not satisfied with the conditions of their service because, as they say, they receive low wages and they work for long hours, and perhaps the Director will look into that matter and give an undertaking that all will be well with these employees in due course.

The Lagos to Ijebu road, I should think, Sir, ought to be opened some time this year—I mean calendar year—and the work on the road should be accelerated because, apart from the fact that it will be a direct link between the road from Ibadan and the North, and the road from Benin and the East to Shagamu and Lagos, it will enhance the chances of getting foodstuffs from the hinterland to Lagos, where the price of gari has risen so high that the average worker in Lagos finds it very difficult to live from hand to mouth.

The Posts and Telegraphs Department has been criticised rigorously within the last four to five years and the present Director of the Posts and Telegraphs needs our sympathy rather than admonition because he took over when the Department was in deep water some two years ago, since which time things have started to change for the better, although we cannot see the fruits of his labour immediately yet we hope that he will do everything that lies in his power to remove all the abuses that are existing in his Department. All the same, I should like to know from the Director of Posts and Telegraphs what arrangements are being made to connect the town of Ikorodu with Lagos and with Shagamu by telecommunication. Such an agriculturally and industrially growing town ought not to remain in isolation and darkness any longer.

His Excellency :

May I interrupt the Honourable Member to point out to him that he has consumed his ration of half an hour.

The Second Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.) :

Your Excellency, I propose that the Honourable Member be allowed an extension of time.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

Sir, I beg to second.

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

It is wonderful how time flies ! All the same, Sir, I would like to ask the Director of Posts and Telegraphs when will the telegraphic and telephone lines connecting Ijebu-Ode and Shagamu be opened.

I also, Sir, would like to know when the recommendations of the Special Committee appointed about two years ago after the Budget session meetings at Ibadan to revise our land laws in general will be presented to this House. The present Acting Chief Secretary was the Chairman—I beg your pardon for going into personalities, but it is true.

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

Your Excellency, the autocratic and totalitarian power given to the Director of Commerce and Industries to grant or refuse at any time—even up to the time of shipping—all export licences to exporters is undesirable. Dissatisfied exporters should have the right of appeal from the arbitrary judgment of this Head of Department.

Your Excellency, I beg to refer to pages 4 and 5 of your speech—from the middle of page 4—which reads as follows:—

“ I said just now that I was determined that nothing should impede the introduction of the new Constitution. There is one matter which might impede it. I refer to the important and difficult question of the possible variation in inter-Regional boundaries, with particular reference to Ilorin. I know that strong feelings are held in certain quarters on this matter, not least the Western House of Assembly.

This whole question has been very much in my mind ever since the General Constitutional Conference at Ibadan, in January, 1949, passed by a majority the following resolution:—

“ The question of Inter-Regional boundaries, Provincial boundaries and Divisional boundaries should be left in the hands of His Excellency the Governor to examine and make arrangements for their settlement as early as possible.”

When I was at Illa on tour last July, the Orangun and Council raised the matter of re-grouping with the Igbominas across the border. Illa appeared to be a somewhat unusual place at which to make a pronouncement affecting major Government policy, and in any case the good people of Illa were in festive mood because this was the first occasion upon which the town had been visited by a Governor, but I felt that I could not properly evade the issue. I said that I knew they appreciated plain speaking. I believed in first things first. Our main pre-occupation was with the constitutional review; the people had been consulted; good progress was being made in an atmosphere of tolerance and co-operation; and there were good hopes for a major advance at an early date. If, however, we allowed our attention to be diverted by attempting to tackle difficult boundary questions there might be a serious set-back. I urged that we should all devote all our energies to getting the constitutional review completed. Later, in an atmosphere of calm deliberation, thought could be given to what was necessary and what could be done. And I made the matter one of confidence.”

It goes further, Sir—

“ Since the last meeting of the Western House of Assembly, I have given further anxious consideration to this question: but I find myself still of the same mind. I said then, and I repeat now, that in my view the first and vital task before us is to get the new Constitution into being, allowing nothing to divert us from that task. When it has been successfully accomplished the difficult and delicate question of boundaries, which can give rise to so much turmoil and unhappiness, can be considered. In the revised Constitution, as in the present Constitution, any question of the alteration of Regional boundaries will be for the Governor's decision, and I give a pledge that when the new Constitution is in being I shall personally examine the question of boundary revision and decide whether, and if so, what action should

be taken. I am convinced that the overriding national interests make this the best course to follow, and I ask for the confidence and support of Honourable Members of this Council in following this course."

Thank you, Sir, but from the above quotation it is apparent that Your Excellency was referring all the time to Regional boundaries and Regional boundaries only. What about the Provincial and Divisional boundaries? A Divisional boundary dispute in the Western Region, I know, has gone to the law court and another is on the way thereto. A Regional boundary dispute itself may, without the knowledge of Your Excellency, find its way to the law court, and unless something is done in time, and I venture to say *now*, these matters will get into a sort of condition where Your Excellency's efforts would be stultified if not absolutely frustrated, because our Judiciary, we are told, is independent of the Executive, and there is nothing to prevent a Judge of the Supreme Court from pronouncing judgment on any matter before it, except on matters removed from the court by legislation and Orders in Council: such as Chieftaincy disputes of the Western Provinces.

Your Excellency, that is only a hint and I beg to refer once more to page 7 of your speech where you spoke about the policy of participation:—

"Before ending this Address I should like to make some general remarks, based on my constant text of "participation". When I took the oaths of office, almost three years ago, I said that I wanted to see Nigerians taking a rapidly increasing share in the management of their own affairs, both in representative institutions and in Government service. In my opening Address at the Budget meeting at Enugu last year I spoke of the fine response by Nigerians to the challenge presented by the policy of participation, and of the way in which they had risen to their new responsibilities in a wide variety of activities. The policy goes on and the response continues. Next year, the Executive Councils in the Regions and the Council of Ministers at the centre, all of them with Nigerian majorities, will be the principal instruments of policy. And Regional Legislatures, broadly based on the people's will, will have legislative powers and greatly increased financial autonomy within a strong and united Nigeria.

Your Excellency, it is gratifying to note that you agree with those of us who stated from the onset that the present Constitution—known as the Richards' Constitution—has not been good enough for the present day Nigeria. For this reason we boycotted the Legislative Council meetings—that is why we were marked "absent" on this board, and in further protest we went to England and complained to the Secretary of State for the Colonies in 1947. What were we asking for? We were justly asking for participation in the government of Nigeria because we felt that it is our natural right and sacred duty to participate in the government of our God-given country. We were stigmatised agitators and in due course when we shall have to demand constitutionally that independence and absolute independence should be given to Nigeria, we shall not mind to be dubbed rebels for it is written in St. Matthew, chapter 5, verses 10, 11 and 12 that:—

"Blessed are they which are persecuted for righteousness' sake, for theirs is the kingdom of Heaven.

Blessed are ye when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake.

Rejoice and be exceeding glad, for great is your reward in Heaven; for so persecuted they the prophets which were before you."

[Hon. Adeleke Adedoyin]

[Appropriation Ordinance, 1951]

The late Mahatma Ghandi and Premier Nehru of India, Dr Sokerno of the Dutch East Indies, Mr Bustamente of West Indies and recently Mr Kwame Nkrumah of the Gold Coast are examples. Some of our people who were against us in the national struggle for freedom—either from sheer ignorance or simply to curry official favour and receive honours, we do not know—have now started to see the light. The Governor has agreed with us—thanks to Your Excellency. Wise ones amongst those who dubbed us agitators have now agreed to participate in the government of Nigeria, but mark you, Sir, some of these blind leaders are already running helter skelter from Lagos to the Provinces, scrambling for Chieftaincies as ladders to carry them to the pinnacle of the House of Assembly, knowing full well that the people of Lagos have now seen them in their true colour as thoroughly unreliable place-seeking 'Uncle Toms'. They have contributed largely to many a Government blunder. Their days in Lagos are over and they are finished. They can neither get to the House of Assembly nor to the House of Chiefs nor to the House of Representatives through Lagos where every representative—Chief or no Chief—is to be elected by the Instruments of popular universal adult suffrage—for which we fought for decades and which we got in 1950. These people, Sir, are at liberty to take refuge in any asylum anywhere in Nigeria. Lagos Chiefs, unlike those Chiefs in the Provinces, have no political or administrative functions and are in the same status as any other citizen in the town of Lagos. This is a matter that has been controverted everywhere in Lagos and I respectfully request Your Excellency to invite the Honourable the Commissioner of the Colony to confirm or refute this statement of mine concerning Lagos Chiefs. Truly the recommendation has been made that Lagos should go West contrary to the wishes of Lagos through their representatives in this august assembly, and contrary to the recommendation of the Ibadan Conference. Perhaps His Honour the Chief Commissioner, Western Provinces, would let us know why at the time when the matter of representations in the House of Assembly and the House of Chiefs affecting Lagos was being discussed, and decisions concerning Lagos taken in the Western House of Assembly, Lagos was not represented. The Eastern House of Assembly co-opted the Honourable Mr E. E. E. Anwan of Calabar as an Extraordinary Member of that august and dignified House when the matter of representation under the new Constitution in the House which concerned Calabar, his constituency, was being discussed. Truly, wise men come from the East, and what a pity Lagos has gone west!

Your Excellency, we must all agree that unity in Nigeria is a desideratum. Without unity there can be no progress. Certainly. Your Excellency referred in your speech to the unity of Nigeria but what is the Government doing about the existing disunity and hooliganism in Lagos? Cars are being smashed, houses are being stoned and human beings are being mercilessly assaulted with impunity and every cruelty possible. All these are happening in Lagos—the capital of Nigeria the seat of the Government and the residency of Your Excellency. The Government has done nothing as nothing could be done in the circumstances since the whole matter, in my humble opinion, and in the opinion of most people in Lagos, is due to the prejudices and partialities of administrative officers who sometimes preside at political meetings of rival political parties—the Commissioner of the Colony and the Divisional Officer, Epe preside at Area Council meetings—and also to the inefficiency of our Police Force. The Police Force would foolishly grant permits to two, rival political parties to hold meetings at the same place and at the same time, and yet no Policeman would be there. The Secret Service of the Police

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Force is an apology and I would say that it would be better for us to have no Police Secret Service at all. The Police gives false information to the high-ranking officials who in turn are either too lazy or too swollen-headed, and often too blindly biased, to investigate disputes thoroughly before making misleading recommendations which are generally swallowed hook line and sinker by the 'big guns', who invariably, in turn, obstinately stick to any glaring mistakes in order to keep the so-called official prestige in bold, shameful and open defiance of the well-established world-wide-acclaimed and unrivalled British sense of equity, justice and fair play.

Sir, I support the Appropriation Bill.

The Hon. the Commissioner of Labour :

Your Excellency, it is a common belief that the officers of the Department of Labour are mostly engaged in exciting operations in connection with trade disputes, strikes, and other forms of industrial disturbance. I am very happy to say, Sir, that in fact this is not so. There is, for example, a large body of labour law mostly in the Labour Code Ordinance and its subsidiary legislation which is administered by my Department. But the Labour Officer is not merely an enforcement officer. He is most anxious to be the guide, philosopher and friend of every worker—and of every employer—who has or may have a problem connected with employment. And so we find him explaining contracts, recovering underpayments in wages, advising on problems of discipline and dismissal, finding jobs for people and people for jobs, helping injured workmen to get their compensation, arranging training within industry, attesting indentures of apprenticeship, encouraging and improving ideas about supervision and personnel management, and a thousand and one other things. All good useful work, but with no publicity value whatever. So, Sir, I hope, that Honourable Members will forgive me for having taken this opportunity of reminding them of it.

Honourable Members have already been reminded by my answer to a question earlier in these proceedings and also by an earlier speaker, that there are some 30,000 or more Nigerian workers employed outside Nigeria in nearby territories, mostly on the island of Fernando Poo. It is an accident, or perhaps I should say an incident, of geography and of history that within easy reach by canoe of our densely populated and employment-hungry South Eastern Provinces there is a rich island in the possession of another country which offers attractive opportunities of regular and profitable employment. These circumstances, together with that spirit of adventure and curiosity which inspires so many men, are enough to make it inevitable that some, anxious perhaps to earn the price of a bicycle or of a bride, will seek a way of making the crossing; they are enough too to tempt unscrupulous persons to practise deceit and subterfuge so as to trick unwilling recruits into positions from which they can only literally work their way out. It is therefore, since as I say this traffic is inevitable, a very good thing that the Government of Spanish Guinea is prepared, in agreement and in co-operation with us, to do what it can to regulate this traffic, and to control the conditions under which the recruits are employed. The Government of Nigeria, of course, takes no part in the recruitment, but it is a function of my Department to see that it is carried out in strict conformity with the provisions of our law. So every recruit goes abroad under the terms of a written agreement in a standard form which is explained to him and of which he has a copy. He is medically examined before sailing, and interviewed at Calabar by the Labour Officer, who has the authority, which he uses without hesitation, to forbid the departure of any man in whose interests he considers it desirable so to do.

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The terms under which the worker is employed when eventually he reaches his destination are set out in full in *Gazette* No. 67 of the 12th December last year. A Labour Officer with the status of a British Vice-Consul has wide powers of inspection and is easily available in Santa Isabel where he is stationed. He is there to protect the interests of the Nigerian workers and to see to the repatriation of any of them who are found to be in the territory unwillingly. One occasionally hears, both inside and outside this House, expressions of serious concern about the well-being of these temporarily absent members of our community. It is our duty to interest ourselves in any case of hardship or injustice suffered by Nigerian citizens anywhere. I am therefore happy to be able to give this short account in order to assure Honourable Members that any fears that they or others may have regarding the treatment and conditions enjoyed by our workers in Fernando Poo are unfounded. Some complaints, of course, human failings being what they are, there must be, but they are not significant.

I have lately returned from a visit I paid to Fernando Poo at the invitation of the Spanish Government. I saw many of the Nigerian workers for myself, at work and at play. To me they appeared to be well fed, well housed and happy. It is important, I think, that they are employed on the land on farms and in forestry, and some of them, I hope, will learn to love the land and will come back and use the skill and experience they have acquired to the benefit of their own country.

Sir, although I said in opening that I have many official interests other than industrial relations, no Budget Speech from the Commissioner of Labour would be complete without some reference to industrial affairs. It is particularly desirable now, at a time when, as my Honourable Friend the Financial Secretary has said, in that picturesque and forceful language used by economists, "overseas capital will ask whether it is worth while associating with Nigerian labour" and when the Honourable the Fifth Member for the Eastern Provinces flatters my powers, in his picturesque and forceful way, by laying at my door the responsibility for all the strikes in Nigeria.

At Enugu a year ago I referred to the youthfulness of the trade union movement in this country. I suggested then that it was very desirable that Nigerians—and not only Nigerian trade unionists—should study this movement, take an interest in it, and ask themselves "Is it going along the road we, as Nigerians, would wish it to follow?"

Until quite recently, Sir, most of the indications before the public have, I would say, not been such as to encourage an enthusiastic and unqualified reply in the affirmative. We have seen the wretched Ojiyi, as he has been described, accused and convicted of misappropriating Union funds: we have read of the deceits he practised upon his credulous followers: we have seen a country-wide strike called in the United Africa Company's organization after arbitration had been agreed upon, and a second strike called because the award, when made, did not please the union. I might mention, incidentally, that after Mr Justice Bairamian had made his award, I was visited by one of the leaders of the union who said he wanted the "points still outstanding" to be settled. As the arbitration had disposed, as I thought, of all the points at issue, I enquired as to the nature of the outstanding points, and I learned that they were all the points upon which the arbitrator had not awarded what the union had demanded. In December last, we saw workers prevailed upon to take part in a strike in which the majority had no rea₁

interest. In their name and allegedly in exercise of their rights we saw intimidation practised and encouraged—even to the point of cowardly assaults on defenceless women. All these things and more of the kind we have seen. But, Sir, I have no wish to elaborate these matters. I mention them only to make the point that these are the kind of things that most people hear about and from which many inevitably and regrettably draw their conclusions. I want today to assure Honourable Members that these spectacular features are not the whole picture: not even the greater part, nor the more important part of it. There are large areas of the picture which are painted in quiet colours which offer no offence to the eye; they do not, like the vivid splashes I have mentioned, attract the attention, but Honourable Members will perhaps forgive me if I ask them to contemplate for a moment these duller but less disturbing patches which, taken together, I hope they will find to form a more reassuring background.

Not a day goes past without, somewhere or other in the country, employers and workers who have some difficulty they wish to settle sitting down together, perhaps with a Labour Officer in the chair, to talk the matter out quietly and reasonably. Reports flow into my office as a matter of course giving particulars of agreements reached; in fact we have arrived at a stage where parties are sometimes even prepared to agree to disagree and to leave it at that without losing respect for one another or their tempers. These events are not reported in headlines. There is nothing about them to catch the imagination, but they represent progress of solid worth, not merely to the workers and the employers, but to the social structure of the country.

There is also convincing evidence that the workpeople and their leaders are beginning to realise, as I have consistently hoped they would, that the members are the essential part of a trade union, and that a good union needs members who understand what a union really is, and what are its rights, its functions, and its responsibilities. This understanding has, to a large extent, to be taught, and consequently it is encouraging that there is a great and growing demand for education in these matters. The recent visit to Nigeria of the delegation from the International Confederation of Free Trade Unions has given some impetus to this, but for some time past the unions themselves have been organising education committees, series of lectures, and so on; not only in Lagos, I would remark. One important practical effect of this is to be seen, I suggest, in the growing consciousness of the unions, and particularly the railway unions, of the importance of productivity.

Now, Sir, one last piece of this background. There has been much heart searching since the deplorable events of December, and there is now a strong desire on the part of many who have only lately realised the dangers confronting them, that the trade union movement shall be cleansed of the elements which confuse and mislead it. Honourable Members have perhaps noticed for themselves signs showing that this process has already begun. I would say just this. That although all men of good will would wish the unions success, it is only themselves and their members who can achieve it. Honest organisation, proper motives and good fellowship cannot be imposed from outside—union officials must encourage and guide, and union members must wish and work for these things.

I have said a good deal about trade unions, their limitations, difficulties, faults and virtues. It is right that I should point out that employers too have limitations and difficulties, faults as well as virtues ; otherwise they would not be human. Stable industrial relations will not exist and disputes and differences will not be settled amicably in such a way that the relations are better after than before the settlement unless the employer is ready and willing to recognise, not grudgingly but with conviction, that a well-conducted and well-founded trade union is a responsible bargaining agent. Where such an attitude is apparent sincere trade unionists will find encouragement and the charlatans will be confounded. Apart from this a spirit of tolerance, patience and good will must inform all levels of management and supervision. This does not mean that discipline must be lax and faults overlooked. There must be firmness, but the firmness must be based on justice, manifest justice. It means what is now commonly known as joint consultation, the prompt removal of anomalies and grievances and, to repeat the words I used last year, such matters as the instruction and education of the worker so that he may understand better his place in the scheme of things generally and in the particular enterprise in which he is engaged. More vocational training and apprenticeship, more attention to foremanship, and a much more lively interest in personnel management. Without these things, Sir, the outlook would indeed be bleak ; but if these things are evident, offered in sincerity by employers and managements, and accepted in a spirit of co-operation by workers, if employers are just and wise and if workers pull their weight, then we need have no fears for the future of Nigerian labour.

Sir, I support the Appropriation Bill.

The Hon. the Acting Chief Secretary to the Government :

Sir, On the assumption that it would be the wish of the House to have a long morning session again as we had yesterday, I would like to suggest that we have a short adjournment now.

His Excellency :

If no Honourable Member objects to a short adjournment now the House will adjourn for a quarter of an hour.

Council adjourned at 11 a.m.

Council resumed at 11.15 a.m.

His Honour the Chief Commissioner, Western Provinces :

Your Excellency, I had in fact no intention of speaking on this occasion at all, and most unlikely did I think it that I should find myself addressing the House on a subject so remotely connected with the Appropriation Bill as a tree. Before I go any further with the remarks which I feel impelled to make on this particular subject, I must say that I regret very deeply the fact that this particular tree has fallen because I am aware of the veneration which it enjoyed amongst the people of Benin. I hope that any remarks which I may make on the subject of the fall of this tree will be considered in the light of that statement my great regret for what has happened.

Now, the point, Sir—and a great many remarks have been made on the subject—the real question is, was this an act of God or was it an act of the Oba's enemies ? I propose to deal finally with that question here and now. Now the facts of the matter are that a certain M. Maurice Goualin, a French citizen of standing and repute, arranged with a colleague to give a demonstration with a small hand winch and chain as to how—say—a lorry which

As Your Excellency is aware, I have entered my new office not so much with a sense of pleasure or of gratification at this signal honour as with an appreciation—indeed a nervous apprehension—of the gravity of the responsibility that attaches to that office, of the magnitude and diversity of the task that lies ahead, of the great heritage to which I have succeeded, and of the fact that my appointment as the first Nigerian head of a Central Government Department marks, for good or ill, an important milestone in the progress of our country towards self-government. If, however, the sentiments expressed by various members in these debates are an indication—and I have no doubt that they are such an indication—of the goodwill and the popular support which I may expect to receive in the discharge of my duties and in the guardianship of a great trust jealously nursed through the years by a long line of very distinguished predecessors, then I believe I may look towards the future with hope and with confidence.

The Honourable the First Lagos Member paid warm and generous tribute to our late Director of Medical Services, Dr G. B. Walker. All of us in my Department who have had the honour of working under or with Dr Walker know how very well and how very richly he deserves that tribute. We all wish him well in his retirement. The Honourable Member referred to Dr Walker's remarkable capacity to withstand the cut and thrust of debate in this Council with—as I believe the Honourable Member expressed it—commendable dignity and equanimity. I do hope I shall be able to emulate his worthy example, if Honourable Members do not annihilate me in the attempt.

As Members are aware, I have only just taken over the duties of my office. I arrived, in fact, from the backwoods of the Western Region barely a fortnight ago. I am afraid I still feel very much the provincial troglodyte just emerged into the light of day. Happily, criticisms of the Medical Department have in the present debates been few. If, however, I do not answer quite as fully as might have been expected such criticisms as *have* been made, Honourable Members will understand that the reason is because I am not yet fully familiar with some of our problems as seen from an over-all central angle.

I would like to comment on three of the points raised by the Honourable the First Lagos Member. The first was the future establishment of a National Health Service, in which I presume the Honourable Member includes a health insurance scheme. The second point referred to the utilisation of the services of the private medical practitioners in connection with our Development Plan. The third point I regret to say was a most unfortunate statement to the effect that some six expatriate officers resigned or were alleged to have resigned on the appointment of the new Director of Medical Services.

To take the first point: the ultimate establishment of a National Health Service in this country is most certainly the ideal towards which the efforts of this Government are being directed. As the Honourable Member is aware, however, the establishment of such a service is an operation of major magnitude and implications. It is an expensive scheme which requires large financial resources and for which a large number of doctors is required. Until, therefore, we are able to afford to pay for a State Medical Service and until we have enough doctors to operate that Service, it must for the present remain but an ideal. It requires very careful and

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comprehensive planning—a feature of our medical problem to which I shall later refer. A scheme for health insurance by employers of labour is part of Government policy and is under consideration, and arrangements are being made to enable a health insurance expert to visit this country to advise as to how this particular aspect of our health problem can best be tackled. In this connection, I would like to refer the Honourable Member to my predecessor's reply to Question No. 7 posed by the Honourable the Fourth Member for the Eastern Provinces at page 22 of Volume 1 of the March, 1950 Debates.

With regard to the private medical practitioner: if the Honourable Member will turn to Recommendation IX at page 6 of Sessional Paper No. 28 of 1949 on Private Practice, about which I have already given notice to move a Resolution later during the present sitting of Council, he will find that Government policy is certainly to integrate the service of the private practitioner in our medical planning and, in the words of the Sessional Paper, "to bring him within the orbit of official interest, support and supervision". I hope the Honourable Member does not object to the last word—"supervision"! Already, here in Lagos, we have a private practitioner in charge of a large and important school clinic. In the Western Provinces, some of our Native Administration dispensaries are being supervised by local practitioners, and a Native Authority is about to make a large grant to a young medical practitioner to build a much needed hospital in a medically under-served area. I must point out that our chief difficulty hitherto, at least in the Regions, has been to obtain the full co-operation of the private medical practitioners with this Department. I hope that the Honourable Member will use his influence to see that that co-operation will, in future, be forthcoming. If I may presume to say so, the recent conferment of a knighthood simultaneously on two private Nigerian doctors—an event which must be unique in the annals of West Africa—is surely an indication that Government fully appreciates the worth of the services of this important class of medical practitioners and is ever ready to make use of those services when available and offered.

It is very unfortunate that the Honourable Member made his statement about the alleged resignation of certain European medical officers without first verifying the facts. That allegation is absolutely untrue. No European, or any other officer of the Medical Department has resigned as a result of my appointment. It is true that two will be retiring during the next few months—one under the age limit and the other after ten years' service. The point however is that both these officers had expressed their desire to retire long before my appointment was announced. In fact, a Senior Medical Officer who had long ago given notice of his intention to retire has during the last few days written to withdraw his notice of retirement. Your Excellency will, no doubt, recollect that in your preliminary discussions with me earlier this year before my appointment was announced, I myself did express the fear that the appointment of a Nigerian as Head of a major Department of Government might be interpreted as a political appointment. I suggested to Your Excellency that that fact, and the fact that under the new Constitution there will be a Minister of Health who would probably also be a Nigerian, might have serious consequences on the Service by leading to resignations and premature retirements of European officers, and might also retard or stop overseas recruitment. Your Excellency will recollect that my feelings on this point were so strong that I expressed considerable

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doubt as to whether in the interests of the Service I ought to accept the appointment. Your Excellency considered that my fears were unjustified and the subsequent course of events has proved that Your Excellency was correct. There have been no resignations or threats of resignation. Indeed I have received from a very large number of European officers, both inside and outside Nigeria, assurances of their goodwill, co-operation and support. If I may cite a single example : on hearing the news of my appointment, my European colleagues of the Medical Department at Ibadan spontaneously arranged a private party in my honour and, as a practical token of goodwill, they also gave me a very valuable present to mark the occasion. As I had always assured members of the Western House of Assembly, as Regional Deputy I had at all times received with much pleasure and gratitude the help and goodwill of all my European colleagues outside and inside my department.

Sir, I apologise for referring to this matter with so much personal detail and at such length. Indeed, I hope the Honourable Member will not consider my remarks ungracious particularly after his complimentary remarks in his speech which I deeply appreciate. I have referred to the matter in this manner, however, because I am one of those Nigerians who firmly hold the belief that genuine inter-racial goodwill and co-operation is a vital necessity most especially at this critical stage of our constitutional evolution. As Your Excellency truly remarked in your opening speech, there undoubtedly is at the present time growing confidence between the Government and the people; and a significant improvement in inter-racial relationship and toleration is gradually but surely emerging. I feel sure therefore that the Honourable Member will agree with me that it is imperative that we must take care to say or do nothing to undermine that confidence or mar that relationship. I have reason to believe that the story of these imaginary resignations has gained some currency even in the Provinces and it has already done some harm to the good name of Government. I do hope, therefore, that our Public Relations Department will accord its refutation an appropriate measure of publicity.

The Honourable and Learned First Member for the Eastern Provinces referred to the congestion at the Lagos General Hospital and to the low standard of professional ethics among our nurses. With regard to the latter, we are quite aware that the standard of some of our nurses may not compare too favourably with the best standard elsewhere, and it is for the very purpose of gradually improving that standard that we have established our three Regional Preliminary Training Schools where the basic training is in charge of highly qualified Sister Tutors. The standard will further improve as more of the nurses who are at present receiving training overseas return. I must say that I feel somewhat suspicious that the Honourable Member has singled out the female nurses in particular for sleeping on duty but I assure him that if he will bring any specific case to light, appropriate disciplinary action will be taken.

We are as much concerned about the congestion at the Lagos General Hospital as is the Honourable and Learned Member. Unfortunately for financial reasons we have had to cancel the extensions proposed for that hospital under Development, but I do give my personal assurance to Honourable Members that all possible avenues will be explored in the near future to see what additional accommodation can be provided.

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I would like finally, Your Excellency, to say a word or two with regard to our future medical policy. I am sure, Sir, that Honourable Members will agree that it would be premature for me, at this very early stage, to make any authoritative pronouncement as regards future medical policy in this country. In fact, with the inception of the new Constitution, the details and method of *administration* in the medical department, as in other Government departments, will I believe become radically different from what they are at present. By that I do not mean to suggest that with the new Constitution and with the advent of a Nigerian Head of Department, the medical millenium shall have arrived. But this much can be said, and that is, that the fundamentals of medical *policy* will and must remain broadly the same—a policy double-streamed but convergent and complementary, providing the best possible facilities for the cure of disease on the one hand and for its prevention on the other. The very exiguousness of those facilities in this country at present makes it all the more imperative that we should place the greater premium on the latter aspect of our problem, *i.e.*, on the prevention of disease.

However, whatever the relative emphasis may be, the fact remains that we must keep before us the fundamental fact that the economy of this country ultimately depends on the good health of its teeming agricultural population. The debt which we owe to this section of our population is incalculable and the preservation and maintenance of its health must be our first care. It is incumbent on us, therefore, to carry the benefits of modern medicine—if I may so put it—into the very jungle; into the creeks; into the rural areas; to the peasants and the farmers in their hamlets and villages; to the millions of our people in the North and in the South who live remote from hospitals and urban sanitation. We must carry those benefits to these people in the fullest measure possible, and we must provide them with those benefits free, or at minimal cost.

To put this ideal into effect would require careful planning on a comprehensive scale. Some members might perhaps have read or heard of the famous report by a Committee of which Sir John Bhole, an eminent Indian, was Chairman. By some good fortune this report came to my hands just before I left Ibadan. The committee has made very far reaching recommendations as regards short-term and long-term medical policy for India. The Bhole Committee comprised over twenty European and Indian members, all famous specialists in their particular line, and all representing the best intellect in India in the fields of public health and of local government administration. Its report is a brilliant example of what can be achieved by sincere inter-racial goodwill and co-operation. The recommendations run into three large volumes and are so comprehensive and detailed that it was necessary for a special sub-committee to be appointed to prepare a summary.

The Bhole Report is of course not before this House and I must apologise at once for mentioning it without due notice. Your Excellency has seen the Report, and I shall be very glad to show it to any member who is interested. A copy is on order for the Secretariat Library. I have taken the liberty of referring to that Report at some length for four reasons. The first is that its recommendations have been acclaimed by the medical press and by all classes in India as a classic example of the form in which medical planning in a tropical country should take. The second reason is that India is a country with medical problems very much akin to our own and many of the Committee's recommendations can, with suitable modifications, be applied to

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this country. Thirdly, its proposals are based on the village or rural unit—a point of fundamental importance. And finally, it demonstrates quite conclusively that medical planning, to be really properly done, is not the job of just one man who sits at administrative headquarters and is constantly harassed by many competing routine claims on his time and attention. It is a task into which all the available appropriate talents will have to be impressed. I propose in the near future to make a tour of the country in order to acquire first-hand knowledge of the medical problems of those parts with which I am not already familiar; and it may well be that in due course I would advise that a Nigerian Committee of experts similar to the Indian Committee should be set up here to study our current problems and to make comprehensive recommendations for Your Excellency's consideration. I believe that such a study by a Committee composed of European and Nigerian experts would be a fair exercise for us in problems connected with medical self-government. I believe also that it would be a fascinating—and possibly a chastening—experience for some of our critics who I hope will be found a seat on the Committee.

Your Excellency, I beg to support the motion.

The Hon. the Acting Director of Education :

Your Excellency, I am agreeably relieved that there has been no major criticism of the activities—or inactivities—of the Education Department. Whether this is due to the merits of the Department or to the traditional forbearance of the House to a newcomer, I can assure Honourable Members that it will not induce in us any sense of complacency.

If I may, Sir, I should like to deal first with what may be described as the less important points raised by Honourable Members. The Honourable the Third Member for Lagos invited me to confirm or deny a statement that he made regarding the Standard VI examinations. I regret that off-hand I cannot confirm or deny that statement, but I should be very surprised with the vast numbers who are now coming forward for the Standard VI examination if it is possible for the Education Department to take a direct part in the setting or correcting of those examinations.

My Honourable Friend, the Fifth Member for the Eastern Provinces has a warm heart, and I cannot imagine that he has ever incurred the hatred of anybody, either inside this House or outside. I suspect, Sir, that he has a tendency to be a Champion if not of Lost Causes, at least of Forlorn Hopes. The name of Mr Utchay is not unknown to this House, and it is unnecessary for me to recapitulate here in detail the representations which he has previously made. It is sufficient to recall that he has appealed to Your Excellency and to the Secretary of State, and has twice appeared, as it were by proxy, on the floor of this House, the last occasion being at the Budget Session in 1950. To make assurance doubly sure, the substantive Director of Education referred the matter again to the Eastern Regional Board of Education at its meeting held last July, and if I may I should like to read the Minute of the Board's meeting which refers.

“The Deputy Director of Education explained that Mr Utchay had founded the Education Missionary Society and had opened schools. Later he branched out into commercial education (commercial in name only) and refused to co-operate with the Department. After several bad reports on his institutions, the Board decided that he was not a suitable person to be in charge of schools and recommended the closure of his

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schools, adding a rider that he should be allowed time to find a manager to run the schools in his place. The person he nominated was even more unsatisfactory than himself, and so the schools had to be closed. Since then he had petitioned everybody up to the Secretary of State on the plea that he was never informed of the charges against him. The charge was that he was unsuitable to be a manager under section 11 (1) (c) of the old Ordinance. At his appearance before the Board this had been explained to him and reports on his schools and relevant correspondence were read to him. At the Legislative Council last March the Second Member for Lagos had raised a question about Mr Utchay and the Deputy Director read to the Board the Director's reply. The Director had now referred to the Board a letter addressed to the Chief Secretary to the Government by the Aro Improvement League Abroad, in which he is again asked for the reasons for which Mr Utchay was not considered a suitable person to be a manager. As regards the suggestion of hardship, the Deputy Director of Education explained that the children from Mr Utchay's schools were absorbed by other schools, particularly by the newly opened Port Harcourt township school. As no new evidence had been produced the Board refused to reopen the matter."

Sir, we all agree that it is our duty to see that every individual has justice, but it is even more our duty to ensure that those who claim or wish to educate the children of this country are fit and proper persons to do so. In the opinion of the Education Department, and in the opinion of the Eastern Board of Education, composed largely of unofficials, whose judgment we must respect, Mr Utchay is not such a person.

I was surprised, Sir, to hear from the Honourable the Second Member for the Western Provinces that he had been told that the Department had lured away some teachers from the Voluntary Agencies by the bait of higher pay. As far as I am aware we always carefully scrutinise every application and are scrupulous in not engaging any teacher who is under Bond or Agreement to a Voluntary Agency. If there has been any "slip-up" on our part, I shall be glad to have the details.

My Friend the Honourable the Director of Agriculture, in his reference to the proposed drive for increased food production, mentioned that the schools might be able to take a part in the campaign. We shall be happy, of course, to collaborate in any plans that are made, and I take this opportunity of acknowledging the ready help we have always received from the Agricultural Department in the running of the school farms, of which, of course, there are so many. Honourable Members are aware, I think, that Rural Science, which includes the principles and practice of sound agriculture, has an important place in the work of our Senior Primary Schools and that we already have two—and soon hope to have four—Rural Education Centres at which are trained teachers for Senior Primary Schools. The schools cannot be blamed for taking boys or girls away from the land nor can they be expected to be the sole or even the main instrument for keeping them on the land or returning them there. When it can be shown that general farming as distinct from the production of export crops is as remunerative as paid employment and when too life in the village can be made as attractive as life in the larger towns appears to be to a large number, I think we shall hear less of the flight from the land.

to Nigeria, and it is well that it should be thoroughly discussed throughout Nigeria before a decision is made. I do not think, Sir, that it is one that can be decided at this meeting of the House for it requires a careful study of statistics, estimates of cost, assessment of reactions on other forms of employment for which we are not at the moment prepared. I can therefore, Sir, only put forward a few general ideas which may be of some value to Honourable Members in their consideration of this problem. In this matter I speak both as a teacher and as an Educational administrator. To begin with my Good and Honourable Friend the Emir of Abuja posed the rather difficult question "What is the market value of a teacher in Nigeria?". In a relatively stable community like England—and by stable in this connection I mean a community the majority of whose members are already in paid employment—for whom too the lines of employment have been well-known and accepted for many years, a community too, Sir, where there is no development in the sense that there is development in Nigeria—in such a community, it is comparatively easy to assess the market value of a teacher or of anyone else in a normal form of employment. Put baldly and bluntly it is the price that will induce a sufficient number of people to take up teaching or any other normal form of employment. Recently, for instance, because the United Kingdom has decided that it was necessary that there should be a considerable expansion of technical education, especially at the higher levels, the price, that is the salary scales, of technical teachers at these levels, has risen considerably. Here, Sir, I should not omit to mention that in the past in England, and today too, though to a lessening extent, teaching is regarded by many as a vocation in which they are prepared to accept a lower monetary reward than their qualifications might entitle them to because they feel that their life's work is teaching. To return to Nigeria, Sir, I should hazard a guess that in many parts of Southern Nigeria we are approaching a stage where the market value in its crudest sense of a primary school teacher could be assessed. We have not yet reached that stage since the position is at present obscured by the fact that the Central Government contribute, as I mentioned earlier, a grant of approximately two-thirds of the teachers' salaries. When education rates have been introduced and the people have thereby gained a closer appreciation of the cost of education and the cost of teachers' salaries relative to their own income, it will be easier to gauge the position. I realise that the North of Nigeria has its own peculiar problems which are the result largely of historical circumstances. That the introduction of a Western form of education was longer delayed in the North than in the South is nobody's fault, and it just happened that way for reasons well known to us all. An attempt has been made to bridge the gap by the appointment on temporary contract of a fairly large number of British Education Officers and teachers. It may be that a further remedy or expedient is desirable and necessary, and I am sure that if this is the feeling of the North any proposals they may submit to the Government will receive Government's most sympathetic consideration. But the root trouble in the North at the moment is that too many activities, that is heads of departments, are chasing too few educated bodies. Sir, it is my view that within a few years the leaders of this country and the people will be faced with a choice of two alternatives—on the one hand an educational system which is widespread, manned by teachers with very modest qualifications and on modest salary scales, and on the other hand a more restricted system with teachers of a high standard paid at rates comparable with their qualifications and comparable with their sincere acceptance of their responsibilities. I would like to repeat that, Sir, their

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sincere acceptance of their responsibilities. I do not rule out, of course, the emergence—and with greater strength—of a body of teachers in Nigeria for whom teaching is a vocation as well as a means of livelihood.

In 1950-51 Nigeria was devoting some 9 per cent of its Government expenditure on education. This percentage compares favourably with that of other countries, whose educational history is similar to that of Nigeria, and indeed with countries with a much longer educational history than Nigeria.

My Honourable Friend the Financial Secretary has told us—as I myself told the Central Board of Education in 1949—that the national income per head in the United Kingdom is about twenty times that in Nigeria. That is nothing to be ashamed of: it is the result largely of historical and geographical accidents. But it is a warning that we should walk warily. I think we should hitch our education wagon to a star, but I think we should make sure that it is a star and not a comet. Let us keep in mind that it is only eighty years since England introduced universal education—and even then the compulsory span of school life was very short. I myself have had the privilege of talking to men who left school at the age of eleven but who, by their own efforts, have risen to positions of eminence. Let us keep in mind the wise words of my Honourable Friend the Development Secretary in introducing the revised Development Plan that he endeavoured, and I think successfully, to provide for the correlated progress of both economic development and of the social services. Man cannot live by bread alone, but without bread he cannot live at all.

In conclusion, Sir, I personally plead for the maintenance of high standards in Nigeria. The speeches of several Members have demonstrated beyond all doubt their desire to maintain such standards in matters intellectual, moral, and spiritual, and I feel that I cannot end better than quoting from a report by Dr Jeffery on a visit to West Africa—a report which was laid on the table of this House last September—a report which in my humble opinion we should all do well to read, mark, learn, and inwardly digest until it becomes an accepted part of our outlook. He says, Sir:—

“ My impression is that we have reached a critical stage in the development of education in West Africa, and therefore a critical stage in the development of African life. It is a stage at which it is all-important that high standards should be established, maintained, and accepted in every department of public and private life—in politics and public affairs, in commerce and industry, in behaviour, in scholarship, and in craftsmanship. The West African peoples at this critical point in their history face the possibility of great achievement and many mistakes. The possibility of mistakes need deter nobody, for the opportunity to make mistakes is the path through experience to responsibility; it is the possibility of great achievement which matters. The possibility of great achievement depends intimately upon the setting up of high standards of work and behaviour. Some Africans can do some things superbly well. The outstanding need of Africa to-day is that more Africans in every walk of life should do their work and carry their responsibilities superbly well according to standards of excellence which West Africans accept as their own.”

Your Excellency, I support the Appropriation Bill.

The Hon. the Director of Public Works :

Your Excellency, on the last two occasions the Budget Session of this Council has been held in new buildings, and I have had the opportunity of prefacing my speech with a few words of gratification that the Public Works Department had, once in a while, finished something in time or of apology for not having completed all details. To-day, Sir, we meet in the old home of this Council and the new Chamber now building is still at a comparatively early stage. Nevertheless it is getting on, and I hope that Honourable Members, while they in Lagos, will take the opportunity of going to visit it. The Council Chamber itself is now sufficiently advanced for the visitor to visualise the finished interior, while, the office wings, although at present cluttered up with scaffolding, will enable the future Minister to picture to himself the sort of office that he may occupy. Such visits encourage the labour, who are endeavouring to get this work finished and I hope Honourable Members will take the opportunity of visiting it.

I would now turn, Sir, from these purely domestic matters to the Nigerian works picture of the forthcoming year and of the year now concluding, and I think the Capital Works programme is the programme which enables one to get the best picture of what is ahead. In the Appropriation Bill now under debate, provision for Capital Works both in the Regions and at the Centre totals over £4,300,000, of which slightly over £2,000,000 is for Public Works Extraordinary and something over £2¼ million is for Development Works.

Hitherto, with the exception of road construction, we have been unable entirely to achieve the annual programme for various reasons, of which staff shortages and delays in arrival of materials have played a prominent part. But next year I will hazard a guess, that we will go fairly near to accomplishing the programme if—and I am afraid it is a very big if—there is no restriction on the export of materials from the United Kingdom and Europe. In the year now concluding, I am anticipating that we shall have expended on Capital Works alone something of the order of £2,800,000, so with further recourse to contract work on a still larger scale, I am hopeful that the £4,300,000 target will be reached.

I have mentioned roads, Sir, as an exception to the shortfall in achievement. There is, I think, a certain misconception about the Development Programme. Several Members have mentioned speeding-up of road work, and a few months ago one of the Honourable Members of this Council said to me that if all the Development Plan work had been put out to contract it would have been finished by now. Well, whatever one may think of the virtues of contract work, the statement that the Plan would have been finished is quite wrong, because it was a ten-year plan and there was not the money to finish it in three or four years. So far as roads are concerned, we have spent up to the hilt and there were not the funds to do the work any faster than we have done it. Honourable Members will, no doubt, think that if this is the case, why can't we see more for the money? The answer to this is that, by their own wish, the work has been dispersed over a large number of projects instead of being concentrated on a few and finishing those few. I wonder if Honourable Members have troubled to count up the number of trunk road projects in hand at this moment; they number no less than forty-three and they are scattered all over Nigeria. Many of them are very big works, such as the Ijebu-Ode-Benin Road, the Bansara-Mamfe Road, the Kano Eastern Road and the Yola-Wukari Road.

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During the current year we have completed 245 miles of new construction of road, useable by traffic. If you were to put all those miles in one long line they would take you from Lagos to well beyond Ilorin. In addition, we have completed, during the year, over 130 miles of bituminous surfacing, which would take you from Lagos well beyond Ibadan towards Oyo. Furthermore, thirty-seven major bridges have been completed, totalling 3,860 feet in length and a further thirty are very well in hand, totalling 5,560 feet in length. Now this is trunk roads only. On top of that you need to add some 400 miles of feeder roads.

Road costs generally vary from about £400 a mile to about £1,400 a mile, depending on the difficulty of the country, to which, if you are going to provide a bituminous carpet, you should add something like £800 to £900 per mile. Now these prices are cheap compared with other territories. I saw in the *London Times* only the other day that a road contract had just been let in Tanganyika for about 120 miles of road and that the cost of the contract was £1,500,000.

Honourable Members will agree, I think, that the record I have just given them of the year's work is not a bad one, but they have been so critical in the past that, tedious though it may be, I am going to inflict a few more road figures on them. It is their fault. Now the original Ten-Year Plan called for the construction of 870 miles of new Trunk Road A alone. 613 of these miles are finished in less than half the period, but the plan has now been revised and the quantity of Trunk Road A has been increased to 1,013 miles. The original plan called for one thousand miles of bituminous surfacing: at this moment 450 miles have been finished, that is nearly half in a little less than half the period. The revised plan calls for 1,750 miles of bituminous surfacing. Honourable Members may wonder, since the plan as a whole is being reduced, where the money is coming from for this extra mileage of road construction and bituminous surfacing. It is coming from the feeder road allocation for very wisely, I think, it has been decided that the proper consolidation and, where necessary, expansion of the trunk road system is of more importance than that of the feeder roads. Main roads, for cheap transport with eighteen tons gross loading, the maximum permitted by the new type of bridges, must, I think, be our aim.

The new road to the Cameroons *via* Ikom and Mamfe is not quite finished but has been open for some time. The direct road from Calabar will be finished soon. The new road to the North *via* Mokwa and Kontagora is completed and the Kano Eastern road, Kano to Bornu *via* Foggo, will be finished in seven to eight months. Even the Lagos-Ikorodu road will have reached that stage by the 15th of this month, when I hope that one or two of the interested Members of this Council will accompany me in the first car to accomplish what I, knowing it in the wet season, call the 'all sea route' to Ikorodu and Ijebu-Ode.

Turning to urban water supplies, there has occurred what I can only term a miracle; five Water Engineers have arrived and another is on his way. Now at last we shall be able to get on with some of the investigation and survey that should have been started four years ago. I have repeatedly told Honourable Members that it takes five years at least from the start of an investigation to the completion of a scheme. This period actually ought to be longer. We are running a risk making it so short, because four to five years of rainfall recording, stream gauging or test pumping, etc., are really needed to make

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sure that in some particularly dry year there will be sufficient water to serve the community for whom that water supply is intended. However, this risk is being taken and a number of supplies are in hand, investigated by Consultants or departmentally. We are actually at work at the moment on over £1,000,000 worth of water supplies, comprising ten schemes. Ten of a more minor nature have been improved and investigation is in hand for many others. So far as rural water supplies are concerned, the year has been a good one. Nearly 1,200 water points have been completed and another 500 are in hand. If we can assume that these 500 are half finished, we have practically achieved the 1,500 target of the original Development Plan. The Rural Water Supply organisation is working well and, though understaffed, is meeting its obligations. Drilling progress is moderate. Some 6,500 feet have been drilled during the year at twenty-eight boreholes, of which thirteen are completed, but we must appreciate the fact that the drilling organisation is not concerned with water supplies only. A certain amount of coal exploration has been entrusted to it and they have drilled twelve bore hills of that category.

As for the building programme, so much has been done both under the Development programme dealing with social services, and the Extraordinary programme which deals more with the administration and technical services, that even to describe it briefly would mean a long catalogue of works. These are already fully detailed in the Estimates and in the progress charts attached to the Development Reports. More work could have been done but for the shortage of cement, which started in August, was at its peak six weeks ago, and is now easing, not I hope only temporarily, as a result of purchases of large quantities of Swedish and other foreign cements. It is of course customary and very convenient, to blame the Public Works Department Organisation for any untoward event that causes delay or additional cost of works, whether it be violent rainstorms, a labour dispute, congestion on the wharf, shortage of railway trucks or shipping, short or late deliveries from manufacturers or even, in one case, for a ship catching fire in the Liverpool Docks. In this case the Public Works Department Organisation was not to blame. Indents had been placed punctually and covered all requirements, but the cement just was not forthcoming, and the export firms suffered in equal proportion to Government. What the future holds I hesitate to say, especially in regard to all steel, zinc and copper manufactured articles. This will effect bridges, many types of structures and especially water supplies, both in respect of works at source and in the mains, and in respect of domestic supplies.

The Honourable the Financial Secretary in his speech said that waiting in the queue may well be the cheapest and quickest method of securing the end in view. The Provincial Engineer during the past few months has, indeed, waited in the queue for his dole of cement. I fear that in respect of many articles he may have to continue the queue habit.

Now, Sir, one of the questions that has been exercising Honourable Members during the past year has been that of contract work. It is a live issue and on three occasions I have been warned to stand by for interrogation by the Standing Committee on Finance on this issue. It has also been mentioned in speeches at this session and I have been tackled on the matter by one or two Members personally. Therefore, Sir, I think I am justified in enlarging a little on the subject. I think perhaps the question is best summed up in the report of the recent commission of inquiry on the Public

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Works Department in a certain East African territory. Now, in passing, Sir, I would remark that this territory, like the Honourable the First Lagos Member, is rather partial to commissions of inquiry, especially into that nefarious department of which I am a member. The results of these inquiries have usually been some wise remarks of a general nature and one or two specific recommendations of detail. The first of these embody some form of small re-organisation which usually prove quite impracticable; the second recommendation of detail has been usually for the dismissal of the Director of Public Works—that has usually proved quite practicable! This is, however, all by the way. I merely want to quote one of the wise remarks to Honourable Members which runs as follows:—“A point which the Commission would however stress is that it would be wasteful if the essential permanent staff were not fully employed, which they could not be on pure maintenance work. If the Department can undertake constructional work, such work should not be let out to contract unless departmental prime costs exceed the contractor's total cost (in which of course is included a due proportion of his overhead establishment, costs and profits)—a contingency which the Commission considers unlikely. This point is not sufficiently recognised by many who advocate letting every work out to contract on the strength of allegations that Public Works Department total costs (including overheads) exceed contractor's total costs”.

This, Sir, means in effect—settle your permanent establishment and work it to the full. Then for any work over and above its direct works capacity have recourse to contractors or special construction staff, whichever is the cheaper. Now, Sir, the Nigerian Public Works Department establishment was settled in 1947 exactly as it is today in respect of its professional executive staff. In those days the total of the Public Works Extraordinary Estimates was of the order of £780,000; it is now over £2 million. In those days the total of Development Works Estimates was just over £700,000; it is now over £2½ million. How is the difference of £2½ million to be dealt with? Why—mainly by contract. Last year the total value of new major and minor contracts which we let was about £1½ million; this year I expect it to be about £1,800,000; next year it will doubtless top the £2 million mark. For some reason I and my Department are considered to be opposed to the contract system. I can assure Honourable Members that this is not the case. It is merely that we treat the whole matter from a realistic angle—in fact much the angle recommended by the Commission of Inquiry, an extract from whose report I have just read.

From contracts, Sir, it is an easy step to staff because the investigation, the survey, the preparation of plans, specification, bills of quantities and documents, and the supervision of contract works all depend on staff, and especially experienced senior supervisory staff who are qualified to make decisions, sometimes critical decisions, that are always cropping up in engineering and building contracts. Although the position is very much better as regards new entrants into my Department, it is very much worse as regards senior members. Losses are on a steepening curve, either by retirement and employment in more lucrative work, or by transfer on promotion to other territories. There is also some degree of leakage from the more recently joined. In these cases their decisions to retire have been mainly influenced by the mass of paper work, of which my Honourable Friend on my left, the Labour Commissioner, and the Civil Service Commissioner, are the main sources. These engineers are seeking employment where engineering and not pen-work is their master function.

This, Sir, is the last occasion on which a Director of Public Works will speak at a Budget session of this Council. Next year it will be the task of the new Minister of Works, who perhaps is listening to me now. I sometimes wish I could still be here at the time, to introduce the Department to him, to tour with him perhaps and show him the work it is doing, and lastly, but just as important, to hand him the ammunition to hold his own with the Benches opposite and to my right. At this session the discharge of artillery has been relatively light and infrequent and I trust it will be so when the Minister faces them. Anyway, Sir, I wish him well and of one thing I can assure him, he will have behind him a Department which is loyal, hard-working and, dare I say it in the face of so many critics, competent.

Sir, I beg to support the Appropriation Bill.

The Hon. the Development Secretary :

Your Excellency, with your permission I should like to thank all those Honourable Members of this House who have said such very generous things about me during the debate. I am, Sir, deeply sensible of the kindness which I have received at the hands of Honourable Members, not only on this occasion, but on so many occasions in the past.

The end of this month will see the expiration of the first five-year period of the Development Plan and it is, therefore, I suggest, a suitable moment to pause for a time, in spite of the hour indicated on the clock, to see what progress has been made. The Ten-year Plan was accepted by this Council in February, 1946, and came into full operation during the Financial Year 1946-47. It provided for the overall expenditure throughout the period of ten years of the sum of £55,000,000. £23,000,000 of that was a free gift from His Majesty's Government from the Colonial Development and Welfare Fund, and the balance, Sir, was to be met as to £16,000,000 from Nigerian Loan Funds and £16,000,000 from Nigerian revenue.

Broadly speaking, Sir, the Plan was divided into two five-year periods. During the first it was planned to spend £21,500,000 ; just over £1,000,000 of that sum was in respect of Loan Charges and as no Loans have been raised, no charges have been incurred. We were thus left with a balance of £20,500,000 to spend and of that sum, by the end of this month, we estimate that £17,500,000 will have been spent.

A variety of causes, Sir, of which Honourable Members are well aware, have impeded the progress of the Development Plan. Shortages of materials and equipment, but most important of all, shortage of staff, and the extent of that shortage will be realised when I remind Honourable Members that last year at this time there were no fewer than 467 vacancies in the Senior Service staff of the Departments charged with implementing the Development Plan. This, I think, will show that the work that has been done, has been done by a much smaller staff than that for which the plan originally provided. This has been rendered possible only by the fact that all members of the Service, African and European, have done, each of them, slightly more than they thought they could do and each of them slightly more than we had any right to expect they would do, and I feel sure that all Honourable Members of this House will agree with me when I say that Nigeria is very grateful to them.

A comparison between the figures in the Estimates and of the expenditure will, however, show that those figures are slightly deceptive for, on account of the great increase in costs since the Plan was originally devised, the extent

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to which development actually falls short of the estimate, is larger than the figures would indicate. But, Sir, figures mean very little on the whole, I think, and Honourable Members may well be asking themselves what is there on the ground now that was not there five years ago. Time, Sir, will not allow me to take you through every scheme in the Plan, but I would, if I may, like to mention one or two examples to give you some idea of the work that has been done.

I had intended to deal with roads, but I now have no need to do that, Sir, in view of the speech of my Honourable Friend the Director of Public Works.

I will start off with Technical Education. The original Plan provided for the establishment of a Technical Institute at Yaba and three Trade Training Centres, one at Yaba, one at Kaduna and one at Enugu. Technical Education, as I think all Honourable Members will agree, is of the greatest importance if the industry of Nigeria is to develop as we hope it will. At the end of the ten-year period the Plan aimed at having 250 students in the Technical Institute at Yaba; there are already 218. At the end of the period the Plan aimed at having 415 apprentices in the three Trade Training Centres; there are already 397. In addition to those Institutes, a Trade Training Centre has been built at Ombe River in the Cameroons; another is being built on the Plateau and the site for a third has been selected at Sapele. While, Sir, I am on the question of technical education I would like, if I may, to answer a query of the Honourable the Temporary Member for the Eastern Provinces who enquired as to the causes of delay in the establishment of the Regional Colleges which I hope will be known as the Nigeria College of Arts, Science and Technology. I can assure the Honourable Member that there has been no undue delay. A scheme for those Colleges is included in the revised Development Plan with a capital cost of £1,000,000. £500,000 of this is a free grant from the Colonial Development and Welfare Fund and the balance is to be met from Nigerian funds. Six houses have already been built on the site at Ibadan and contour surveying is already proceeding on the sites chosen at Zaria and Enugu.

Turning now to one of the most important schemes in the plan—the provision of improved water supplies in rural areas—over the past five years no fewer than 4,050 water points have been constructed, the majority of them wells of course, and on the basis of five hundred persons to a water point that means that improved water supplies have been made available to over two million of the people of this country. That is, I submit, a very large number.

Then there are the research institutes; the Oil Palm Research Institute at Benin and the West African Institute of Trypanosomiasis Research at Kaduna and Vom, of which some of the Honourable Members present here today had the pleasure of being present at the opening by Your Excellency at the end of January. I was informed by the Director of that Institute when he returned from a visit to Nairobi that we were, in fact, far ahead of some of the projected institutes in East Africa.

So much for the Development Plan. The Honourable the First Lagos Member, during the course of the debate, asked for information on how much had been spent on the experiments at Victoria Beach and at Delft. To date, Sir, just over £3,200 has been spent on experiments at Victoria Beach, and just over £7,000 on the experiments at Delft. The objects of these experiments, as I think is well known to all Honourable Members, is to prevent erosion which is taking place at Victoria Beach, and it has been

found, as a result of the experiments (although the final report is not yet completed), that probably the best and the most economical method of preventing erosion is to deposit sand into the sea at various points off the Moles and to rely on the forces of nature to drift that sand up on to the beach, thereby taking the place of the natural sand drift which has been interfered with by the construction of the harbour works. Over the past year spoil dredged from the harbour has been deposited on the leeward side of the east mole and during the past nine months the accretion over the first mile of Victoria Beach eastward from the East Mole has been nineteen feet. Over the second and third miles there has been erosion of twenty-one feet and four feet, and over the fourth and fifth miles there has been accretion of forty-eight feet and twenty-nine feet.

The Honourable the Second Lagos Member in the debate raised the point of the authority conferred on the Director of Commerce and Industries to refuse to issue an import permit without stating the reason why. I can assure the Honourable Member that we have no desire to act in an arbitrary manner. The reason why that was done, I am informed, is that a very large number of applications for import and export permits is received from young men who are not *bona fide* importers. I am told that not a few are received from school-boys and if the Director had to reply in each case, and to give a reason, the net result would be that his Department would be so snowed under with work that it would not be able to reply to *bona fide* applicants with that commercial alacrity which is so desirable in such a Department.

I can assure the Honourable the Second Member for the Western Provinces that Government has under very active consideration the proposal to establish a Railway Corporation and a Harbour Trust.

During the course of the debate also, Sir, the Honourable the Third Member for the Western Provinces referred to the question of the ports in Benin and Warri Provinces, with particular reference to the Escravos Bar. The Government has had the advice of two independent firms of consulting engineers on the subject of the Escravos Bar and the possibility of dredging it, and I may say that as a result of that advice £30,000 will be spent on the dredger "IBADAN" during the coming rainy season to make it more effective to work on that Bar. As I said last year the dredging of a river bar on which there exists a swell such as there is over the Escravos Bar is an operation of extreme difficulty. The "IBADAN" has been working on that Bar all the present fair-weather season but we shall not know the final results of that operation until the report of the hydrographic survey is received in the month of April.

During the debates on the last three Budgets, Sir, Honourable Members of this House have shown their deep interest in the economic development of Nigeria and the Government has repeatedly assured them that it will do everything it can to encourage and facilitate that development. I can assure Honourable Members that it is doing so. The past year has seen, perhaps, not so much the inspiration of new schemes as the detailed working out of schemes which were projected in the year before. Considerable progress has been made in the agricultural schemes which have been undertaken by the Regional Production Development Boards, the primary object of many of which is an increase in the local production of foodstuffs: and in that connection I think Honourable Members will be interested to know that at an early date two Nigerians are proceeding to the United Kingdom to demonstrate to the manufacturers of food processing machinery exactly how

[Dev. Sec.]

[Appropriation Ordinance, 1951]

garri is made in Nigeria in the hope that they will be able to devise a machine to carry out that operation. If they can, it will, I am sure, greatly reduce the volume of labour involved and therefore greatly increase the supply of garri available.

The Electricity Corporation has been established during the past year, the Chairman appointed and additional staff recruited, and as a result of action taken by the Corporation the work in connection with various installations has been expedited. I am informed, for example, that as a result of action taken by that Corporation there is a very fair chance that the Ijora Power Station will be steaming at least six months ahead of the target date. That, I am sure, will be very welcome information to many people.

With regard to the schemes undertaken by the Colonial Development Corporation, I would like at this stage to mention only two. First of all, the Fisheries scheme; the construction of a cold store at Port Harcourt is well under way, and I am glad to be able to inform you that the two trawlers left for Nigeria on the 25th of last month. They are expected here towards the end of March. In regard to the sack and cotton spinning factory at Onitsha, arrangements are so far advanced that a resident engineer is already on the site ready to start work. I could speak for a much longer time on the various schemes that are on hand, Sir, but to do so would only be repeating what has already been set out in Your Excellency's printed address.

My difficulty, Sir, is not, as I have said before, to find subjects to talk about—it is to make a wise choice in order to give Honourable Members a clear overall picture of the developments which are taking place in this country. I hope I have succeeded in doing that.

I welcome the chance on this occasion to end up by quoting a piece of poetry and I am able to do that by the fact that my Honourable Friend, the Third Lagos Member, has given me the opportunity. This morning he actually quoted the last line. I have wanted to quote it for the last four years because I believe it is so apt a theme in connection with development, but during those four years I have not dared to quote it because of the implications of the last line. I have often thought that had I to write the history of the last four years in Nigeria, following the example of a famous English historian, I should describe them as the "Years of Frustration." I hope, Sir, that those are over for the time being at least. I believe that the famous lines of the poet *Longfellow* are extremely apt to development.

"Let us then be up and doing,
With a heart for any fate;
Still achieving, still pursuing,
Learn to labour and to wait."

Sir, I support the Appropriation Bill.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, there are two more speakers on the Government side who will, I think, between them take up from three-quarters of an hour to an hour. Would the House rather wait until tomorrow or hear them now?

His Excellency :

I think tomorrow. Is that the feeling of the House?
We shall adjourn until 9.30 a.m. tomorrow.

ADJOURNMENT

Council adjourned at 1.20 p.m.

Debates in the Legislative Council of Nigeria

Friday, 9th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Friday, the 9th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.
- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.

- The Third Nominated Member,
The Honourable N. B. Edwards.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.
- The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

ABSENT

UNOFFICIAL MEMBERS

- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 8th of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

His Excellency :

I should like at this stage to inform the House of the composition of the Select Committee to consider the petition presented to Legislative Council by the Honourable Member for the Colony. It will consist of :

- The Senior Resident, Kano Province (*Chairman*).
The Oni of Ife.
The Member for the Colony.
The Second Member for the Eastern Provinces.
The Fourth Member for the Northern Provinces.

BILLS

(Second Reading)

THE 1951-52 APPROPRIATION ORDINANCE, 1951

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, in his speech two days ago the Honourable the Fifth Member for the Eastern Provinces drew one of his vivid little word sketches of the old Legislative Council, with rows of officials sitting on this side of the House and the nominated and elected Members sitting on the other side. That little picture brought back to my mind the only other time when I attended a Budget meeting of this House, and it was then only as a spectator. It was exactly as the Fifth Member for the Eastern Provinces has described it. The official bench consisted of serried ranks of Heads of Department who not only outnumbered the Nominated and Elected Members on the other side of the House, but who could speak with first hand knowledge on questions or criticisms of their own Department. My mind, like the mind of my friend the Honourable the Director of Public Works, also goes forward to the Budget Session which will be held in about a year's time when, as we all hope, questions and criticisms will be mainly answered by the first Nigerian

Ministers who will be responsible for answering for the Departments under their care, both to the House of Representatives and in the Council of Ministers. In the meanwhile it is my acting lot to answer for certain Departments which are not directly represented in this Council.

Fortunately, the criticisms of those Departments have been few, or have been so vague that I find them very difficult to answer. For example, the Honourable the First Member for Lagos, disposed of one Department by telling us that it stank. My nose may not be as keen as his, but I would suggest that the difference between a stench and a scent is one of opinion. However that may be, it is obviously impossible to answer generalities of that nature. I shall attempt to confine myself to major questions of criticism or of policy and I shall not deal with individual cases. Honourable Members are of course at liberty to bring to the notice of this House individual cases, but I suggest that in the Budget debate they should only do so to illustrate their point and not to solicit a direct reply. If they wish for information they can obtain it either outside the House or by putting down a question.

Most of the Honourable Members who have so far spoken have referred to the coming constitutional changes and all but one of them have spoken of those changes in words of hope and expectation. The one exception was the Second Lagos Member and even he found little wrong with the proposals, except that he expressed the view that because the Constitution was not based on election by ballot it was a make-shift which was bound to fail. It has always been Your Excellency's declared policy in the constitutional review, as in other matters, to consult, to the fullest possible extent, Nigerian opinion. That policy has been faithfully carried out in the case of the constitutional review and as the First Temporary Member for the Eastern Provinces remarked, the new Constitution has been prepared by US—that is, by the people of Nigeria. I feel sure, Sir, that the Honourable the Second Lagos Member would be the first to criticise Government if the Government failed now to take due notice of the wishes of the people as expressed at the many conferences at all levels which have considered the shape of things to come. I would point out to him that it was left to each Region to make its proposals for electoral procedure and it is their proposals, and not the proposals of Your Excellency on the advice of a few officials, that the Honourable Member is criticising. Those proposals provided in every case for direct primary elections organised in a way which the people themselves will understand and appreciate. There is, I submit, nothing undemocratic in that.

Your Excellency has been charged in certain quarters with pursuing a policy of divide and rule. Nothing could be further from the truth. All Your Excellency's endeavours have been towards ensuring that there should be, and continue to be, a strong and united Nigeria, within which the people of the Regions should have the widest measure of autonomy consistent with the concept of a united Nigeria. Honourable Members of this House are well aware of the patience and tact which have been required to ensure that end, and they will, I feel certain, agree that Your Excellency's decision is right and that you will do nothing to disturb—at this the eleventh hour—the good relationships which exist between the Regions.

Certain Honourable Members have suggested that various adjustments should be made in inter-Regional boundaries before the new Constitution takes shape. Your Excellency dealt with this matter fully in your opening speech and gave your reasons for the decision that these questions should be

left over until after the new Constitution had been introduced, when Your Excellency would personally examine them. Your Excellency concluded by asking for the confidence and support of Honourable Members of this Council in following that course. I feel sure that Your Excellency may rely on that support.

I was particularly interested, Sir, in the Emir of Abuja's remarks about the moral dangers of street-trading to young girls. May I say that I, and I am sure the Government, am in complete agreement with him. As the Third Lagos Member pointed out, steps have been taken here in Lagos to make street-trading by young persons illegal and in due course the Northern Legislature may wish to consider whether similar action should be taken in the Northern towns.

Various Members have criticised the Central Public Service Board and its work. I have found it difficult to discover whether in the opinion of those Members too many or too few candidates have got through the mesh, or whether the complaint is that the wrong candidates get through while the right ones are held back. The Board has, since its formation, interviewed some 796 candidates, 314 for scholarships, eighty-nine for training courses, 114 for direct appointment to the Senior Service and 279 for promotion from the Junior Service to the Senior Service. Of those candidates interviewed 614 have been successful. These figures do not suggest that the Board has been unduly harsh. I understand that the percentage of successful candidates before similar Boards in the United Kingdom is not much higher than ten per cent. No Board of Selectors can be right in every case, but Your Excellency, who carefully studies the minutes of each meeting of the Board, is well aware of the care which the Board takes in assessing the claims of each individual candidate. It has been suggested that the Board is nothing but a rubber stamp, but I have the assurance of the Chairman of the Board that that is far from the truth; that the unofficial members have very definite opinions of their own and that those opinions by no means always coincide with those of the Chairman or those of the official members of the Board.

In a country in which Western education is a comparatively new and exciting achievement there is a natural tendency to attach undue importance to academic attainment. The functions of the Board are not merely to weigh up the academic or technical qualifications of the candidates that appear before it, but to make an assessment of their character and general suitability for employment in the Senior Service of this Government. In many walks of life one could quote examples of men of comparatively little academic attainment who have reached the top—and rightly reached the top—and who are better judges of character and of men than others with the highest academic degrees. In the long run character counts more than a degree and drive is of greater value than a diploma. It would in my opinion be the height of educational snobbery to suggest that candidates must necessarily be interviewed either by men who have equal or higher professional qualifications. That is an outlook similar to that of a small boy who, because he has been given an opportunity to learn to read and write and do sums, regards himself as educated and therefore, *ipso facto*, better than his illiterate father. I can assure Honourable Members that when interviewing professional candidates the Board has always in attendance qualified men of that profession sitting with the Board.

Mistakes have no doubt been made by the Board, and mistakes will continue to be made by any Board, whatever its composition, but I feel sure that in this as well as in many other spheres where Your Excellency has pursued the

policy of placing responsibility in the hands of a Nigerian majority, the members of the Boards have fully lived up to Your Excellency's expectations and have carried out their duties with a high sense of responsibility.

All the Honourable Unofficial Members who have spoken have paid tribute to our new Director of Medical Services, and on behalf of the Official Bench I would like to associate myself with those tributes and to say how proud we are to have him among us. It has been suggested by various Members that there are Nigerians in other Departments of equal calibre. I can assure Honourable Members that we will keep our eyes open for them and, when found, Your Excellency can be trusted to take the appropriate action.

The Honourable the Second Member for the Western Provinces suggested that in some cases Nigerians were promoted to posts of high-sounding title only to find that they were not given the full responsibility of the post. I am unaware of any such position, but if the Honourable the Second Member for the Western Provinces will give me chapter and verse I will certainly enquire into it.

Various Members have spoken about the Nigeria Police—one in praise and some in blame. In England there is a well-known adage that 'When in doubt ask a policeman'. It would appear that in Nigeria there is at present another adage—'When in trouble blame a policeman'. From the remarks of the First Lagos Member, who should be in a position to know, it would appear that Lagos has recently been swept by a crime wave. I have looked up the crime statistics for the last three years and I find that, while there were a few more crimes reported in 1950 than in 1949, there were considerably fewer crimes in 1950 than in 1948. On the other hand the prosecutions by the Police in 1950 were higher than the prosecutions by the Police in 1948. These figures do not suggest to me that there has in fact been a crime wave in Lagos or that there has been slackness on the part of the Police.

In Lagos as in many other large town there are, of course, hooligans. The Police are quite capable of dealing with these nuisances provided, and this is an important proviso, provided that political groups do not attempt to use those hooligans for their own ends. Unfortunately, Sir, over the last six months political and other groups have, in Lagos, been using or attempting to use hooligans for their own ends. I am not attaching blame to any particular group or any particular party. Those circumstances make the task of the Police extremely difficult. Their first duty is to maintain law and order, but to maintain it in such a way that they shall not be accused of partiality and that they shall give the maximum of freedom of speech and assembly. That is a very difficult and arduous task. The fact that the Police have carried out that task well in Lagos is, I think, proved by the fact that there have been complaints equally from both sides that the Police are favouring the other side. Over the last six months the Police in Lagos have been under a very heavy burden. It is a fact, Sir, that they have had to stand by nearly every weekend in case of trouble. There has fortunately been no serious trouble. That is due to the very fine handling which the Police have given to a difficult situation.

Various Members have criticised the administration of the University College, Ibadan. Yesterday I answered a question in connection with the University asked by the Honourable the First Lagos Member, in which I pointed out that the University College is not a Department of Government. Honourable Members have rightly stressed the essential necessity that the

[C.S.G.]

[Appropriation Ordinance, 1951]

University should be outside the sphere of politics. I will ensure that the views of the Honourable Members are brought to the notice of the Provisional University Council, but it would not be right or proper for me to attempt to answer those criticisms. I might, however, say that plans for setting up a permanent Council are under consideration.

The Honourable the First and Second Lagos Members mentioned the question of the flogging of African soldiers. It may have slipt their memory that under Ordinance No. 25 of 1946, corporal punishment in the West African Frontier Force was abolished except in the case of rape, a crime for which the civil courts could and can whip. In 1948 Ordinance No. 33 of that year took away from courts martial the power to inflict corporal punishment for any offence. The answer to the Second Lagos Member's specific question is, therefore, that there was a time when British soldiers were liable to be flogged: there was a time when African soldiers were liable to be flogged. At the present time neither British soldiers nor African soldiers may be flogged.

Your Excellency, this is the first time, and almost certainly the last time, that I shall have the honour of sitting in this Council. I have often heard from Your Excellency and others glowing tributes to the Members of the Council for their dignity, their sincerity and their high sense of responsibility. I have now had the opportunity to confirm these reports with my own ears and eyes.

This Council will in the course of the next six months be dissolved and will be replaced by a larger Council charged with even greater responsibilities. No-one can predict the outcome of the forthcoming elections; no-one can safely prophesy how many familiar faces Your Excellency will be able to recognise and welcome in the new Council, but whatever the composition of that new Council may be the success of the present Council gives us high hope—I would go further and say that we have the right to expect—that, as in the past so in the future, the new Council will produce a preponderance of Nigerians worthy of the occasion and of the country's trust. Men who will speak not to catch votes but from sincere conviction: men whose loyalty is not to any particular party or fashionable 'ism' but to Nigeria: men who will rightly be anxious to promote the interests of their constituents and their particular Region, but who will not put those interests above the interests of Nigeria as a whole: men who will be prepared to face unpopularity for what they sincerely believe to be right. If that hope is fulfilled, and I for one believe it will be fulfilled, we can rest assured that the future of Nigeria is in safe hands.

Sir, I support the Bill.

His Excellency :

The Honourable Mover of the motion now has the right to reply.

The Hon. the Financial Secretary :

Your Excellency, in reply to the Debate I should like, first, to express my appreciation of the very kind remarks which Honourable Members have addressed to me personally and for the very generous and sympathetic manner in which Honourable Members have received my opening speech. First of all, I must apologise to the Third Member for the Western Provinces for the delay in the distribution of the Draft Estimates. While my predecessors might have promised the Draft Estimates four weeks before the opening of the meeting of Legislative Council, I am afraid that recent years have shown that

much more time is required to prepare Estimates which, year by year, are becoming more complicated. I cannot, therefore, repeat that guarantee that Estimates will be in the hands of Members four weeks before the opening of Legislative Council, but every effort will be made to get them out as early as possible. This year the situation was aggravated by the necessity of starting the meeting of Legislative Council early, owing to the early date on which Easter fell.

In this Debate on the second reading, some of the points mentioned by Honourable Members will be best dealt with in Select Committee, but some of the more important should, I feel, be answered in open debate.

When introducing this Budget I was not unmindful of the seeming paradox of my opening address, which did not escape the eagle eye of the First Lagos Member, where I suggested that the rise in the expenditure must be checked while at the same time budgeting for the highest budget in history. This budget is going to cost about £4 million more than last year. It is going to cost more mainly for two reasons: the first is Temporary Addition to Rates of Pay. It is true that a year ago we found savings to meet most of the cost, but it should be pointed out that in the course of the year, a number of the savings had to be spent. Moreover, it had been hoped to save more than £250,000 on the Electricity Department, but the new Electricity Corporation did not take over the Nigerian Electricity Undertaking during the year as had been anticipated.

The second is that of the additional £4 million expenditure which I have proposed for next year, £2 million will go the Loan Development fund, and £750,000 more than appeared in the approved estimates last year to the Revenue Equalisation Fund. Although these amounts must, for accounting purposes, appear in the Estimates as "expenditure", the amounts are, in point of fact, a transfer of revenue to savings, and at the end of the next financial year we hope these amounts will still be with us. Moreover, it is inevitable, in these times of world inflation and rising prices, that the costs of Government must go up. If there were a change in the movement of world prices, we could expect that our revenue would decrease, but certain large items of expenditure such as Temporary Addition to Rates of Pay would probably decrease at the same time.

As I explained in my introductory remarks to the revised Export Duties, all expenditure is not the same in its effect on the Budget. Expenditure on Public Works, for example, is admirable when you have the money—as we have at present. The type of expenditure which must be avoided is that which adds to the recurrent charges on the Budget, and which cannot be abandoned during times of depression except by retrenching staff. I fully agree with the formula advanced by the Honourable the First Lagos Member that lack of revenue plus an insatiable proclivity to spend more than we can afford, leads to bankruptcy. I would go further indeed and suggest that the urge to spend more on recurrent expenditure than we will be able to afford in the event of a recession of world prices, is to start out along the road to national insolvency.

The First Lagos Member referred to the increase of £9,000 in the costs of the Department of Commerce and Industries. In this connection I should point out that these costs arise from the implementation of the report on the re-organisation of the Commerce and Industries Department which was accepted by this House in the autumn of 1949. I should point out that £5,000 of this amount is reimbursable. With regard to the increase

[F.S.]

[Appropriation Ordinance, 1951]

of £49,000 mentioned by the Honourable the First Member for Lagos in the estimates of the Department of Marketing and Exports—an increase which, I should add, is not £49,000 but £84,000—I should point out that of the total expenditure in this Department of £350,000, of which £336,000 is reimbursable either by the Marketing Boards or other West African Governments.

I had intended to refer to tin royalties raised by the Honourable the Second Lagos Member, but I do not think it is necessary in view of the very lucid exposition of my Friend the Second Nominated Member. The Honourable Member mentioned that, in 1948, the price of tin was about £500 per ton. The maximum duty on tin in those days was 10 per cent and, with tin at £500 per ton, the royalty payable per ton of extracted ore would be about £36 5s. In September last, royalties were increased sharply to a maximum of 17 per cent so that, if tin is in the neighbourhood of £1,500 per ton, the royalty which would be payable at present rates would be just under £184 per ton of extracted ore. Thus, while the price of tin has risen three times compared with 1948 the royalties we are collecting on each ton of tin has risen five times. I do not think there is any Nigerian mining concern which would not willingly change the Nigerian rate of taxation on mining concerns for the more lightly taxed South African procedure.

I must also make reference to the use of American lorries and cars in this country. I realise that those engaged in road transport may find that American lorries may stand up to the hard wear and tear on Nigerian roads better than the British counterparts. The question, however, is primarily one of dollars. In the sterling area we have an allocation of dollars which we are trying to apportion between the various commodities Nigeria requires so as to produce the best value for the money available. I will, however, ask the Director of Commerce and Industries to have another look at this question but one point would seem obvious and that is, that we can never hope to provide sufficient dollars to meet the total demand for American cars in Nigeria.

There is one matter, however, which is obviously exercising the mind of Members a great deal and I propose, therefore, to deal with it at greater length. I refer to the payment of Temporary Addition to Rates of Pay to Voluntary Agencies. I am afraid Honourable Members have misinterpreted the question which is in issue between Government and Voluntary Agencies in the case of Temporary Addition to Rates of Pay. No-one, least of all Government, is suggesting that Temporary Addition to Rates of Pay paid to Voluntary Agency teachers should be reduced from 12½ per cent to 8 per cent. The question in issue is not how much Temporary Addition to Rates of Pay the teachers on the staff of the Voluntary Agencies shall get—the question in issue is “who is going to pay”?

It is Government policy to limit recurrent costs so far as possible to absolute necessities; and this policy of itself would be sufficient justification for the Government decision criticised by a number of Honourable Members, “that in 1951-2 the Government assistance to the Voluntary Agencies towards the cost of Temporary Addition to Rates of Pay should be limited to such amount as will cover the cost of this addition at the appropriate rate to that part of the salaries of teachers who attract grant-aid which is derived from the Government grant-in-aid”. I am at some pains to give that decision in the precise words in which it was communicated to the Director of Education as it is clear that the decision has been imperfectly understood

[F.S.]

[Appropriation Ordinance, 1951]

by some Honourable Members. The importance of limiting the Government's recurrent expenditure needs no explanation but in the present case something even more important is involved—the need to see that Government help to non-Government bodies is not given out of vague charity, without plan and without principle. We passed through many years in which the help given by the Government to the Educational Voluntary Agencies failed to satisfy anyone because it was given in accordance with no settled plan, but just given in accordance with a confused and confusing series of decisions on individual issues. It is not too much to say that our educational grants were in chaos. From this chaos we were rescued by Sir Sydney Phillipson and his Report and the system of grants which he recommended had the support of the Voluntary Agencies and the community generally. The whole basis of that Report and that system of grants was that schools which are educationally necessary and efficient shall qualify for Government grants and that the cost of education in those schools shall be borne in part by the country as a whole,—that is, by the public revenues,—and in part by the local communities which benefit from the schools. The salaries of teachers are not paid by the Government: they are only one of the elements used in calculating how much the Government shall pay by way of grants-in-aid.

When the Government decided to introduce Temporary Addition to Rates of Pay for its own employees, the circumstances were such that the decision had to be taken speedily, there had to be an immediate approach to this Council and there was no time to consult non-Government bodies, such as the Educational Voluntary Agencies. It was strongly urged upon the Government that Government's decision would result in such pressure upon the Voluntary Agencies from their staff that they would have to grant similar additions, that the Voluntary Agencies had no opportunity of adjusting their revenue and expenditure so as to find the full cost of those additions from their own money and that therefore the Government should give some help. The Government agreed to help. The words in which it announced its decision at Enugu were: "Assistance will be given to Native Administrations and to Approved Voluntary Agencies towards the payment of a similar cost of living allowance." It has been argued on behalf of the Voluntary Agencies and the teachers they employ that this statement must mean that the Government will give the same assistance to Native Administrations as it will give to approved Voluntary Agencies and that the Government will "assist" the Voluntary Agencies by reimbursing them for the full cost of Temporary Addition to Rates of Pay of those teachers who attract grants-in-aid. Neither of these meanings can be attributed to the sentence according to the ordinary usages of the English language and certainly neither was intended. The Government wishes to avoid any return to the chaos of the past: it has therefore sought to establish two very definite principles in this matter of Temporary Addition to Rates of Pay for teachers. The first is that help in meeting the cost of Temporary Addition to Rates of Pay should be given only in respect of those teachers who attract grant-aid; and the second is that the cost of Temporary Addition to Rates of Pay, like the cost of salaries, should be met in part by the country as a whole and in part by the local communities.

The Government is convinced that those principles are sound, but I wish to turn to the grounds on which the Government decision has been criticised. Honourable Members have argued the case so well that their arguments deserve careful consideration and answer.

[F.S.]

[Appropriation Ordinance, 1951]

If I interpreted the Honourable the First Temporary Member for the Eastern Provinces correctly, his objection to the Government decision was based first of all on the ground that it was not in accordance with Regulation 16 (1) of the Regulations under the Ordinance. In this connection he said

“ If the Government reduces the allowance paid for teachers, it would mean that Voluntary Agencies would have to find the balance, or the assumed local contribution would have been increased contrary to the provisions of the Regulations. That would have been breaking faith with the Voluntary Agencies ”.

I must make it plain that the Education Regulations are silent on the subject of Temporary Addition to Rates of Pay. They were made before the introduction of Temporary Addition to Rates of Pay and the salaries which they prescribe for the calculating of grants are fixed and declared in the Regulations and do not include Temporary Addition to Rates of Pay. The help which the Government has given the Voluntary Agencies in the matter of Temporary Addition to Rates of Pay is not given under the Education Ordinance. It is based on a separate decision of this House and is not governed by the Ordinance or the Regulations. But it is the Government's chief concern to see that the same principles, so carefully worked out by the Commission, which underlie the Ordinance and the Regulations, should underlie this additional set of grants-in-aid.

Furthermore, I must invite the attention of the Honourable Member to the fact that there is a great difference between “ assumed local contribution ” and “ the share of the teachers' salaries which must be found by the local community ”. The former is a notional figure, determined in accordance with the Regulations, the sole purpose of which is to work out the amount by which the “ recognised expenses ” (calculated under Regulation 12) shall be diminished for the purpose of assessing the grant-in-aid payable. The share of the teachers' salaries which must be found by the local community is an actual figure. If the Government grant does not cover the whole cost of Temporary Addition to Rates of Pay the local community must find the difference.

The Honourable Member asked what would be the position of the teachers in Training Colleges and Elementary Training Centres. Under Regulation 26 (a) and Regulation 30 (a) such teachers attract grants covering the whole of their salaries. Under the Government decision, therefore, which (I shall repeat) is that “ the assistance should be limited to such amount as will cover the cost of Temporary Addition to Rates of Pay at the appropriate rate, to that part of the salaries of teachers who attract grant-in-aid which is derived from the Government grant-in-aid ”, the full cost of Temporary Addition to Rates of Pay for such teachers will be covered by the Government grant.

It would be unwise, if not impossible, for this Council to state that grants in 1952-53 should be made either to Voluntary Agencies or to Native Administrations on the same terms as those which are proposed for 1951-52. As I said in my opening speech, the cost of Temporary Addition to Rates of Pay to the Government is still increasing and the Government will have to give very earnest consideration to this problem in the coming year and decide whether it can continue to be as generous either to Native Administrations or to Voluntary Agencies as it has been hitherto.

The whole principle of Voluntary Agency work in education is that the Government will give a grant-in-aid towards the cost of that work: not that the Government will bear the whole cost of that work. The Government has helped in the matter of Voluntary Agency Temporary Addition to Rates of Pay. During the first year it gave enough to cover the whole cost of Temporary Addition to Rates of Pay for the whole year of those teachers who attract grant-aid. During that year it gave ample warning that it could not continue that assistance during the next twelve months and the Voluntary Agencies were asked to make arrangements accordingly. It is the view of the Government that its present policy accords with the principles of the Education Code; that is a sound policy justified on its merits; that it offers a measure of relief for which no other non-Government organisation has been permitted to qualify; and that to depart from it as urged by several Honourable Members would be to take the first step back towards the chaos from which the Report of Sir Sydney Phillipson enabled us so recently and at such cost of climb.

The other points which were raised by Honourable Members can, I think, be best dealt with in Select Committee and I would therefore move that this Bill be read a second time, after which I will suggest that this House should proceed forthwith into Select Committee. Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

Bill read a second time.

The Hon. the Financial Secretary :

Before the House adjourns, Sir, may I suggest that we have a break of a quarter of an hour and that Honourable Members should then meet in this room in Select Committee.

His Excellency :

Council will adjourn without a date fixed.

ADJOURNMENT

Council adjourned at 10.25 a.m.

Debates in the Legislative Council of Nigeria

Saturday, 17th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Saturday, the 17th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
- The Financial Secretary,
The Honourable E. Himsworth.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
- The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
Major the Honourable J. G. C. Allen.
- The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
- The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to lay on the table of the House the following :—

Sessional Paper No. 5 of 1951—Annual Report of the Nigeria Marine for the year 1949-50.
Annual Report of the Colony Development Board.

MOTIONS**The Hon. the Development Secretary :**

Your Excellency, I rise to move the Motion which stands in my name :—

“ To report from Select Committee the Revised Plan of Development and Welfare for Nigeria 1951-56 (Sessional Paper No. 6 of 1951) and to move the adoption of the report and recommendations of the Select Committee.”

I do not think, Sir, it is necessary for me to make a very long speech on this occasion. The Revised Development Plan was very carefully examined by the Select Committee appointed by Your Excellency. Certain other schemes not included in the Plan were also examined, and after very careful consideration the Select Committee has recommended the acceptance of the Plan. In the speech I made, Sir, moving that the Plan should be sent to a Select Committee I described the principles on which the Plan had been revised, and I also described all the steps which had been taken in the course of that revision. I do not think, therefore, Sir, there is any need for me to say any more at this stage. Sir, I beg to move.

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

Your Excellency, I beg to second.

Motion adopted.

BILLS**The Hon. the Commissioner of Labour :**

Your Excellency, before the Bills on the Order Paper are read, I should like, by leave of the House, to address Honourable Members for a few moments on the subject of the Nigerian Coal Corporation Industrial Council Bill which, as Honourable Members have no doubt noticed, is not on the Order Paper.

His Excellency :

With the leave of the House does the Honourable Member wish to speak now ?

The Hon. the Commissioner of Labour :

Yes, Your Excellency.

His Excellency :

Is it the wish of Honourable Members that the Honourable the Commissioner of Labour should speak now ?

The ayes have it.

The Hon. the Commissioner of Labour :

It has been decided not to proceed with the enactment of the Nigerian Coal Corporation Industrial Council Bill at this present sitting of the House, and I should like, Sir, to say a few words in explanation.

*[Com. of Labour]**[The Nigerian Coal Corporation Industrial Bill]*

Throughout recent months the general atmosphere at the Colliery has been good. No disturbances, no threats, no demands; and a steadily increasing output. The Government is anxious that nothing shall poison this atmosphere, whether it be by way of misrepresentation, misunderstanding, bad management, neglected grievances or just plain ill-will. We wish to create the means, in co-operation with both the men and the Corporation, for the maintenance of this favourable atmosphere and for the development of regular and effective joint consultation. If the matter is thought about only for one moment, it is obvious that men who work together—whether as fellow workers, or as worker and foremen, or as workers and managers—men who work together cannot be expected to understand one another unless they meet now and then, and discuss their difficulties and their differences. Industrial relations, are, after all, human relations—a question of men meeting with other men.

At the Colliery today there is no trade union with which negotiations may be carried on. The Colliery Workers' Union, as a result of bad organisation and corrupt leadership, is virtually defunct. An attempt is being made to form a new union, but neither this nor its sponsors have yet found their feet. At the mines themselves, under the guidance of Mr Weekes, the National Coal Board official whose valuable services were made available to us for some months, small 'District Consultative Committees' have been set up and are working well. They deal with day-to-day problems and are not concerned with matters such as wages and conditions of employment. On these most important subjects, there is at present no means of responsible consultation or negotiation with the men.

It is now, as it has consistently been in the past, the Government's policy to give every possible encouragement to the growth of sound trade unions and to the development of their full participation in collective bargaining. This is so today, and is so as regards the Colliery. It is, nevertheless, clear that the emergence of a sound union, or unions, at the Colliery, and the establishment there by virtue of experience, confidence and responsibility of comprehensive and voluntary negotiation between the management and the unions is not going to be a short process. In the meantime there will be a gap: the purpose of the Bill is to provide that for so long as that gap persists there is available a means of consultation between the workpeople and the officers of the Corporation. In the past there have been, as Honourable Members well know, frequent demonstrations of distrust of the Colliery management on the part of the workers. A vital feature of the joint council which the Bill proposes to create is the full participation of the workers, and this, together with the giving of legal effect to its decisions, is designed to remove the source of the distrust and suspicion, to remove the evils of misrepresentation and misunderstanding, and to provide a solid basis on which good relations and mutual respect may be built up.

These aims, Sir, are such that we are confident that no-one would question their desirability. But, Sir, if the joint council we have proposed is to succeed in achieving these aims it is essential that it should itself be fully understood and fully endorsed by everyone concerned with it. It has appeared to us recently, Sir, that the essential measure of full understanding has not yet been reached. We do not wish the successful achievement of ends which in themselves are beyond reproach to be prejudiced by suspicion born of misunderstanding of the means.

Consequently, Sir, it has been decided that we shall not proceed with the enactment of the Bill during the present meeting of this House. Before we meet again, Regional Houses will have had time to consider it carefully and, also, its provisions will have been explained and studied in detail with the Coal Corporation and with the workpeople whose interests it is designed to protect.

(First Reading)

THE LAGOS LOCAL GOVERNMENT (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Commissioner of the Colony :

Sir, I rise to move the first reading of a Bill entitled :—

“ An Ordinance to amend the Lagos Local Government Ordinance, 1950 ”.

This Bill, Sir, is a simple non-controversial measure designed to rectify two minor anomalies in the Ordinance. The purpose of the Bill is outlined clearly in the Statement of Objects and Reasons, and I have only one remark to add thereto. As the Ordinance stands, Sir, it is possible for the Deputy Returning Officer who may be and usually is a junior officer of the Town Council, to claim remuneration for his service in respect of the Municipal Elections, whilst the Town Clerk, who by statute is the Returning Officer, has no such claim. This amending Bill brings the local legislation into line with practice and legislation in England. Sir, I beg to move.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

His Excellency :

The question is that the Bill be read a first time.

Bill read a first time.

The Hon. the Acting Commissioner of the Colony :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE 1949-50 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I rise to move the first reading of a Bill entitled :—

“ An Ordinance to make supplementary provision for the service of Nigeria for the year which ended the thirty-first day of March, one thousand nine hundred and fifty ”.

Sir, this Bill is intended to provide, upon enactment, for legislative sanction of expenditure incurred during the financial year 1949-50 in excess of that provided in the approved Estimates. Honourable Members, I am sure, will not wish me to enlarge upon the details of the schedule since all the items included therein were considered separately and individually as sub-heads by the Standing Committee on Finance of this Council.

Sir, I beg to move.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Sir, I beg to second.

Bill read a first time.

[*Ag. Attorney-General*]

[*The Townships (Amendment) Ordinance*]

The Hon. the Financial Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

(Second and Third Readings)

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the second reading of a Bill intituled :—
“ An Ordinance further to amend the Townships Ordinance ”.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 to 3.

Clause 4.

The Hon. the Acting Attorney-General :

I move that clause 4 be deleted for the reason given on the first reading of the Bill.

Clause 4 deleted.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee with amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Chief Secretary to the Government :

Sir, I beg to second.

Bill read a third time and passed.

His Excellency :

We have come to the end of this morning's formal business even more expeditiously than I thought. I suggest that I adjourn the Council now and that those interested should stay and listen to what I have to say about the Opening Ceremony of the New House of Commons. I expect that Honourable Members will be no less interested to know what I am going to say about the further invitation to London. Council will adjourn until 9.30 on Monday morning.

ADJOURNMENT

Council adjourned at 9.50 a.m.

Debates in the Legislative Council of Nigeria

Monday, 19th March, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9.30 a.m. on Monday, the 19th of March, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
The Acting Chief Secretary to the Government,
The Honourable H. F. Marshall, C.M.G.
The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
The Acting Attorney-General,
The Honourable A. Ridehalgh, K.C.
The Financial Secretary,
The Honourable E. Himsworth.
The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
The Development Secretary,
The Honourable C. J. Pleass, C.M.G.
The Acting Director of Education,
The Honourable R. J. Mason, O.B.E.
The Director of Agriculture,
The Honourable A. G. Beattie.
The Director of Public Works,
The Honourable R. W. Taylor, C.M.G.
The Commissioner of Labour,
The Honourable A. H. Couzens.
The Commissioner of the Colony,
The Honourable E. A. Carr, C.M.G.
The Senior Resident, Kano Province,
The Honourable B. E. Sharwood-Smith, C.M.G., E.D.
The Senior Resident, Cameroons Province,
The Honourable D. A. F. Shute.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
The Second Member for the Western Provinces,
The Honourable T. A. Odotola, O.B.E.
The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.

- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.
- The Third Nominated Member,
The Honourable N. B. Edwards.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.
- The Temporary Member for Eastern Provinces,
The Honourable L. N. Mbanefo.
- The Temporary Member for Eastern Provinces,
The Honourable G. H. H. O'Dwyer.

ABSENT

OFFICIAL MEMBERS

- The Senior Resident, Oyo Province,
The Honourable P. V. Main.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 17th of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Senior Resident, Kano Province :

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

Report of the Select Committee of the Legislative Council appointed to consider the petition presented by the Member for the Colony (Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.), on behalf of the people of Ijebu Quarter, Owo, in Owo Division of Ondo Province.

The Hon. the Director of Medical Services :

Your Excellency, I beg to lay on the table of the House the following paper :—

Report of the Select Committee of the Legislative Council appointed to consider the statement of the conclusion of the Government on the Report of the Commission on the Private Practice of Medicine and Surgery by officers of the Department of Medical Services, Nigeria.

The Hon. the Financial Secretary :

Your Excellency, I rise to lay on the table of the House the following papers :—

Report of the Select Committee of the Legislative Council appointed to consider the Bill entitled " An Ordinance to appropriate the sum of forty-two million, seven hundred and twenty-four thousand, eight hundred and twenty pounds to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two ".

Report of the Select Committee of the Legislative Council appointed to consider the Customs (Amendment of Export Duties) Resolution, 1951.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I beg to lay on the table of the House the following papers :—

Sessional Paper No. 7 of 1951—Speech and Annual Statement on Government Activities presented by His Excellency the Governor, Sir John Stuart Macpherson, G.C.M.G., to the Legislative Council on the 1st March, 1951.

Sessional Paper No. 12 of 1951—Annual Report on the Government Railway for the Financial year 1949-50.

QUESTIONS

The Second Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.) :

28. To ask the Honourable the Financial Secretary :—

(a) How many tons of Nigeria Export Produce such as Cocoa, Palm Produce, Groundnuts and Timbers were sold to hard currency areas during the past four years and at what average c.i.f. prices each year. Stating prices of each commodity separately ?

(b) What percentage of Dollars earned on such Export Produce has been allowed to be spent by Nigeria on Import ?

Answer—

The Hon. the Financial Secretary :

(a) The tonnages of Cocoa, Palm Oil and Timber exported from Nigeria during the past four years to hard currency areas, together with the average *c.i.f.* prices obtaining during each year are given below. No palm kernels or groundnuts were exported to hard currency areas during the period in question :—

Calendar Year	(a) U.S.A. and Canada			(b) Belgium and Switzerland			(c) Germany			(d) Total : Hard currency areas		
	Tons	Price per ton	Value	Tons	Price per ton	Value	Tons	Price per ton	Value	Tons	Price per ton	Value
	PALM OIL (<i>c.i.f.</i> prices)											
		£	£		£	£		£	£		£	£
1947	2,355	45	106,000	—	—	—	—	—	—	2,355	45	106,000
1948	8,295	70	580,000	—	—	—	—	—	—	8,295	70	580,000
1949	—	—	—	—	—	—	892	92	82,000	892	92	82,000
1950	4,740	84	398,000	—	—	—	5,184	82	428,000	10,924	75	826,000
	TIMBER (<i>f.o.b.</i> prices) (<i>c.i.f.</i> prices not available)											
1947	8,445	14	118,000	60	10	600	—	—	—	8,500	14	118,600
1948	2,611	16	41,000	903	6	5,691	—	—	—	3,500	13	46,691
1949	969	13	12,000	1,154	9	11,129	3,174	8	28,147	5,297	9	51,276
1950	3,178	16	51,000	1,131	11	12,546	18,399	13	190,992	22,698	11	254,538
	COCOA (<i>c.i.f.</i> prices)											
CROP YEAR :												
1947-48	31,000	218	6,758,000	715	217	155,000	—	—	—	31,715	218	6,913,000
1948-49	51,200	146	7,475,000	545	189	103,000	1,000	210	210,000	52,745	147	7,788,000
1949-50	51,000	176	8,976,000	400	162	65,000	1,600	219	350,000	53,000	177	9,391,000
1950-51 (to date) .. .	35,000	266	9,310,000	—	—	—	1,650	302	498,000	36,650	267	9,808,000

[F.S.]

NIGERIA LEGISLATIVE COUNCIL DEBATES, 19TH MARCH, 1951

[Answer]

(b) It is not possible to relate the value of Nigerian imports from the dollar area to exports to that area during any particular year, as the figures of cocoa exports are in respect of the crop year and not of the calendar year. Calendar year figures of imports from U.S.A., Canada and other hard currency areas are as follows:—

STERLING VALUES OF NIGERIAN IMPORTS FROM HARD CURRENCY AREAS

	(a) U.S.A.	(b) Canada	(c) Belgium	(d) Switzerland	(e) Germany	(f) Japan	(g) Total: Hard currency areas
	£	£	£	£	£	£	£
1947	5,755,062	387,597	979,123	100,335	55,920	435,757	7,713,794
1948	4,726,000	353,977	1,074,488	67,041	2,338,253	1,598,896	10,158,655
1949	2,436,061	476,977	897,690	68,817	4,129,899	7,468,269	15,477,713
1950	2,487,907	102,613	454,382	87,949	1,422,224	5,837,334	10,392,409

In addition to the above, a considerable proportion of the total cost of petroleum products imported during the years 1947 to 1950 was paid for in dollars, the total values of such imports being:—

	£
1947	1,162,909
1948	1,177,222
1949	1,581,753
1950	1,750,000

1947-49 figures for Germany and Japan include C.I.F. values of textiles woven in those countries and finished in the United Kingdom. Under revised customs procedure introduced in 1950 such imports are classified as of United Kingdom origin, so that for that year the true cost of imports from these two countries was greater than indicated above.

[Dr the Hon. N. Azikiwe]

[Question]

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

31. To ask the Honourable the Commissioner of the Colony :—

- (a) What is the official status of the Mayor of Lagos ?
- (b) What are his functions (i) according to law, and (ii) according to traditional practice ?
- (c) What duties fall under his scope of authority, so far as municipal government and administration are concerned ?

*Answer—***The Hon. the Commissioner of the Colony :**

(a) The Mayor of Lagos is not an official and so has no " official " status. As the civic head of the town he will take precedence in civic functions in Lagos. At public functions in Lagos, other than purely civic functions, the Mayor will be accorded courtesy precedence immediately after members of the Legislative Council.

(b) (i) The only functions of the Mayor laid down by law are that he may call a meeting of the Council at any time and that at a meeting of the Council he, if present, shall preside.

(ii) by tradition he is regarded as the leading citizen of the town and is expected to promote and express the town's civic sense and to represent the Council on public occasions.

(c) By law the Mayor has no executive function and his authority outside the Council Chamber is no greater than that of any other councillor ; but it is not unusual for the Mayor, either by virtue of his chairmanship of a committee or within the terms of a resolution of the Council, to consult and advise the principal executive officers of the Council.

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

32. To ask the Honourable the Commissioner of the Colony :—

(a) What are the facts regarding the reinstatement of Mr Shogbola by the Lagos Town Council ?

(b) In reinstating him, did the Lagos Town Council act *intra vires* or *ultra vires* ?

*Answer—***The Hon. the Commissioner of the Colony :**

(a) Mr Shogbola was lawfully dismissed by the then Lagos Town Council in 1947.

On the 5th December, 1950, the Mayor introduced to the Council a suggestion that Mr Shogbola should be reinstated. A motion was put to the Council and carried that Mr Shogbola should be reinstated with effect from the 1st of July, 1947.

This resolution, if it were to be implemented, required the provision of additional funds to pay arrears of salary to Mr Shogbola, and such additional provision required the approval of the Governor-in-Council under section 84 of the Lagos Local Government Ordinance, 1950. The Governor-in-Council was unable to agree that public funds could properly be expended on paying Mr Shogbola's salary from the date of his dismissal to the date of his re-employment and therefore did not approve the provision of additional funds for this purpose.

(b) The action of the Lagos Town Council in re-employing Mr Shogbola was *intra vires*, as was the action of the Governor-in-Council in refusing to approve provision of funds to pay salary to Mr Shogbola for a period when he was not employed by the Lagos Town Council.

[Dr the Hon. N. Azikiwe]

[Question]

Supplementary Question to No. 32 (b) by the Second Lagos Member (Dr the Hon. N. Azikiwe):—

Did my question, in any way, by implication or otherwise, suggest that the action of the Governor-in-Council was *ultra vires*?

Answer—

The Hon. the Commissioner of the Colony :

In the circumstances, I think I must ask for notice of that question.

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

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

(a) Is it contemplated to introduce the mayoral system in certain towns of the Eastern Region when local government reforms take shape?

(b) If not, what arrangement is being made for presiding officers at town councils?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) No, Sir.

(b) Section 4 (2) of the Eastern Region Local Government Ordinance (No. 16 of 1950) provides that the Councils established thereunder shall be County Councils, Urban District Councils, Rural District Councils or Local Councils. Normally Councils formed to undertake the duties of local government councils in towns will be Urban District Councils. Section 24 provides for the election annually by the Council of a chairman, and section 29 provides for the election or appointment annually by the Council of a vice-chairman. These sections apply to all Councils, including Urban District Councils.

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

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

What are the facts regarding an alleged clash in Owerri Province between members of the Faith Tabernacle Mission and the Okonko Secret Society?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

A number of cases of arson, looting and stealing occurred in the Bende Division of the Owerri Province during December, 1950, in which members of the Okonko Society and of the True Faith Tabernacle Gospel were involved. The incidents started on December 7th and continued sporadically until they reached their culmination in the last week in December, when large scale destruction of churches and other Mission property took place both in Bende Division and the Mbawsi area of Aba Division in the same Province.

As a result of Police intervention 110 arrests were made. Of those arrested, forty-six are awaiting trial at Umuahia, and sixty-four are now in process of being tried in the Aba Magistrate's Court.

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

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

(a) Is it a fact that one Peter Attah was arrested, charged with committing a misdemeanour and detained in custody for thirty-nine days, at the instance of an Administrative Officer?

[Dr the Hon. N. Azikiwe]

[Question]

(b) Is it a fact that the same Administrative Officer as Magistrate, Grade III, refused to grant bail to the accused, who was represented by counsel ?

(c) Is it a fact that the accused was tried by a Magistrate, Grade I, and was ultimately discharged with caution ?

(d) If (a), (b) and (c) are true, what accounts for the action of this Administrative Officer ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

It is presumed that the Honourable Member is referring to an incident in the Nsukka Division.

(a) (i) Peter Attah was arrested in connection with an anti-tax agitation in the Nsukka Division and charged with unlawful assembly *contra* section 38 (a) of the Police Ordinance, Cap. 172. The prosecution was instituted by the District Officer in his capacity as Officer-in-charge of the Nsukka Police detachment.

(ii) He was detained in custody for twenty-nine days from 27th September to 26th October, 1950.

(b) Bail was at first refused pending the completion of inquiries but was granted on 26th October.

(c) The accused was not discharged. The Magistrate, Grade I, convicted him and bound him over for six months.

(d) Peter Attah had started in September, 1950, an anti-tax agitation which virtually brought the collection of tax to a standstill and threatened to disrupt the whole division.

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

55. To ask the Honourable the Commissioner of Labour :—

(a) What are the facts in respect of the strike of workers of the United Africa Company Limited last July or thereabout ?

(b) Is the statement of the leaders of the United Africa Company workers that they were victimized after the strike correct ?

(c) If not, what are the facts ?

Answer—

The Honourable the Commissioner of Labour :

(a) At its annual conference held at Port Harcourt in November, 1948, the Amalgamated Union of United Africa Company African Workers, Nigeria and the Cameroons, decided to declare a trade dispute with the United Africa Co. Ltd. on several matters concerning the conditions of employment. The Union sought my intervention. I thereupon appointed, under the Trades Disputes (Arbitration and Inquiry) Ordinance, a Labour Officer to inquire into the causes and circumstances of the difference. The situation did not improve during the course of the inquiry because in addition to a strike threat by the Union serious discord of a personal nature developed between some of the officials of the Union and the management and led to the management's refusal to treat or meet with these persons.

2. On receiving the report on the inquiry I formally appointed a conciliator with a view to a settlement of the dispute. The fact that certain of the Union's officials were *non persona grata* with the management hampered the earlier proceedings but joint meetings were later possible and on all but five of the issues agreement was reached. On these outstanding matters the

[Com. of Labour]

[Answer]

Union agreed to suspend its request for arbitration and to endeavour, with the help if necessary of my Department, to strengthen and maintain good relations between itself and the Company.

3. Early in 1950 the Union renewed its strike threat because of what it then described as the failure of the May, 1949 conciliation. The Company, however, declined to re-open a dispute which it regarded as having been resolved. In June the Union announced the existence of a trade dispute between its members and the United Africa Company Limited and stated that the "Annual Conference of the Union had authorised the Central Executive Council to pursue the matter of settling the remaining points in dispute up to the point of strike". It soon became evident that there was little hope of settling the matter either by direct negotiation between the parties themselves or by conciliation. Accordingly, both parties having agreed, it was decided to refer to arbitration the five points left unresolved at the conciliation in May, 1949. The Union was so informed on 28th July and arrangements were promptly made for the constitution of an Arbitration Tribunal. However, on the 1st of August, the Union announced that it wanted a further six points, including the question of a 12½ per cent cost-of-living allowance, included in the terms of reference of the Tribunal. The Company pointed out that the cost-of-living allowance was a new issue and that the other five points had been settled in May, 1949, but before the Company could decide upon its reaction to the Union's new demand the Central Executive Council of the Union called the workers out on strike and many stations in the Provinces were affected as well as Lagos. The Company agreed to the inclusion of the six extra points and the strike was called off on 8th August. The Arbitrator was appointed on the 11th August and the award was made on 10th November.

(b) No cases of what could be called victimization have been brought to my notice.

(c) The facts, as far as I know them, are as follows :

Immediately after the strike complaints were received from the secretary of the Union alleging instances of victimization. I advised the Union to bring the individual cases to the notice of the Company and to seek my intervention later should this prove unsuccessful. The Company was also advised to facilitate any direct approach that might be made by the Union on the subject. The Union did not accept my advice.

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

56. To ask the Honourable the Commissioner of Labour :—

(a) What were the circumstances leading to the strike by some mercantile workers during December, 1950 ?

(b) What firms were involved and how many strikers participated on the whole ?

(c) How long was the strike and what were the effects on the employers and the strikers ?

Answer—

The Hon. the Commissioner of Labour :

(a) 1. The Amalgamated Union of United Africa Company African Workers, Nigeria and the Cameroons, maintained that the arbitration award referred to in the answer to Question 55 (a) provided for the payment of a 12½ per cent cost-of-living allowance as from 1st April, 1950. The Company maintained that the effective date was that of the award, namely, 10th

November, 1950. When it was clear that the latter interpretation was correct the Union shifted its ground and stated that the award was unjust and unacceptable. A threat to strike followed and in spite of a formal interpretation by the arbitrator to the effect that the date intended was 10th November, the Union carried out its threat. Only a minority of the workers responded to the Union's call although, owing to intimidation and the fear of intimidation, the number of workers absent from duty continued to increase during the earlier days. Thereafter the support rapidly weakened and on the 26th December the strike was called off.

2. The Nigerian Labour Congress, whose General Secretary is also General Secretary of the Amalgamated Union of United Africa Company workers, is not itself a trade union but is a loose association of trade unions. Towards the end of November it began a campaign with the object of urging all the employees of all mercantile firms who had not already received a 12½ per cent cost-of-living allowance as from the 1st April, 1950, to make a demand in these terms and to strike on 14th December—the date already fixed for the threatened strike in the United Africa Co. Ltd.—if the demand was not granted. Shortly after this the Amalgamated Union of Clerical and Allied Workers, a registered trade union of the employees of various mercantile establishments and a member of the Nigerian Labour Congress, approached me on the subject in regard to its several branches. I thereupon formally appointed my Deputy to be a chairman under whose presidency the disputant parties could meet and endeavour to resolve their differences, separately in respect of each of the fourteen firms with which the dispute was declared. It may be an indication of the measure of reality in this dispute that his effective intervention was possible in only one case: in five firms the parties asserted that no dispute existed between them; negotiations were reported proceeding between the workers and their employers in respect of six others and in the remaining two the meetings called were cancelled because the unions failed to attend. Nevertheless the Nigerian Labour Congress pursued its strike policy and, in the event, a small minority of workers in Lagos and some provincial towns went out on strike at the scheduled time. These strikes followed the same course as that in the United Africa Co. Ltd.

(b) The following ten firms were involved:—

United Africa Co. Ltd.,
 Elder Dempster Lines, Ltd.,
 Societe Commerciale de l'Ouest Africain,
 Nigerian Brewery, Ltd.,
 Taylor Woodrow (West Africa) Ltd.,
 British West African Timber Company,
 African Timber and Plywood, Ltd.,
 Compagnie Francaise de l'Afrique Occidentale,
 John Holt and Co. (Liverpool), Ltd.,
 Norken Lumber Company.

A total of about 7,320 employees were involved in the strike, not all of them voluntarily, mostly in the United Africa Co. Ltd. and Elder Dempster Lines, Ltd.

(c) From midnight 14th December to midnight 26th December, though in some areas work was not resumed until 29th December.

The effect of the strike on the employers and the strikers is not known but a rough estimate shows the total number of man-days lost as a result of the strike to be 73,792. Particulars so far available indicate that some 42 per cent of the strikers had been re-engaged up to the middle of February.

[Dr the Hon. N. Azikiwe]

[Question]

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

57. To ask the Honourable the Commissioner of Labour :—

(a) How many workers were arraigned in court in the last three years for offences in connection with strikes and picketing ?

(b) What were the offences and how were the cases disposed of ?

*Answer—***The Hon. the Commissioner of Labour :**

(a) No such records are kept in my Department but from information received from elsewhere as far as I can ascertain, the number was 283.

(b) The following are particulars of the offences and the manner of their disposal as ascertained at the end of February, 1951 :—

<i>Offence</i>	<i>No. charged</i>	<i>No. convicted</i>	<i>No. discharged or acquitted</i>	<i>No. awaiting trial</i>
Sections 70 and 249 of Criminal Code	4	4	—	—
Section 305A (1)	10	—	10	—
Section 356	7	6	1	—
Section 366	3	3	—	—
Sections 366 and 367	21	14	7	—
Section 451	2	2	—	—
Unlawful assembly	77	71	6	—
Unlawful removal of public notice	1	1	—	—
Throwing missiles	16	8	8	—
Disorderly behaviour	50	22	28	—
Inciting to commit offence	2	2	—	—
Affray	32	32	—	—
Assault	58	36	14	8
Total	283	201	74	8

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

58. To ask the Honourable the Chief Secretary to the Government :—

(a) How many Government scholarships and bursaries were awarded in this country for studies at home and overseas from 1948 to 1950, year by year ?

(b) In what subjects or fields of specialization were they granted ?

(c) In what countries were the holders sent for study and how many of them were sent to each country ?

(d) In view of wide spread shortage of technical staff and the need to relate the educational programme of this country to its economic development, will energetic effort be made to award more scholarships in the fields of agriculture, geology, engineering, technology and medicine, if qualified applicants are available ?

[C.S.G.]

[Answer]

Answer—

The Hon. the Chief Secretary to the Government :

(a)		Scholarships at University College, Ibadan	Scholarships in United Kingdom and elsewhere	Total
1948	.. ..	16	73	89
1949	.. ..	41	90	131
1950	.. ..	26	190	216

(b)

Subjects	1948	1949	1950	Total
Degree Courses in Arts and Science.. ..	25	39	27	91
" " Agriculture	2	3	5	10
" " Architecture	—	1	1	2
" " Dentistry	—	—	2	2
" " Economics and Commerce	2	6	3	11
" " Engineering	7	8	28	43
" " Geology	—	—	1	1
" " Medicine	6	7	9	22
" " Pharmacy.. ..	2	—	3	5
" " Veterinary Science	—	1	—	1
Accountancy	6	3	6	15
Art	1	—	3	4
Band Sergeant's Course	—	—	1	1
Co-operative	—	2	2	4
Customs Duties	—	2	2	4
Domestic Science	2	5	7	14
Film Production	—	—	1	1
Forestry	—	2	2	4
Hospital Administration	—	3	2	5
Journalism	—	1	1	2
Labour Relations	—	1	2	3
Legal Courses	—	—	3	3
Librarianship	—	2	2	4
Livestock Management	—	—	4	4
Marine Navigation	—	6	—	6
Meteorology	—	—	2	2
Nursing (General and Mental)	7	—	9	16
Photography	—	1	1	2
Postal Duties	5	—	15	20
Printing.. ..	—	2	2	4
Prison Administration.. ..	—	2	—	2
Public Administration.. ..	2	2	4	8
Railway Training	6	2	10	18
Registrars of Court	—	1	1	2
Seamen's Welfare	—	—	1	1
Safety Officer's Course	—	—	1	1
Social Science	1	4	3	8
Survey	4	3	—	7
Teacher Training Courses	8	20	38	66
Technical Courses (Various)	3	2	6	11
Trade Union Courses	—	—	6	6
Total	89	131	216	436

[C.S.G.]

[Answer]

(c) United Kingdom, United States of America and Canada, viz :—

United Kingdom.. .. .	345
United States	5
Canada	3

(d) Yes, Sir, within the limits of the funds provided by the Legislature. But very few candidates for technical appointments of this nature are forthcoming.

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

61. To ask the Honourable the Chief Secretary to the Government :—

(a) How many Nigerians have been commissioned in the Royal West African Frontier Force in the last five years ?

(b) What are their names and tribes, and how long has each been commissioned ?

(c) In what respects are the salaries and allowances paid to them different from their expatriate colleagues ?

(d) Are they all still in the Army ?

(e) If not, who among them have left and why ?

Answer—

The Hon. the Chief Secretary to the Government :

The answers to (a), (b) and (d) and (e) of the question are given in the following schedule :—

No.	Name	Tribe	Date commis- sioned	Remarks
393642	.. Ugboma, L. U.	Ibo	28-8-48	Relinquished Emergency Commission wef 26th Feb., 1950.
400648	.. Bassey, W. U.	Ibibio	29-4-49	Serving with 2 NR as Lieut.
403037	.. Ademulegun, S. A.	Yoruba	11-6-49	Serving with N. Sig. Sqn. as Lieut.
403077	.. Ironsi, J. U. A.	Ibo	12-6-49	Serving with 5 NR as Lieut.
409925	.. Shodeinde, R. A.	Yoruba	22-4-50	Serving with 3 NR as Lieut.

In addition to the above-named officers there are two Nigerian Other Ranks who are at present attending a Pre-Officer's Cadet Training School in the United Kingdom. They will later appear before a Regular Commissions Board and if successful will enter the Royal Military Academy, Sandhurst. There are also fifteen African Other Ranks in Nigeria who are receiving special training as they are considered to be potential officer material.

The reply to (c) of the question is as follows :—

1. When African Officers are serving in the United Kingdom they receive the same basic pay and personal allowances as do British Officers of the same rank.

[C.S.G.]

[Answer]

2. (i) When African Officers are serving in West Africa, however, they are paid under Article 268 of the Royal Warrant (1940) while expatriate officers continue to receive the rates in issue to them while in the United Kingdom.

(ii) The difference in basic pay as at 2 (i) is :—

Expatriate Lieutenant—19s 6d per day
African Colonial Force Lieutenant—13s per day.

(iii) Expatriate officers also receive additional pay while on the strength of the African Colonial Force which in the case of a Lieutenant amounts to 4s 6d per day.

(iv) Marriage allowance admissible to expatriate officers over 25 years of age amounts to 15s 6d per day there being *no* additional allowance for children.

All African married officers receive an allowance of 4s per day basic and an addition in respect of children at the following rates :—

One child	..	..	..	..	..	..	4s 6d per day
Second child	..	..	..	..	..	..	2s per day
Each additional child	..	..	..	..	..	..	2s per day

A further addition of 1s per day is admissible when the wife is living at the duty station with her husband.

(v) All expatriate officers receive a Local Overseas Allowance while serving in Nigeria. The appropriate rates are :—

Single Officer, *i.e.*, officers either unmarried or who are not accompanied by their families 2s per day

Married (where family are with the officer) :—

When in Government quarters 13s per day

When in private accommodation 15s 6d per day

African Officers do not receive Local Overseas Allowance but receive Colonial Allowance at the following rates :—

Single	..	..	..	..	..	..	6d per day
Married	..	..	..	..	..	..	3s 9d per day.

3. Other allowances are identical whether the officer is African or Expatriate.

4. The rates of pay and allowances in issue to African officers are temporary, the matter having been for some time the subject of discussions between the War Office, West Africa Command and the four West African Governments. A decision is hoped for soon.

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

62. To ask the Honourable the Chief Secretary to the Government :—

(a) Are members of the (i) Junior Service and (ii) Native Authorities entitled to advance for the purchase of motor vehicles, if the nature of their duty demands frequent touring over areas far apart ?

(b) If not, has the time not come when (i) they should be encouraged to own their motor vehicles, if their work necessitates frequent travelling and (ii) paid either basic transport or mileage allowance ?

(c) Is there any tangible reason why members of the Junior Service should not be provided with transport if the nature of their duty demands same ?

(d) Ditto for those employed by the Native Authorities ?

[C.S.G.]

[Answer]

*Answer—***The Hon. the Chief Secretary to the Government :**

(a) (i) Yes, Sir ; provided that they fall for consideration under the terms of Circular 14/1950 which were settled with the concurrence of the Junior Service Whitley Councils.

(ii) Yes, Sir ; Native Authority staff are eligible to receive advances to purchase motor vehicles and may be paid allowances, not exceeding those prescribed for Government staff, provided that the grant of an advance and an allowance is necessary for the sufficient performance of the employee's duties and provided that the nature of the employee's duties makes it preferable that he should possess his own vehicle rather than use a Native Authority vehicle for the purpose.

(b) (i) Does not arise

(ii) Does not arise

(c) Not applicable in view of (a) (i) above.

(d) Not applicable in view of (a) (ii) above.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

64. To ask the Honourable the Chief Secretary to the Government :—

(a) Is it a fact that African prisoners, who are used to wearing shoes in their homes, are compelled to be bare-footed, unless medical opinion rules to the contrary ?

(b) Is it a fact that African prisoners are compelled to wear short knickers even in cold weather, unless medical opinion rules to the contrary ?

(c) Is it a fact that European prisoners are allowed to wear shoes and trousers, as a matter of course, without consultation of medical opinion ?

(d) What is the nature of discrimination existing in the prisons of this country, so far as treatment of prisoners is concerned ?

*Answer—***The Hon. the Chief Secretary to the Government :**

(a) Prisoners are not normally provided with footwear but the Director of Prisons has authorised Superintendents of Prisons to issue footwear to prisoners at their discretion and this is done in appropriate cases.

(b), (c), (d) The Honourable Member's attention is invited to the Prison (Amendment) Regulations, 1951 (published in the Supplement to *Nigeria Gazette* No. 10, Vol. 38, of the 22nd of February, 1951) which removed all racial discrimination in the treatment of prisoners. Superintendents of Prisons are now empowered by the Regulations to vary the diet, clothing and footwear issued to prisoners to accord as closely as possible with their normal mode of life before conviction and it is their practice to do so.

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

65. To ask the Honourable the Chief Secretary to the Government :—

(a) What is the precise definition of the title, "Local Government Auxiliaries," as attached to those civil servants and employees of Native Authorities who were granted bursaries for a short visit to the United Kingdom ?

(b) What is the nature of their duty on return to Nigeria ?

(c) Is it intended to promote them to a higher grade or to appoint them in the Senior Service ?

[C.S.G.]

[Answer]

*Answer—***The Hon. the Chief Secretary to the Government :**

(a) No government servant and no existing employee of any Native Authority is a "Local Government Auxiliary", and the term has now been abandoned at the instance of members of the Eastern House of Assembly in favour of the term "Local Government Assistant".

Fifteen men went to England in 1950 from the Eastern Provinces for a six months course of training in local government. Five were Government servants. Seven were Native Authority employees. Three were persons privately employed. These last three were informed that at the conclusion of the course they would be free, if they wished and their employers were willing, to return to their former employment; but they were guaranteed temporary employment by Government on salaries not less than they had been receiving if they wished to take it. In the event, all three chose to accept temporary employment with Government. There was also one Native Authority employee whose post was filled in his absence; he was also offered and accepted temporary employment with Government.

Only these four men are Local Government Assistants. The Government servants have resumed duty on their old salary scales and have been seconded to special duty in connection with the introduction of the local government system provided for in the Eastern Region Local Government Ordinance. The Native Authority servants have returned to their posts under the Native Authorities which employ them.

(b) The Local Government Assistants are engaged on duties in connection with the introduction of the local government system provided for in the Eastern Region Local Government Ordinance, one in Awgu Division, one in Ikot Ekpene Division and two in Eket Division. The two men from Eket Division have recently been assisting in the conduct of local government elections in Ikot Ekpene Division.

(c) Government employment of these men is temporary only, and they are paid at various rates in Section B of Scale F 2 and in Scale F 3 according to their former salaries. It is hoped that they will in due course find employment in the senior posts of local government councils when they are created. The questions of promotion to a higher grade in Government service, and of appointment to the Government Senior Service, do not therefore arise.

The Government servants have open to them the same possibilities of promotion within the Junior Service, or of promotion to the Senior Service, as they had before their visit to the United Kingdom. They may also if they wish be transferred to or seconded to the service of local government councils.

Supplementary Question to No. 65 (a) by the Second Lagos Member (Dr the Hon. N. Azikiwe):—

What was the definition when the title was in use ?

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

I do not think that there was ever any definition, Sir. The title was invented when these people went to be trained.

[Dr the Hon. N. Azikiwe]

[Question]

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

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

(a) From 1946-1950, year by year, how many members of the Education Department are in (i) the Senior Service and (ii) the Junior Service ?

(b) Of those in the Senior Service how many are (i) expatriate officers, and (ii) patriate or non-expatriate officers ?

*Answer—***The Hon. the Director of Education :**

(a) The members of the Education Department in the Senior and Junior Service from 1946 to 1950 are as follows :—

	(i) Senior Service	(ii) Junior Service
1946 ..	126	733
1947 ..	147	842
1948 ..	178	924
1949 ..	230	1,136
1950 ..	300	1,417

(b) Of the officers in the Senior Service, at present there are

(i) 272 expatriate officers

(ii) 28 patriate or non-expatriate officers.

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

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

How many members of the Education Department in (i) the Senior Service and (ii) the Junior Service are attached to the section connected with technical education ?

*Answer—***The Hon. the Director of Education :**

(i) There are sixty-four members of the staff of the Education Department in the Senior Service attached to the Technical Education Branch.

(ii) There are 103 members of the staff of the Education Department in the Junior Service attached to the Technical Education Branch.

MOTIONS**The Hon. the Senior Resident, Kano Province :**

Your Excellency, I rise to report from Select Committee, the petition presented by the Member for the Colony (Rev. and Hon. T. A. J. Ogunbiyi, O.B.E.), on behalf of the people of Ijebu Quarter, Owo, in Owo Division of Ondo Province, and to move the adoption of the report of the Select Committee.

I regret Sir, that in the time available, it has not been possible to have the report printed and circulated and therefore Sir, with your permission, I will read it. It is very brief.

A Select Committee of the Legislative Council was appointed by Your Excellency on the ninth day of March, 1951, to consider and make recommendations with regard to the petition of the members of the Chieftaincy family of the late Ojomo Owo and members of the community of Ijebu Owo in connection with the abolition of the title of Ojomo Owo.

[D.M.S.]

[Motion : Report of Select Committee on Private Practice of Medicine and Surgery by Government Doctors]

recommended in the Report and far larger emoluments than our medical officers now receive are offered. Otherwise we shall lose many of our medical officers by premature retirement and very few new recruits will come forward to take their place. This the country cannot at present afford. We agree with the critics that our present proposals are only a partial solution to this problem. I suggest, however, that it is the correct solution, and the only justifiable and equitable solution under present conditions. It is, admittedly, a compromise but it is a good and a workable compromise between the ideal and the practical. It is a step forward in the right direction—a step forward to the ultimate goal of complete abolition of private practice. As such, Your Excellency, I commend to this Honourable House the acceptance of the proposals contained in the Government Statement, as amended by Select Committee.

Your Excellency, I beg to move.

The Honourable the Financial Secretary :

Sir, I beg to second.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

On a point of explanation Sir. Would the Director of Medical Services tell this House what are the official hours of duty of Government Medical Officers ?

The Hon. the Director of Medical Services :

They vary, Sir, in different circumstances. I would say that the official hours of Government Medical Officers can be regarded as the same as the hours of any other Government Officer, that is from 8 a.m. to 2 p.m. The number of actual hours on duty will vary from station to station and according to the volume of work.

The Temporary Member for the Eastern Provinces (The Hon. L. N. Mbanefo) :

May I ask the Director of Medical Services whether it is contemplated to stop Government Medical Officers opening clinics outside Government hospitals and also what will be the position of those who hold retainers for commercial firms and for that purpose maintain clinics outside Government hospitals ?

The Hon. the Director of Medical Services :

They are definitely forbidden to open a clinic. Those who have retainers from commercial firms can attend patients outside their office hours and in the firms' clinic.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

Would the Director of Medical Services tell us by what means people in the rural areas and in the more backward Provinces know this—how will they get to know that money must be paid only to almoners ? They don't know anything about almoners and will hand their money to anybody. How are we to overcome that difficulty ?

The Hon. the Director of Medical Services :

We shall get that publicised as soon as possible and we shall also put notices in hospitals to the effect that their money must be paid only to an almoner,

[F.S.] [Motion : Report of Select Committee on the Customs (Amendment of Export Duties) Resolution]

His Excellency :

The question is in terms of the motion.

The ayes have it.

Resolved in the affirmative.

The Hon. the Financial Secretary :

I beg to report from the Select Committee the Customs (Amendment of Export Duties) Resolution, 1951, amended as set out in the reprint of the Resolution attached to the Report of the Select Committee tabled today, and to move that the Resolution as so amended be adopted.

The Hon. the Development Secretary :

Sir, I beg to second.

His Excellency :

The question is in the terms of the motion.

The ayes have it.

Resolved in the affirmative.

The Hon. the Financial Secretary :

Your Excellency, I rise to move the Motion standing in my name in the Order Paper which reads as follows:—

“WHEREAS by the Development Loan Ordinance, Chapter 53 of the Laws of Nigeria, the Governor is authorised to raise by loan a sum not exceeding eight million pounds to be appropriated and applied to the purposes specified in the Schedule to the said Ordinance :

AND WHEREAS by the Nigeria (Ten-Year Plan) Local Loan Ordinance, Chapter 154 of the Laws of Nigeria, the Governor is authorised to raise a loan in Nigeria not exceeding the sum of one million pounds to be appropriated and applied in respect of all or any of the purposes specified in the Schedule to the Development Loan Ordinance (Chapter 53) :

AND WHEREAS a loan of three hundred thousand pounds has been raised under the Nigeria (Ten-Year Plan) Local Loan Ordinance, (Chapter 154) :

AND WHEREAS it is at present inexpedient to raise a further loan under either of the said Ordinances :

AND WHEREAS it is now necessary to incur expenditure in respect of certain of the purposes aforesaid :

“Be it resolved :

That this Council signified its approval of a further expenditure of £4,685,470 from surplus balances standing to the credit of this Government for the purposes set out in Part 1 of Appendix I of 1951-52 Draft Estimates of Nigeria as summarised below :

(A) Electricity Development	..	..	..	£	900,000
(B) Marine Development	..	..	..	..	126,700
(C) Telecommunications Development	..	..	..	..	349,000
(D) Urban Water Supplies	..	..	..	..	468,370
(E) Major Extensions to National Communications					
—Bornu Province	..	..	..	..	2,000,000
(F) Road Development	..	..	..	..	841,400
Total	..	..	..	..	£4,685,470”

[F.S.]

[Motion : Development Loan Ordinance]

This motion, Sir, is self-explanatory. The Revised Plan of Development and Welfare which has been accepted by this House provides *inter alia* for a number of projects to be financed from the loan which has already been authorised but not yet raised and from any future loans to be authorised. Details of the expenditure proposed are at pages A4 to A14 of the draft estimates for 1951-52 as amended in Select Committee on the estimates. Pending the raising of the loan and of any further loans, it is proposed, as heretofore, to provide the money from surplus balances.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

His Excellency :

The question is in the terms of the motion.

The ayes have it.

Resolved in the affirmative.

The Hon. the Financial Secretary :

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

“WHEREAS on the 3rd day of March, 1948, the Legislative Council approved a proposal that an extension be made to the Apapa Wharf and recommended that the cost, then estimated at approximately one and three-quarter million pounds, should be defrayed from the proceeds of a loan to be raised nearer the date of construction and approved the making of advances to cover expenditure on this project necessarily incurred prior to the raising of such loan :

AND WHEREAS on the 10th day of March, 1949, the said Council approved a proposal that improvements to the collieries at Enugu at that time operated by the Government of Nigeria, and now operated by the Nigerian Coal Corporation, should be effected in accordance with the ten-year plan proposed by the Powell Duffryn Technical Services, Limited ; and recommended that the cost of these improvements, then estimated at approximately four hundred and thirty-five thousand pounds, should be defrayed from the proceeds of a loan to be raised thereafter and approved the making of advances to cover expenditure on this project necessarily incurred prior to the raising of such loan and the making of other advances to cover such other expenditure as should from time to time be approved by the said Council in anticipation of the raising of such a loan :

AND WHEREAS on the 3rd day of April, 1950, the said Council approved a proposal to incur additional expenditure in respect of the purposes aforesaid and in respect of the processing and extraction of by-products of coals and lignites ; of the Niger Agricultural Project ; and of Railway Development :

AND WHEREAS it is now necessary to incur additional expenditure in respect of the purposes aforesaid :

[F.S.]

[Motion : Development Loan Expenditure]

“ Be it resolved :

That this Council signified its approval of the expenditure from surplus balances standing to the credit of this Government of the sum of three million, eighty-six thousand, two hundred and thirty pounds for the purposes set out in Part 2 of Appendix I of the 1951-52 Draft Estimates of Nigeria as summarised below :—

Colliery Development	..	..	..	..	£ 125,000
Marine Development	..	..	..	..	750,000
Coals and Lignite	..	..	..	..	84,230
Industrial and Agricultural Development	..	..	..	..	125,000
Railway Development	..	..	..	..	2,002,000
Total	..	..	..	..	£3,086,230 ”

As Honourable Members are aware, Part 2 of Appendix I of the Nigerian Estimates, with which this Motion is concerned, provides for development loan expenditure chargeable to advances from surplus funds pending reimbursement from loans not yet authorised.

The only new scheme involving expenditure in 1951-52 for which no provision was made in the 1950-51 Estimates is the £3½ million programme for the rehabilitation of the capital equipment of the Nigerian Railway and for extensions to the present line. In January, 1951, the Standing Committee on Finance approved the making of advances of up to £500,000 to the Nigerian Railway during the remaining quarter of the financial year, and, pending the raising of a special loan, it is desired to provide for the issue of four further advances of £500,000 each during 1951-52.

The estimated total cost of the Apapa Wharf Extension, originally set at £1,750,000 and revised to £2,600,000 in the 1950-51 Estimates, has now risen to £3 million on account of certain essential expenditure, notably on the provision of modern cranes for the new wharf and on consultants' fees, not provided for in the original contract, and also on account of recent increases in labour rates above the basic rates laid down in the contract. Work has now been in hand for about six months. Progress has not been as rapid as had been hoped, and out of the £500,000 provided in the 1950-51 Estimates, it is anticipated that only £230,000 will be spent. A good start has, however, been made in the necessary preliminary demolition and clearing work, and in the erection of offices, stores and staff quarters, and heavy plant is now arriving in quantity. It is estimated that £750,000 will be spent in 1951-52.

Honourable Members are already familiar with the remaining schemes to which reference is made in this Resolution, and for the completion of which the necessary provision has been made in the 1951-52 Draft Estimates.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

His Excellency :

The question is in the terms of the motion.

The ayes have it.

Resolved in the affirmative.

The Honourable the Financial Secretary :

Sir, I rise to move the Motion standing in my name which reads as follows :—

“ Be it resolved :

“ That the Director of Agriculture is authorised to expend on the Oil Palm Research Station the sum of £202,610, as set out in Appendix Q to the Estimates of Nigeria for 1951-52, such expenditure to be made in anticipation of reimbursement from funds made available by the Nigeria Oil Palm Produce Marketing Board, and that the Public Relations Officer is authorised to expend on Marketing Publicity the sum of £21,000, as set out in Appendix U to the Estimates of Nigeria for 1951-52, such expenditure to be made in anticipation of reimbursement from funds made available by the Nigeria Produce Marketing Boards ”.

Honourable Members are already aware of the great importance to the Nigerian growers of primary produce of the various schemes operated by the Agricultural Department on reimbursement from Marketing Board funds. Detailed estimates for the eight such schemes are included in Appendices N, Q, and U of the 1951-52 Draft Estimates, but of these it is only the Oil Palm Research Station Estimates of Appendix Q upon which a Resolution of this Council is required. The other seven schemes are carried out under the direction of the Regional Authorities in the Northern, Western and Eastern Regions, and the 1951-52 Estimates for them have already been approved by the respective Regional Houses.

1951-52 is the last year of the three-year period in respect of which the Oil Palm Produce Marketing Board approved a total grant of £530,000 for the work of the Oil Palm Research Station. Some £68,000 was spent in 1949-50, and it is anticipated that 1950-51 expenditure will amount to approximately £172,000. The 1951-52 Estimates involve an expenditure of £202,610 and provide for an all-round increase in activities which is amply justified by the valuable work the Station performs.

The other scheme with which this Resolution is concerned provides, as I explained when I moved a similar Resolution in March, 1950, for suitable publicity on behalf of the Boards to help producers and the public in general to understand the significance of the Marketing Board system and the long-term advantages of stable produce prices. The scheme also provides for the education of the producers in the use of improved production measures to raise quality and reduce the effects of disease and pest infestation. An expenditure of £14,580 was approved for 1950-51, but as it has only recently been possible to recruit an Assistant Public Relations Officer to take charge of the scheme the actual expenditure is not likely to exceed £1,500. Pending the preparation of detailed plans by the new Assistant Public Relations Officer, and their consideration by the Marketing Boards, provision has been made in the 1951-52 Draft Estimates under three one-line votes totalling £21,000.

Sir, I beg to move.

The Hon. the Development Secretary :

Sir, I beg to second.

[Hon. C. D. Onyeama]

[Motion]

His Excellency :

The question is in terms of the motion.

The ayes have it.

Resolved in the affirmative.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I rise to move the Motion standing in my name in the Order Paper, which reads as follows :—

“ Be it resolved :

“ That this House notes with deep regret the death of Mr Douglas Alexander Skelton, Assistant Commissioner of Trade and Commerce to the Government of Canada and a Member of the Commissioner appointed by His Excellency the Governor to enquire into the allocation of revenue between the Regions of Nigeria and to express appreciation of the work he did. It is also requested that the Clerk of the House should convey the sympathy of this House to the bereaved relatives ”.

Honourable Members who were in Ibadan during the General Conference will remember that it was recommended then that the question of Revenue Allocation should be a matter for consideration by a Commission of Enquiry. Mr Skelton came out to this country to take part in trying to solve the problem which was then and still is exercising the minds of Honourable Members from the various Regions. Unfortunately, before he could get going he was lost at sea while out on a yatching cruise, and I think it is only proper that this country should express sympathy to the bereaved relatives.

Therefore I beg to move.

The Hon. Sir Adesoji Aderemi I, K.B.E., C.M.G., Oni of Ife :

Your Excellency, I beg to second.

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

In associating myself with the views of the Honourable Mover, I wish to add that the subject matter of this Motion emphasizes the need for providing adequate safety measures for protection of human life in the Victoria Beach. In recent years some important personalities whose services were invaluable to this country have lost their lives by drowning there. Since the Red Cross Society is interested in humanitarian work of this nature one wonders whether the Government would not consider the advisability to make available to that Society or any other institution of this kind a grant for the maintenance of services of life guards.

Sir, I beg to support the Motion.

The Hon. the Acting Chief Secretary to the Government :

On behalf of the Honourable Official Members I should like to associate Government fully with this Motion and with the sentiments expressed by the Honourable the First Member for the Eastern Provinces. Mr Skelton had a distinguished career in Canada and was an acknowledged authority on the federal finance of that country. We were therefore most grateful when we learned that the Canadian Government were prepared to release him to serve on Revenue Allocation Commission. Although he was with

[Hon. C. D. Onyeama]

[Motion]

us for so short a time those of us who met him realized what a keen interest he had already taken in the problem and what serious study he had undertaken so that he could understand the background of those problems. His tragic death came as a grievous shock to us all.

I support the Motion.

His Excellency :

Does the Honourable Member wish to reply ?

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, there is nothing to reply to.

His Excellency :

The question is in terms of the motion.

The ayes have it.

Resolved in the affirmative.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I do not rise to move the second Motion standing in my name which reads as follows :—

“ Be it resolved :

“ That this House having considered the report of a Commission appointed to enquire into the Kalabari—Okrika dispute over fishing rights in the Rivers Province humbly advises His Excellency not to implement the same.”

But I will ask leave of this House that the Motion be deferred until the next meeting of this House. I make this application after having discussed with His Honour the Chief Commissioner, Eastern Provinces, who has assured me that Government will not implement the Robinson recommendations until there has been time to debate it in this House. I may say, also, Your Excellency, that certain people in the Eastern Region propose to make an attempt to see whether this burning problem can be settled amicably between the parties concerned. There is also the additional point that there is now a trial of about one hundred and fifty people who might be concerned with this Motion, and it might be dangerous for us to make any statements in view of the fact that if we said anything it might influence the trial one way or the other. There is no privilege in this House which would exempt us from a charge of contempt of court. In the circumstances I think it might be wiser for everybody if this Motion be deferred until the next meeting.

Your Excellency, I beg to move that this Motion be deferred until the next meeting of this House.

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I have given my Honourable Friend the assurance that there is no likelihood of Government being able to implement the recommendations of this Commission before the next sitting of this Honourable House. That is to say, before September, at the very earliest,

[Hon. A. Soetan]

[Motion]

His Excellency :

Standing Rules and Orders say that a Motion which has been withdrawn may be proposed again at any time during the Session. Perhaps it would be more formal and correct if the Honourable Member withdraws the Motion. Is it your wish to ask leave of the House to propose this Motion again during the present Session ?

The ayes have it.

Motion, by leave of Council, withdrawn.

The Fourth Member for the Western Provinces (The Hon. A. Soetan) :

Your Excellency, in consequence of the discussion I have had with the Honourable the Financial Secretary on the subject matter of the Motion standing in my name which reads as follows :—

“ Be it resolved :

“ That the privileges attached to chargeable income under the
“ Income Tax Ordinance (Chapter 92 of the Laws of Nigeria) be
“ also made applicable to assessable income under the Direct
“ Taxation Ordinance (Chapter 54 of the Laws of Nigeria) ”

and as it is proposed that the Report of the Revenue Allocation Commission may obviate the necessity of the Motion, I beg leave, Sir, to withdraw this Motion, and to propose it later on if necessary.

His Excellency :

The question is that leave be given to the Honourable Member to withdraw the Motion.

The ayes have it.

Motion, by leave of Council, withdrawn.

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

Your Excellency, if this is a disease I think it has infected me because I also have spoken with the Honourable the Attorney-General on the Motion standing in my name in the Order of the Day, which reads as follows :—

“ Be it resolved :

“ That this Honourable House feels strongly that Chapter 114
“ in Volume IV of the Laws of Nigeria—the Liquor Ordinance—
“ is overdue for revision, and requests the Honourable the Attorney-
“ General to make arrangements early for necessary amendments
“ to modernise and to democratise relevant sections thereof ”.

It appears that mutually we shall much be benefited if the Motion be withdrawn at this stage and be brought some time in October or September. Then we shall have seen each other and possibly see face to face.

With the leave of Your Excellency I beg to withdraw the Motion.

His Excellency :

Perhaps we could arrange on a future occasion that Motions by the Honourable the Third Lagos Member could be placed higher on the Order Paper so that he can pass on the disease to others, instead of being himself infected.

The question is that leave be given to the Honourable Member to withdraw the Motion.

The ayes have it.

Motion, by leave of Council, withdrawn.

BILLS

(Second and Third Readings)

THE LAGOS LOCAL GOVERNMENT (AMENDMENT) ORDINANCE, 1951

The Honourable the Commissioner of the Colony :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to amend the Lagos Local Government Ordinance, 1950.”

The Honourable the Acting Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-3.

Title.

Council resumes.

The Hon. the Commissioner of the Colony :

Your Excellency, I beg to report this Bill from Committee without amendment, and to move that it be read a third time and passed.

The Hon. the Acting Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE 1949-50 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1951

The Hon. the Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to make Supplementary Provision for the Service of Nigeria for the year which ended the thirty-first day of March, one thousand nine hundred and fifty ”.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-2.

First Schedule.

Second Schedule.

Preamble.

Title.

Council resumes.

The Hon. the Financial Secretary :

Your Excellency, I beg to report this Bill from Committee without amendment, and to move that it be read a third time and passed.

[F.S.]

[Appropriation Ordinance]

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Sir, I beg to second.

*Bill read a third time and passed.***(Committee Stage and Third Reading)****THE 1951-52 APPROPRIATION ORDINANCE, 1951****The Hon. the Financial Secretary :**

Your Excellency, I beg to report the Bill for the 1951-52 Appropriation Ordinance from the Select Committee as amended in the Report of the Select Committee tabled today, and to move that the Bill be re-committed to a Committee of the whole House.

The Hon. the Development Secretary :

Sir, I beg to second.

*Council in Committee.**Clause 1.**Clause 2.***The Hon. the Financial Secretary :**

I move that the words in the fourth and fifth lines " thirty-three million, three hundred and twenty-four thousand, one hundred and eighty pounds " be deleted and substituted by the words " thirty-five million, nine hundred and seven thousand, three hundred and fifty pounds ", with a consequential amendment in the marginal note to read " £35,907,350 ".

*Clause 2 as amended.**Clause 3.***The Hon. the Financial Secretary :**

I move that the words in the fifty and sixth lines " nine million, four hundred thousand, six hundred and fifty pounds " should be deleted and substituted by the words " nine million, four hundred and twenty-three thousand, five hundred and fifty pounds ", with a consequential amendment in the marginal note to read " £9,423,550 ".

*Clause 3 as amended.**Clause 4.***The Hon. the Financial Secretary :**

I move that the words in the second and third lines " forty-two million, seven hundred and twenty-four thousand, eight hundred and twenty pounds " be deleted and substituted by the words " forty-five million, three hundred and thirty thousand, nine hundred pounds " with a consequential amendment in the marginal note to read " £45,330,900 ".

*Clause 4 as amended.**Clause 5.**First Schedule.***The Hon. the Financial Secretary :**

I move that the First Schedule be deleted and substituted by the First Schedule set out in the reprint of the Bill annexed as Appendix B of the Report of the Select Committee.

*First Schedule as amended.**Second Schedule.*

The Hon. the Financial Secretary :

I move that the Second Schedule be deleted and substituted by the Second Schedule set out in the reprint of the Bill annexed as Appendix B of the Report of the Select Committee.

Second Schedule as amended.

Title.

The Hon. the Financial Secretary :

I move that the words in the first, second and third lines " forty-two million, seven hundred and twenty-four thousand, eight hundred and twenty pounds " be deleted and substituted by the words " forty-five million, three hundred and thirty thousand, nine hundred pounds ".

Title as amended.

Council resumes.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill from Committee with various amendments. I beg to move that the Bill as amended be now read a third time and passed.

The Hon. the Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

His Excellency :

That completes the business of the meeting.

I should like to thank most warmly all the Honourable Members for their co-operation in the speedy despatch of our business.

I look forward to seeing them again probably in the second part of August. Council is adjourned without date fixed.

ADJOURNMENT

Council adjourned sine die at 10.15 a.m.

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1st to 19th March, 1951

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C. & I.	=	Commerce and Industries
Com. S.	=	Committee Stage
Dept.	=	Department
Dev. Sec.	=	Development Secretary
D.M.S.	=	Director of Medical Services
F.S.	=	Financial Secretary
H.E.	=	His Excellency
N.A.	=	Native Authority(ies)
Ord.	=	Ordinance
P. & T.	=	Posts and Telegraphs
P.W.D.	=	Public Works Department
S. Com.	=	Select Committee
L.T.C.	=	Lagos Town Council
T.A.R.P.	=	Temporary addition to rates of pay.
R.W.A.F.F.	=	Royal West African Frontier Force

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ADEDOYIN, ADELEKE

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NIGERIA

Legislative Council Debates

FIFTH SESSION

21st, 22nd, 24th and 25th August, 1951

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Debates in the Legislative Council of Nigeria

Tuesday, 21st August, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 10 a.m. on Tuesday, the 21st of August, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable A. E. T. Benson.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Attorney-General,
The Honourable A. McKisack.
- The Acting Financial Secretary,
The Honourable R. W. Baker-Beall, M.B.E.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Acting Development Secretary,
The Honourable H. R. E. Browne, O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable D. H. Brown.
- The Director of Public Works,
The Honourable A. McDonald.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
The Honourable W. Fowler.
- The Senior Resident, Plateau Province,
The Honourable C. R. Niven, M.C.
- The Resident, Owerri Province,
The Honourable J. S. Smith.
- The Resident, Benin Province,
The Honourable R. J. M. Curwen.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahimia.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku, O.B.E.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
The Honourable Sir Francis A. Ibiam, K.B.E.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki, C.B.E.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.

The Fourth Member for the Western Provinces,
The Honourable A. Soetan.

ABSENT

UNOFFICIAL MEMBERS

The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
The Third Lagos Member,
The Honourable Adeleke Adedoyin.
The Third Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

OATHS

The Honourable A. E. T. Benson, Chief Secretary to the Government; the Honourable A. McKisack, Attorney-General; the Honourable R. W. Baker-Beall, M.B.E., Acting Financial Secretary; the Honourable H. R. E. Browne, O.B.E., Acting Development Secretary; the Honourable D. H. Brown, Acting Director of Agriculture; the Honourable A. McDonald, Director of Public Works; the Honourable W. Fowler, Acting Commissioner of the Colony; the Honourable C. R. Niven, M.C., Senior Resident, Plateau Province; the Honourable J. S. Smith, Resident, Owerri Province; and the Honourable R. J. M. Curwen, Resident, Benin Province, took the oath as members of the Council.

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 19th of March, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

His Excellency :

Honourable Members, I have not got an announcement to make but I think perhaps it would be appropriate at this stage to make a brief reference to Honourable Members of this Council who have been abroad on Council business : to welcome those who have returned : and to think with sadness of the one who will not return. I would mention first,—I propose to mention the Honourable Members by name as they were chosen personally—first, the Honourable Alvan Ikoku, who has come back after crossing many oceans and, in particular, representing the legislatures of West Africa and this legislature at the conference of the Commonwealth Parliamentary Association in New Zealand. I think Honourable Members have had a first report—a written report—on the conference. I have myself studied the full record of that conference and have taken note of the able contribution made to it by the Honourable Alvan Ikoku. More than that, I have heard from officials and others who were at the conference of his deserved popularity and of how well he carried the torch and upheld the reputation of this country. We welcome him back.

I should also like to welcome back Sir Francis Ibiam who has spent something like nine months in the United Kingdom, part of it in study, keeping himself up-to-date in his profession, and partly in going about the United Kingdom and giving an honest presentation of his country. We are glad to have him back.

[H.E. the Governor]

[Announcements]

Then there are the seven members of this Council who were chosen as guests of His Majesty's Government to be present in the United Kingdom at the time of the Festival of Britain. Five of them are back and with us today: the Honourable Abubakar Tafawa Balewa, the Honourable Bello Kano, the Honourable Buowari Brown, the Honourable Odutola, the Honourable Soetan, and there is one who has not yet returned, the Honourable the First Lagos Member Dr Nimbe, who has sent a telegram, just received, wishing the Council successful deliberations.

And now, if I may touch on the sad event that the Honourable Gage O'Dwyer died in England and will not come back to us. There are many in this Council and throughout the country who knew him better than I, and who could more fittingly pay tribute to him, but I knew him as a successful legislator and I may say as a personal friend. We all knew him as a man who lived fully, enjoyed life and served his country in many fields of public life. I think he died as he would have lived—happy and busy to the last, giving service and enjoying life. I ask members of the Council to rise and stand in memory of the Honourable Gage O'Dwyer.

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following papers:—

Sessional Paper No. 15 of 1950—Annual Report of the Registrar of Co-operative Societies in Nigeria for the year ending 31st March, 1950.

Sessional Paper No. 27 of 1950—Annual Report on the Forest Administration of Nigeria for the year 1949-50.

Sessional Paper No. 28 of 1950—Annual Report on the Veterinary Department for the year 1949-50.

Sessional Paper No. 2 of 1951—Annual Report on the Agricultural Department for the year 1949-50.

Sessional Paper No. 4 of 1951—Annual Report of the Land Department for the year 1949-50.

Sessional Paper No. 8 of 1951—Annual Report of the Department of Marketing and Exports for the year 1949-50.

Sessional Paper No. 10 of 1951—Annual Report on the Department of Civil Aviation for 1949-50.

Sessional Paper No. 11 of 1951—Annual Report on the Geological Survey Department for the year 1949-50.

Sessional Paper No. 13 of 1951—Annual Report of the Antiquities Branch for the period 1st January, 1949 to 31st March, 1950.

Sessional Paper No. 14 of 1951—Annual Report on the Public Relations Department for the period January, 1949, to 31st March, 1950.

Sessional Paper No. 16 of 1951—Annual Report of the Department of Education for the year 1949.

Sessional Paper No. 17 of 1951—Annual Report of the British West African Meteorological Services, 1949.

Sessional Paper No. 25 of 1951—Trade Report for the year 1949.

Sessional Paper No. 26 of 1951—Annual Report on the General Progress of Development and Welfare Schemes, 1950-51.

[C.S.G.]

[Papers Laid]

Regulations Nos. 55-59 and 61 made under the Agriculture Ordinance No. 37 of 1948.

Produce Inspection Regulations Nos. 26-34 of 1951.

Northern House of Assembly Debates of 4th to 6th and 11th December, 1950.

Northern Regional Council House of Chiefs Debates of 18th and 20th December, 1950.

Legislative Council Debates, Fifth Session—1st to 3rd, 5th to 9th, 17th and 19th March, 1951.

Annual Report and Accounts of the Northern Regional Production Development Board, 1950-51.

Annual Report and Accounts of the Northern Regional Development Board, 1950-51.

Subsidiary Legislation made since the last meeting of the Council.

Resolutions under section 53 (1) of the Nigeria (Legislative Council) Order in Council, 1946, adopted by:—

1. The Northern House of Chiefs.
2. The Northern House of Assembly.
3. The Western House of Assembly.
4. The Eastern House of Assembly.

Certificates of Urgency under Clause 53 (3) of Nigeria (Legislative Council) Order in Council, 1946, in respect of the following Bills:—

1. An Ordinance further to amend the Native Authority Ordinance.
2. An Ordinance to amend the Produce Inspection Ordinance.
3. An Ordinance to validate the Registration of certain instruments affecting Land in Nigeria.
4. An Ordinance to prohibit Township Local Authority Servants from becoming contributors to the non-pensionable Township Local Authority Servants Provident Fund after the commencement of this Ordinance, to permit depositors to withdraw from the Fund and to validate withdrawals by depositors already made.

Report of the Commission of Inquiry into the allegations of misconduct made against Chief Salami Agbaje, the Otun Balogun of Ibadan, and allegations of Inefficiency and Maladministration on the part of the Ibadan and District Native Authority by H. L. M. Butcher.

Nigeria Trade Summary Vol. 35, Nos. 10-12—October-December, 1950.

Nigeria Trade Summary Vol. 36, No. 1—January, 1951.

Nigeria Trade Summary Vol. 36, No. 2—February, 1951.

Nigeria Trade Summary Vol. 36, No. 3—March, 1951.

Nigeria Trade Summary Vol. 36, No. 4—April, 1951.

Nigeria Trade Summary Vol. 36, No. 5—May, 1951.

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to lay on the table the following papers:—

Sessional Paper No. 18 of 1951—Reports on the Audit of the Accounts of Nigeria for the year ended 31st March, 1949, by the Director of Audit, Nigeria, and by the Director-General of Colonial Audit.

Sessional Paper No. 19 of 1951—Report on the Audit of the Accounts of the Nigerian Government Railway (including Road Motor Services) for the year ended the 31st March, 1950.

Sessional Paper No. 20 of 1951—Annual Report on the Accounts of the Nigerian Government Collieries for the year ended the 31st March, 1950.

Sessional Paper No. 21 of 1951—Report of the Director of Audit on the Accounts of Nigeria for the year ended 31st March, 1950.

Sessional Paper No. 22 of 1951—Report on the Audit of the Accounts of the Nigerian Government Railway (including Road Motor Services) for the year ended the 31st March, 1949.

Sessional Paper No. 24 of 1951—Report of the Accountant-General with Financial Statements for the year ended 31st March, 1949.

Report of the Northern Regional Joint Standing Committee on Finance for the period December, 1950 to July, 1951.

Report of the Standing Committee on Finance of the Western House of Assembly for the period December, 1950 to 30th June, 1951.

Report of the Standing Committee on Finance of the Eastern House of Assembly for the period January to June, 1951.

NOTICE OF MOTIONS

The Honourable the Acting Financial Secretary :

Sir, I beg to give notice that on the 25th of August, subject to Your Excellency's concurrence, I shall move resolutions to confirm the following Orders in Council :

1. The Customs (Amendment) (Duties—Tobacco).
2. The Excise Tariff (Cigarettes).
3. The Customs (Amendment of Export Duties).

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

Your Excellency, I rise, with your permission, not to give notice of a motion, but to move the following motion on account of its urgency in this august assembly :—

“Be it resolved:

That this august assembly, designated the Legislative Council of Nigeria, meeting in this Chamber, respectfully desires His Excellency the Governor, as President of the Council, graciously to convey our congratulations, through the proper channels, to Her Royal Highness Princess Margaret whose birthday falls on this day under the sign of Leo, wishing her many happy returns of the day.”

His Excellency :

I think a certain latitude must be allowed to the Father of the House and I propose to accept the motion, and put it to Council.

Resolved in the affirmative.

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

Your Excellency, I rise to give notice of the following motion to be moved later during this meeting.

[Dr N. Azikiwe]

[Notice of Motions]

WHEREAS His Majesty with the advice of the Privy Council promulgated The Nigeria (Constitution) Order in Council, 1951, at the Court at Windsor on the 29th day of June, 1951 :

AND WHEREAS Chapters II and III of the said Order provided for the creation of regional and central legislative houses :

AND WHEREAS Part VII of Chapter II of the said Order contains provisions for direct and indirect elections and empowers His Excellency the Governor to make regulations for the election of members to the legislative houses :

AND WHEREAS His Majesty's Principal Secretary of State for the Colonies in a despatch No. 464A dated 15th July, 1951, at paragraph 10 said, *inter alia* :—

“As regards the Regional Houses of Assembly, it is proposed that the members should be elected by a system of indirect election through Provincial Electoral Colleges in the Northern Region and Divisional Electoral Colleges in the Eastern and Western Regions ; that the primary elections in each Region should be direct ; and that the detailed arrangements should be worked out in each Region and examined by the House of Assembly of that Region. I do not wish to prejudice this examination, but I would point out that the representative character of the Regional Houses of Assembly and, if they are to select the members of the Central Legislature, of that Legislature itself, will depend ultimately on the primary elections in the provinces and divisions. It is in my view most important that the arrangements for these primary elections should ensure that the members elected to the Provincial and Divisional Electoral Colleges should be genuinely representative of all the peoples of the areas concerned ; that the elections should be free and fair ; and that the form of election should be properly adapted to the circumstances of each area.”

AND WHEREAS His Excellency the Governor in a despatch No. 17A dated 15th May, 1951, at paragraph 9 said, *inter alia* :—

“9. Copies of the Reports by the Select Committees of the various Regional Houses on the arrangements for electing members to the Regional Legislatures—a matter in which you have expressed much interest—have already been forwarded to you and have received your general approval. In view of the disparity in size, communications and administrative structure of the various Regions it has not, of course, been possible to arrange the details of electoral procedure with complete uniformity. But the method will everywhere be popular election through electoral colleges, except in Lagos where election will be direct as at present. In the Eastern Region the representatives elected by the people at the primary elections will form divisional electoral colleges, which will themselves elect representatives to the Regional Houses. The procedure will be similar in the Western Region, except that in many areas there will be another intermediate stage between the primary elections and the divisional electoral colleges. In the Northern Region, with its greater distances, it will be necessary to have two or three tiers between the primary elections and the provincial electoral colleges. The Select Committees of the Regional Houses for the Northern and Western Regions have recommended that Native Authorities should participate in the electoral arrangements for those Regions at the appropriate level and this recommendation has general support in the two Regions. It is a reflection of the importance of Native Authorities in the life of the Northern and Western Regions and the arrangement

[Dr N. Azikiwe]

[Notice of Motions]

will ensure that in these Regions the Native Authorities can make available for service in the Regional Legislatures men of experience and ability who might not otherwise be eligible for election. I wish to pay tribute to the care with which the Select Committees of the Regional Houses have worked out their recommendations for electoral arrangements. I am satisfied that, in the terms of paragraph 10 of your despatch of the 15th of July, 1950, these arrangements will ensure that the members elected will be genuinely representative of all the people of the areas concerned; that the elections will be free and fair; and that the form of election will be properly adapted to the circumstances of each area".

AND WHEREAS there have been instances in certain parts of the country which warrant apprehension whether direct elections at the primary level will be free and fair:

BE IT RESOLVED that this Honourable House endorses the opinions expressed by His Majesty's Principal Secretary of State for the Colonies and His Excellency the Governor, to the effect that the primary elections shall be free and fair, and urges the authorities concerned to implement same."

QUESTIONS

NOTES.—Replies to Questions No. 14 by the Honourable the Second Member for the Eastern Provinces; No. 94 by the Honourable the Second Nominated Member; No. 95 by the Honourable the Third Member for the Western Provinces; Nos. 96 and 97 by the Honourable the Third Lagos Member and No. 98 by the Honourable the First Nominated Member are not yet ready.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.):

18. To ask the Honourable the Chief Secretary to the Government:—

(a) What has the Government decided eventually on the question of amalgamation or federation of Western and Eastern Ijaw to form one Division in the Rivers Province where they have their kith and kin in considerable numbers?

(b) Should these people not be allowed and assisted to accelerate their progress and betterment along with other Tribes in Nigeria? If not, why?

Answer—

The Hon. the Chief Secretary to the Government:

The position is still as was stated in the reply given to the Honourable Member's Question No. 46 at the meeting of this Council held on the 25th of March, 1947.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.):

20. To ask the Honourable the Chief Secretary to the Government:—

(a) How many Nigerians are in the Senior Service in the Meteorological Department?

(b) If none, have any arrangements been made for the selection of a suitable candidate or candidates with a view to the award of Departmental Scholarships for the advanced study of meteorology in the United Kingdom?

[C.S.G.]

[Answer]

*Answer—***The Hon. the Chief Secretary to the Government :**

(a) One.

(b) The essential qualifications for Assistant Meteorologists are an Intermediate B.Sc. or Higher School Certificate in mathematics and physics, together with experience in weather forecasting for aviation. The Intermediate B.Sc. is obtainable in Nigeria ; experience of weather forecasting is best obtained through a course in the United Kingdom under the Air Ministry.

At a Departmental Selection Board held on the 1st April, 1949, two out of five Meteorological Observers selected by the Department were recommended by the Board to the Central Public Service Board for the award of scholarships to enable them to take their Intermediate B.Sc. at University College, Ibadan, followed by a Forecasting Course in the United Kingdom, to fit them for promotion to the Senior Service as Assistant Meteorologists. Neither of the two candidates selected was accepted by the University College. Two further nominations were made at a subsequent Departmental Selection Board in February, 1950, but both candidates failed the Ibadan University College Entrance Examination. These two latter officers have since been awarded £30 each to enable them to study externally for their Intermediate B.Sc. in Lagos. Two other officers who are sitting this year for the Ibadan Entrance Examination have also been recommended for training courses by the Departmental Selection Board, whose recommendations will be considered by the Central Public Service Board at its meeting in April.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiām, K.B.E.):

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

(a) Is it true that there is discrimination in the Agricultural Department with regard to the promotion of competent Nigerians to the Senior Posts of this Department?

(b) What is the strength of the Senior Staff of the Agricultural Department?

(c) How many are (a) Nigerians and (b) Expatriate Officers?

(d) Where are they posted?

(e) What are the qualifications and experience of the Expatriate Officers who are classed as Agricultural Officers?

*Answer—***The Hon. the Director of Agriculture :**

(a) No, Sir.

(b) 161, including appointments notified up to July, 1951.

(c) Expatriate Staff 143, Non-expatriate Staff 18.

(d) I would refer the Honourable Member to the current edition of the Nigeria Staff List.

[*Ag. Dir. of Agriculture*][*Answer*]

(e) Of the fifteen expatriate Agricultural Officers now serving fourteen have a University Degree in Agriculture or allied subject: of these ten had on appointment two years post-graduate training or equivalent post-graduate experience and one had a Diploma in Dairy Husbandry in addition to his Agricultural Degree. Two had more than one year but less than two years post-graduate experience, one had less than one year's experience. The one expatriate Agricultural Officer without an Agricultural Degree had an Agricultural Diploma (Wye College) and had served for a number of years as Agricultural Officer in another territory before appointment to Nigeria.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiām, K.B.E.):

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

(a) What is the Government doing to bring about one Teaching Service for all Nigeria?

(b) Does Government realise that this is a most desirable policy for the enhancement of the Teaching Profession in Nigeria?

(c) How many Teachers who are serving with the Voluntary Agencies have actually been appointed to the Senior Service?

(d) If none, why so?

(e) When will the Superannuation Scheme *re* pension for Teachers under the Voluntary Agencies come into effect?

Answer—

The Hon. the Director of Education :

(a) A majority of the teachers in Nigeria is employed by Voluntary Agencies. Government has approved uniform scales of salary for teachers in Grant-aided Voluntary Agency schools and made payment according to these scales a condition of grant. The Native Administrations have, with Government approval, adopted scales of salary identical with or not far removed from the Voluntary Agency scales, for their teachers. By Regulations No. 6 of 1950 made under the Education Ordinance, Government has accepted an Extended Scale of Salaries for Voluntary Agency teachers. This is a recognition of and provides for a number of posts of Senior Service status in the Voluntary Agency educational services. There is thus a range of salary scales for Voluntary Agency teaching posts comparable with the range for Government educational posts.

(b) Yes, Sir, due regard being had to the fact that the major part of the educational services is provided through the Voluntary Agencies and the Native Authorities.

(c) By the end of July, 1951, forty-five members of the Voluntary Agencies had been appointed to the Extended Scale.

(d) In view of (c), the question does not arise.

(e) The Honourable Member is referred to the Rules for this Scheme published in *Gazette* No. 45 of 17th August, 1950. These Rules are now in operation.

[Sir Francis A. Ibiām]

[Question]

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiām, K.B.E.):

23. To ask the Honourable the Chief Secretary to the Government:—

(a) Will Government consider a scheme for the training of suitable Nigerians in higher military science possibly at the Sandhurst Military College in the United Kingdom?

(b) Will Government make enquiries if it is now in order for Nigerians who are studying in the Universities of the United Kingdom to be accepted as members of the Officers Training Corps, if they so desire, and if such Officers Training Corps still exist?

*Answer—***The Hon. the Chief Secretary to the Government:**

(a) The selection of entrants to the Royal Military Academy, Sandhurst, and appointments to regular Commissions at the end of the course is dealt with in great detail in Army Council Instruction No. 587 of 1950. Arrangements can be made for the Honourable Member to examine a copy of this A.C.I. but it is far too long for reproduction. Nigerians can and do enter Sandhurst under the terms of this A.C.I. In point of fact there are two Nigerians at present at the Royal Military Academy. No special scheme is therefore necessary.

(b) Officer Cadet Training Units still exist and so far as is known there is nothing to prevent Nigerians studying at a British University from entering such a unit. It is known that in 1950 there were two Nigerian students at Bristol University who were members of the training corps attached to that University.

The Second Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

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

(a) How many Government Secondary Schools are in the Northern Provinces of Nigeria and when was each of them opened?

(b) How many students were admitted into each of the Secondary Schools annually during the past six years up to 31st January, 1950, and to which tribes do they belong?

*Answer—***The Hon. the Director of Education:**

(a) Two:—

(i) Zaria Secondary School. This School has developed from the former Kaduna Government College, which in turn developed from the former Katsina Training Centre. When Kaduna Government College was transferred from Katsina to Kaduna in 1938, it conducted courses consisting of the higher secondary classes Middle V and Middle VI, followed either by a teacher training course or other specialist training. In 1942 the College extended its scope by commencing its course at Middle III. In 1949, the college was transferred to Zaria, becoming Zaria Secondary School, and embarked on the full secondary course.

(ii) Keffi Secondary School. Opened in 1949 at Kaduna Junction, pending the erection of permanent buildings at Keffi.

[Director of Education]

[Answer]

(b) (i) Zaria Secondary School.

	1945	1946	1947	1948	1949	1950
Hausa	13	17	20	16	28	33
Fulani	8	7	7	8	12	6
Tiv	3	2	1	—	—	1
Yoruba	8	8	6	5	9	18
Igbirra	2	2	1	1	2	7
Jukun	—	1	—	2	1	1
Angas	—	—	2	—	—	1
Shuwa Arab	—	—	—	—	—	2
Kanuri	1	2	2	2	4	1
Yergam	—	1	—	—	1	—
Nupe	3	1	3	6	5	14
Bakabe	1	1	—	1	1	—
Biom	1	—	1	1	1	—
Basullube	1	1	—	1	—	—
Ankwai	1	1	—	—	—	—
Idoma	2	1	1	1	1	3
Bolewa	1	1	—	1	—	1
Habe	2	1	1	1	—	—
Bassa Nge	1	—	—	—	—	—
Kagoro	1	—	—	—	—	—
Achipawa	1	—	—	—	—	—
Tera	—	1	1	—	—	—
Bazabarma	—	1	—	—	—	—
Jaba	—	1	—	—	1	—
Laka	—	—	1	—	—	—
Margi	—	—	1	1	1	—
Babur	—	—	1	—	—	—
Borgu	—	—	1	—	1	—
Mumuye	—	—	—	1	—	—
Fulata-Bornu	—	—	—	1	1	1
Arab	—	—	—	—	—	—
Igala	—	—	—	1	2	5
Gwari	—	—	—	—	1	1
Tangale	—	—	—	—	1	1
Bura	—	—	—	—	2	—
Bageri	—	—	—	—	—	2
Ron	—	—	—	—	—	1
Dakarkari	—	—	—	—	—	1
Total	50	50	50	50	75	100

(b) (ii) Keffi Secondary School.

	1949	1950
Yoruba	20	26
Hausa	1	2
Tiv	4	—
Fulani	5	—
Igbirra	3	2
Nupe	3	—
Gwari	1	—
Idoma	1	3
Biom	1	3
Bachama	1	—
Buji	—	1
Yergam	—	1
Igala	—	1
Total	40	39

[T. A. Odotola]

[Question]

The Second Member for the Western Provinces (The Hon. T. A. Odotola, O.B.E.):

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

(a) Is it a fact that students from other Regions are not allowed admission into Kaduna Government College?

(b) If so, why?

(c) If not, how many students from the Western Provinces of Nigeria were admitted into Kaduna College during the past four years up to 31st January, 1951, stating number for each year and what are their names?

Answer—

The Hon. the Director of Education :

(a) Kaduna Government College as such no longer exists as it has been moved to Zaria and is now known as Zaria Secondary School. At Kaduna, Keffi Secondary School has been opened. The entrance examination to both schools this year was open to all suitable boys fulfilling the following conditions:—

(i) that they were *bona fide* Northerners or that their parents were domiciled in the Northern Provinces;

(ii) that they had reached Remove or Middle I in a Middle School in the Northern Provinces, or Standard V or VI in a Senior Primary School in the Northern Provinces authorised to issue First School Leaving Certificates;

(iii) that they were not less than eleven or more than thirteen years of age, and were medically fit.

(b) In this Council there has been frequent reference to the apparent backwardness of education in the Northern Region in comparison with the other Regions and Honourable Members have continued to urge the provision of every possible facility for Secondary and Higher education. As Honourable Members are aware, the Northern Region has considerably fewer Secondary Schools than either of the other Regions. There are at present in the Region only two Government Boys' Secondary Schools and three Voluntary Agency Secondary Schools; the majority of these schools have not yet reached full secondary standard. Government secondary schools are primarily intended to serve the areas in which they are situated and in view of this and of the limited secondary school accommodation which is as yet available in the Northern Provinces, a large degree of preference for places in the schools is accorded to boys of Northern origin. The sons of Southern parents resident in the Northern Region are, however, eligible for admission to the schools.

(c) The following boys of Western Provinces' origin, but who qualify under the conditions stated in the reply to the first part of this question have been admitted to Zaria Secondary School during the last four years:—

Yahaya	J. Adejokun
Awudu Aluko	Latifu

In addition to the above, the following have been admitted to the Keffi Secondary School in Kaduna:—

Olufemi Thompson	Olatunbosun Ogunbanjo
Saliyu Gafari	Sunday Adewusi
Oyejobi Moses	Godwin Obiri
Emmanuel Okhidie	

[A. Soetan]

[Question]

Supplementary Question to No. 27 by the Fourth Member for the Western Provinces (the Honourable A. Soetan):—

Will the Government consider the removal of the present restriction regarding the admission of Students—as of right into Zaria and Keffi Secondary Schools so as to make admission possible to all suitable Nigerian Students resident in the Northern Provinces irrespective of whatever region they may originally belong to?

Answer—

The Hon. the Director of Education :

To the point raised by the Honourable Member, Sir, I have nothing to add to Part (b) of the reply to the original question.

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

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

(a) What is the population figure for the Eastern Region, (i) province by province, (ii) division by division?

(b) Of the above, how many are (i) Muslims, (ii) Christians, (iii) Animists, etc., (iv) people from the Northern Provinces, and (v) people from the Western Provinces?

(c) Are the figures based on the 1931 census or any other source?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) The estimated population figure for the Eastern Provinces were in 1949 as follows:—

Province		District		Population
CALABAR	.. .. .	Calabar	.. .. .	65,000
	.. .. .	Opobo	.. .. .	104,000
	.. .. .	Eket	.. .. .	123,400
	.. .. .	Abak	.. .. .	164,600
	.. .. .	Arochuku	.. .. .	44,800
	.. .. .	Itu	.. .. .	48,000
	.. .. .	Ikot Ekpene	.. .. .	175,700
	.. .. .	Uyo	.. .. .	127,000
			Total	.. .. .	862,500
OGOJA	.. .. .	Ogoja	.. .. .	107,700
	.. .. .	Abakaliki	.. .. .	292,600
	.. .. .	Afikpo	.. .. .	146,800
	.. .. .	Ikom	.. .. .	28,300
	.. .. .	Obubra	.. .. .	69,800
	.. .. .	Obudu	.. .. .	46,800
		Total	.. .. .	692,000
ONITSHA	.. .. .	Onitsha	.. .. .	590,000
	.. .. .	Awka	.. .. .	377,700
	.. .. .	Awgu	.. .. .	104,500
	.. .. .	Nsukka	.. .. .	248,700
	.. .. .	Udi	.. .. .	264,100
		Total	.. .. .	1,585,300

[C.C.E.P.]

[Answer]

	<i>Province</i>				<i>District</i>				<i>Population</i>
RIVERS	Port Harcourt	..	..	..	60,000
					Ahoada	..	..	..	170,500
					Degema	..	..	..	64,000
					Brass	..	..	..	70,000
					Ogoni	..	..	..	102,000
					Total	..	..	..	466,500
OWERRI	Aba	..	..	..	296,000
					Bende	..	..	..	219,000
					Okigwi	..	..	..	303,000
					Orlu	..	..	..	293,000
					Owerri	..	..	..	519,000
					Total	..	..	..	1,630,000
CAMEROONS	Victoria	..	..	..	51,600
					Kumba	..	..	..	74,600
					Mamfe	..	..	..	73,500
					Total	..	..	..	199,700
BAMENDA	Nkambe	..	..	..	56,600
					Wum	..	..	..	57,300
					Bamenda	..	..	..	172,300
					Total	..	..	..	286,200
TOTAL EASTERN PROVINCES									5,722,200

(b) I am to express regret that no figures are available for the purpose of answering this question.

(c) Estimates of the number of persons in each province in 1949 are based on particulars compiled from taxation returns. These estimates can only be regarded as an indication of the likely population of each area. It is proposed that a full count of the population of Nigeria and the Cameroons shall be made in 1952-53. This will be the first complete census to be taken in this country and must, accordingly, be very simple in scope.

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

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

(a) Is it a fact that some employees of the Native Authorities in the Eastern Provinces are compelled to tour their areas on push-bike, over distances of twenty miles apart, on jagged and dusty roads, in all sorts of weather?

(b) Does such a situation not call for the provision of a kit car, for humanitarian reasons, if for nothing else?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) Yes, Sir, some Native Authority employees such as Supervisors of Native Treasuries, Agricultural Assistants, Road Overseers and Court Messengers are required to travel on bicycle in the performance of their duties.

[C.C.E.P.]

[Answer]

(b) It is beyond the means of Native Authorities to provide motor transport for all employees travelling on duty and it is considered that it is not necessary for the Native Authorities to do so. Some Native Authorities are, however, providing motor transport for their employees in very special cases.

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

45. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) How many prosecutions for Motor Traffic offences were made by the Idah Native Authority during 1946-50, year by year?

(b) Of these prosecutions how many were (i) successful and (ii) unsuccessful?

(c) What was the nature of the offences?

(d) Was evidence for the prosecution given by expert witnesses?

(e) Is it a fact that it is becoming habitual for the Idah Native Authority to place alleged Motor Traffic offenders in custody whilst awaiting trial and refusing them bail?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

(a) and (b) Prosecutions for Motor Traffic offences were as follows:—

1946	...	...	10	Prosecutions	5	Convictions	5	Acquittals
1947	...	...	9	"	7	"	2	"
1948	...	...	3	"			3	"
1949	...	...	41	"	32	"	9	"
1950	...	...	60	"	56	"	4	"

(c) Nature of offences was as follows:—

- 3 Dangerous driving.
- 13 Driving without lights.
- 7 Driving with defective lights.
- 3 Failing to obey direction of Police Officer.
- 18 Failing to stop when requested by Police.
- 11 Failing to produce Hackney Carriage or Stage Carriage Licences.
- 28 Overloading.
- 2 Causing obstruction.
- 1 Leaving Vehicle without light.
- 2 Driving without or not renewing Vehicle licences.
- 5 Driving without or not renewing driving licences.
- 7 Driving with inefficient brakes.
- 23 Total all other offences.

(d) Insofar as the evidence of expert witnesses was required to sustain a charge, such evidence was tendered in cases in which conviction resulted.

(e) No, Sir.

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

46. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) What is the population figure for the Northern Region, (i) province by province, (ii) division by division?

(b) Of the above, how many are (i) Muslims, (ii) Christians, (iii) Animists, etc., (iv) people from the Eastern Provinces, and (v) people from the Western Provinces?

(c) Are the figures based on the 1931 census or any other source?

[C.C.N.P.]

[Answer]

Answer—

His Honour the Chief Commissioner, Northern Provinces :

(a) The estimated population figures for the Northern Provinces were in 1949 as follows:—

Province				District				Population
ADAMAWA	..	..	..	Adamawa	..	..	..	550,800
				Muri	..	..	..	208,400
				Numan	..	..	..	60,700
				Total	..	..	..	819,900
BAUCHI	..	..	..	Bauchi	..	..	..	361,100
				Gombe	..	..	..	318,100
				Katagum	..	..	..	364,200
				Total	..	..	..	1,043,400
BENUE	..	..	..	Idoma	..	..	..	281,200
				Lafia	..	..	..	71,200
				Nasarawa	..	..	..	150,800
				Tiv	..	..	..	610,300
				Wukari	..	..	..	112,500
				Total	..	..	..	1,226,000
BORNU	..	..	..	Bornu	..	..	..	737,700
				Dikwa	..	..	..	240,000
				Biu	..	..	..	149,600
				Potiskum	..	..	..	86,500
				Bedde	..	..	..	28,800
				Total	..	..	..	1,242,600
ILORIN	..	..	..	Ilorin	..	..	..	374,900
				Lafiagi	..	..	..	54,700
				Borgu	..	..	..	58,300
				Total	..	..	..	487,900
KABBA	..	..	..	Igbirra	..	..	..	160,800
				Igala	..	..	..	294,100
				Kabba	..	..	..	97,500
				Koton-Farifi	..	..	..	31,000
				Total	..	..	..	583,400
KANO	..	..	..	Kano Township	..	..	..	3,347
				Kano Division	..	..	..	2,570,200
				Kazaure	..	..	..	70,800
				Northern Division	..	..	..	340,100
				Total	..	..	..	2,984,447
KATSINA	..	..	..	Katsina	..	..	..	1,207,500

[C.C.N.P.]

[Answer]

	Province	District	Population
NIGER	Abuja	98,600
		Bida	194,500
		Kontagora	199,100
		Minna	108,400
		Total	600,600
PLATEAU	Jos Division	192,200
		Jos Township	6,000
		Jema'a	50,600
		Pankshin	183,600
		Shendam	161,800
		Southern	81,500
Total	675,700		
SOKOTO	Sokoto	1,521,700
		Gwandu	407,900
		Argungu	141,200
		Total	2,070,800
ZARIA	Zaria	575,500
TOTAL NORTHERN PROVINCES			13,517,747

(b) I am to express regret that no figures are available for the purpose of answering this question.

(c) The figures are compiled from particulars obtained by an annual recount and are not now based on the 1931 census.

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

48. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) Do employees of the Native Authorities of the Northern Provinces, other than Administrative Officers and members of the Senior Service, make tours over long distances in connection with their duties?

(b) If so, (i) what is the average mileage covered by such employees monthly, in areas like Adamawa, Bauchi, Bornu, and Sokoto Provinces? (ii) what is the nature of the transport used on such tours?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

(a) Yes, Sir.

(b) (i) Records from which an average mileage could be calculated are not available.

(ii) Various forms of transport are used, e.g., aircraft, railway, motor vehicle, canoe, bicycle, horse or foot.

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

50. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) What is the population figure for the Western Region, (i) province by province, (ii) division by division?

(b) Of the above, how many are (i) Muslims, (ii) Christians, (iii) Animists, etc., (iv) people from the Northern Provinces, (v) people from the Eastern Provinces?

(c) Are the figures based on the 1931 census or any other source?

[C.C.W.P.]

[Answer]

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) The estimated population figures for the Western Provinces were in 1949 as follows:—

<i>Province</i>				<i>District</i>				<i>Population</i>
ABEOKUTA	..	..	..	Egba	..	..	..	332,200
				Egbado	..	..	..	172,300
				Total	..	..	..	504,500
BENIN	..	..	..	Benin	..	..	..	280,000
				Ishan	..	..	..	111,000
				Kukuruku	..	..	..	165,000
				Asaba	..	..	..	139,500
Total	..	..	..	695,500				
IJEBU	..	..	..	Ijebu	..	..	..	312,900
ONDO	..	..	..	Ekiti	..	..	..	215,000
				Owo	..	..	..	159,900
				Ondo	..	..	..	109,700
				Okitipupa	..	..	..	94,900
Total	..	..	..	579,500				
OYO	..	..	..	Ibadan	..	..	..	993,300
				Oyo	..	..	..	271,500
				Ife	..	..	..	61,200
				Ilesha	..	..	..	98,000
Total	..	..	..	1,424,000				
WARRI	..	..	..	Aboh	..	..	..	160,000
				Warri	..	..	..	45,000
				Western Ijaw	..	..	..	56,400
				Urhobo	..	..	..	235,900
Total	..	..	..	497,300				
TOTAL, WESTERN PROVINCES				..	..	..	..	4,013,700

(b) I am to express regret that no figures are available for the purpose of answering this question.

(c) Estimates of the number of persons in each province in 1949 are based on particulars compiled from taxation returns. These estimates can only be regarded as an indication of the likely population of each area.

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

52. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Do employees of the Native Authorities of the Western Provinces, other than Administrative Officers and members of the Senior Service, make tours over long distances in connection with their duties?

(b) If so, (i) what is the average mileage covered by such employees monthly, in areas like Benin, Ondo, Oyo and Warri Provinces? (ii) What is the nature of the transport used on such tours?

[C.C.W.P.]

[Answer]

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) Yes, Sir.

(b) (i) The average monthly mileages covered are as follows:—

Benin Province:—

Benin Division.—Between 360 and 820.

Remainder of Province.—Nil.

Ondo Province.—Between 60 and 800.

Oyo Province.—Between 250 and 600.

Warri Province.—Between 100 and 150.

(ii) The modes of transport used are:—bicycle, motor-lorry, motor-car, kit-car, motor cycle, canoe, motor-launch.

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

60. To ask the Honourable the Chief Secretary to the Government:—

Will you state the number of persons charged with offences connected with sedition between 1946-50, year by year, and indicate their (i) names, (ii) punishment meted, (iii) venue of trial?

Answer—

The Hon. the Chief Secretary to the Government:

The information required by the Honourable Member is as follows:—

Name	Sentence	Venue	Date of Conviction
Ziks Press	£50 fine	Lagos	1946
A. Y. S. Tinubu	£25 fine or 2 months imprisonment	"	1946
O. Soleye	£5 fine or 14 days imprisonment	"	1946
Ziks Press	6 counts—£50 fine on each count	"	1947
O. C. Agwuna	1 year IHL	"	1949
O. C. Agwuna	2 years 6 months IHL (consecutive on above)	"	1949
A. Enahoro	6 months IHL	"	1949
R. N. Aniedobe	£25 fine or 3 months IHL	"	1949
D. O. Dafe	£25 fine or 3 months IHL	"	1949
H. R. Abdallah	2 years IHL	"	1949
F. U. Anyiam	1 year IHL	"	1949
O. O. Macaulay	1 year IHL	"	1949
S. O. Ebbe	1 year IHL	"	1949
H. M. Okoye	33 months IHL	"	1950
M. Ojike	£40 fine	"	1950
Ziks Press	£100 fine	"	1950
Service Press	£100 fine	"	1950
D. Umodu	6 months IHL	Kaduna	1950
J. Ntoop	6 months IHL	"	1950
C. Osugo	6 months IHL	"	1950
F. Igioh	6 months IHL	"	1950
C. O. Achamba	6 months IHL	"	1950
J. Oduko	£25 fine or 3 months IHL	Kano	1950
M. Onaiyekan	6 months IHL	Ilorin	1950
P. Majeh	6 months IHL	Maiduguri	1950
N. Egbucien	4 months IHL	Ilorin	1950
H. R. P. Nwanna	6 months IHL	Zaria	1950
B. E. Ogbuagu	6 months IHL	Jos	1950
F. I. Nzimiro	9 months IHL	Onitsha	1950
F. Jibunoh	12 months IHL	Onitsha	1950
N. Eze	£25 fine	Enugu	1950

[T. A. Odutola]

[Question]

The Second Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.):

91. To ask the Honourable the Chief Secretary to the Government:

- (a) Whether it is a fact that a report on the Ports of Nigeria was made, at the request of Government by one Mr Strong in October, 1949?
- (b) If so, has the report been published?
- (c) If not, why not?
- (d) Is it Government's intention to implement this report by the formation of Ports Authority in Lagos and Port Harcourt?
- (e) If so, how soon?
- (f) If not, why not?

Answer—

The Hon. the Chief Secretary to the Government :

- (a) Yes, Sir.
- (b) No, Sir.
- (c) It was not considered in the public interest to publish this report. Copies were, however, provided confidentially to members of the Nigerian Ports Advisory Committee, in order that the views of those most directly interested might be taken into account.
- (d) Yes, Sir.
- (e) It is hoped that the necessary legislation can be ready for introduction at the first business meeting of the new House of Representatives.
- (f) Does not arise.

The Second Member for the Western Provinces (The Hon. T. A. Odutola, O.B.E.):

92. To ask the Honourable the Chief Secretary to the Government:—

- (a) How many motor vehicles were registered in the Northern, Western (including Colony Areas) and Eastern Provinces of Nigeria during the year 1950, giving the figures of passenger Cars, Trucks and Buses separately?
- (b) What percentage of these vehicles are of British manufacture?

Answer—

The Hon. the Chief Secretary to the Government :

(a)

	Cars	Trucks	Buses	Total
Northern Region ...	173	657	7	837
Eastern Region ...	299	556	2	857
Western Region (including the Colony) ...	1,993	1,661	15	3,669
	<u>2,465</u>	<u>2,874</u>	<u>24</u>	<u>5,363</u>

(b) Of the total number of vehicles registered, 85 per cent of the cars, 86.6 per cent of the trucks and 100 per cent of the buses were of British manufacture.

The First Lagos Member (Dr the Hon. I. Olorun-Nimbe):

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

- (a) How many Medical Officers have resigned, invalidated or retired under Harragin Recommendations since the 1st April, 1951? Give their names, qualifications, age, status and the salaries of each of them.

[Dr I. Olorun-Nimbe]

[Question]

(b) Will the Director not consider the advisability of recruiting qualified Medical Officers who can speak English from countries like Ceylon, India, Germany, Egypt, Hong-Kong and other available sources at our disposal?

(c) Is the Director aware that since the restriction of private practice in Government Hospitals in April last, a new racket was begun almost immediately after Government proclamation whereby patients requiring surgical treatment in Government Hospitals are made to be on the waiting list indefinitely?

(d) Will the Director ensure that the normal weekly surgical operations in Government Hospital throughout Nigeria after the restriction order came into operation shall not be less than the figures before the said order was promulgated, *ceteris paribus*?

Answer—

The Hon. the Director of Medical Services :

(a) One, Sir. Dr F. L. G. Selby, M.R.C.S., L.R.C.P., Certificate of London S.H. & T.M. For the other information required I would refer the Honourable Member to the Staff List.

(b) I do not consider it advisable at this stage to set up special machinery for recruiting Medical Officers in the countries mentioned. Any applications made by candidates from them and elsewhere will, however, be considered if they possess suitable qualifications. In this connection the Honourable Member will be aware of the amendment to the Medical Practitioners and Dentists Ordinance which this House will be invited to consider. The object of this amendment is to enable Medical Officers whose qualifications are not normally registrable in Nigeria, but are considered to be of a sufficiently high standard to practise in Government and Local or Native Authority appointments in this territory.

(c) No, Sir.

(d) No, Sir: on the contrary: nothing would give me greater pleasure than to see a continual reduction in the number of operations in Government Hospitals throughout Nigeria. But, highly efficient as the Nigerian Medical Department is we are not yet in a position to guarantee that a reduction will take place. This main part of our effort will continue to be devoted towards reducing morbidity rates.

Supplementary Question to No. 93 by the Fourth Member for the Western Provinces (the Honourable A. Soetan):—

What is the total number of doctors who have been recruited into Government Service during the corresponding period, *i.e.* 1st April, 1951 to date?

Answer—

The Hon. the Director of Medical Services :

Sir, from the 1st April, 1951, to the present day thirty-four medical officers have been recruited into Government Service and have arrived in Nigeria. Of these thirty-four there are ten Nigerians, five of whom possess overseas and five local qualifications. I may add that the number stated does not include Medical Officers who have been recruited but who have not yet arrived in Nigeria.

MOTIONS

The Hon. the Acting Financial Secretary :

Sir, I rise to move the following Motion which stands in my name in the Order Paper :

NIGERIA

No. of 1951

**RESOLUTION made under THE STAMP DUTIES ORDINANCE
(Cap. 209)**

In exercise of the powers conferred by section 114 of the Stamp Duties Ordinance, it is hereby resolved by the Legislative Council as follows :—

1. This resolution may be cited as the Stamp Duties (Exemption) Resolution, 1951.

Short title

2. The Schedule to the Stamp Duties Ordinance is hereby amended by the addition thereto, under the heading "General Exemptions From All Stamp Duties", of the following new item :—

Amendment of the Schedule 1 Cap. 209.

"(10) Instruments relating to the alienation of land or any interest therein which are approved by Native Authorities of the Southern Provinces of Nigeria in accordance with rules made by them under paragraph (xxvii) (a) of sub-section (1) of section 25 of the Native Authority Ordinance."

Cap. 140.

RESOLVED by the Legislative Council this day of
19 .

Clerk of the Legislative Council,

The reason for this Resolution is, Sir, as follows. For some time the advisability of Native Authorities in the Western and Eastern Provinces making rules under the Native Authority Ordinance for the purpose of controlling the alienation of rights in land has been under consideration. Model rules have been approved and in some cases Native Authorities have now made these rules, which provide *inter alia* that any transaction concerning land entered into between a Native of the area and an African stranger shall be evidenced by a written instrument, endorsed with the approval of the Native Authority concerned and registered with that Native Authority.

It is considered desirable to encourage Native Authorities to undertake the control of Alienation of Land, and one of the ways in which this can be done is to simplify the procedure by exempting the instruments made for this purpose from the operation of the Stamp Duties Ordinance.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Resolved in the affirmative.

The Hon. the Chief Secretary to the Government :

I do not know, Sir, if it is your will, or the will of the House, to take a brief adjournment at this stage.

His Excellency :

It is our usual habit. I will consult the pleasure of the Council.

[H.E. the Governor]

[Adjournment]

The Ayes have it.

Council will be suspended for ten minutes to a quarter of an hour.

Council adjourned at 10.50 a.m.

Council resumed at 11.5 a.m.

BILLS

(First Reading)

THE DIRECT TAXATION (AMENDMENT) ORDINANCE, 1951

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I rise to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Direct Taxation Ordinance”.

This, Sir, is a very simple Bill and it is unnecessary for me to waste the time of the House nor will it be necessary for me to ask for the indulgence of the House for an extra half hour. The objects and reasons of the Bill have been clearly set out and the only amplification that is necessary on my part is to say that this amendment to the Direct Taxation Ordinance provides an administrative requirement with legal sanction. It provides a convenience for the taxpayer, a convenience for the Native Authorities and a convenience for the employers of labour; that is to say employers such as Corporations and responsible companies. In effect, the Corporation or the responsible company can deduct tax from the wages of the employees on the P.A.Y.E. system and pay it over to the Native Authorities. When I say that it provides convenience to the taxpayer I mean that the Collectors of Taxes will not be continually within the premises of the companies and the Corporations endeavouring to obtain the tax money from the persons who are liable to pay it.

Sir, I beg to move.

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a first time.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LIQUOR (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the first reading of a Bill entitled.

“An Ordinance further to amend the Liquor Ordinance.”

This also, Sir, is an extremely simple Bill. At present a person desiring to brew has to obtain two licences; one under the Liquor Ordinance and one under the Excise Ordinance. This state of affairs has arisen because it was only in 1949 that beer was made an excisable good, thus coming within the scope of the Excise Ordinance. It is desirable that the manufacture of beer should be controlled by one Ordinance only, and the present Bill has that as its object.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that on the first convenient occasion, I will move the second reading of the Bill which has just been read a first time.

THE EXCISE (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the first reading of a Bill entitled

“An Ordinance further to amend the Excise Ordinance.”

Like the Bill which has just been read a first time this Bill seeks to set right an anomaly which has arisen owing to beer having been made an excisable good in 1949, and brewers of beer thus having come within the scope of two different Ordinances. At present a person who manufactures beer without a licence is, under the Liquor Ordinance, liable to a penalty of £500 and under the Excise Law £50. It is desired, as I have already explained, to control the manufacture of beer by one Ordinance only, and to provide a condign punishment under the Excise Ordinance for manufacturing beer and other excisable goods without a licence issued under that Ordinance.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity, I will move the second reading of the Bill which has just been read a first time.

THE EXCHANGE CONTROL (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the first reading of a Bill entitled

“An Ordinance to amend the Exchange Control Ordinance, 1950.”

The purpose of the Bill is to rectify certain drafting errors in the Exchange Control Ordinance which have been brought to the notice of this Government by the Secretary of State and also to make specific provision in the Ordinance for transactions in raw gold.

The first amendment in clause 2 of the Bill concerns the use of the terms “sterling” and “West African currency”. When the Exchange Control Ordinance was originally drafted it was assumed that West African currency would be covered by the expression “sterling”. We have, however, been informed by the Secretary of State that this is not the case and the object of clause 2 of the Bill is to make specific reference to West African currency wherever required in the Ordinance to rectify this anomaly. Similarly, the second amendment (clause 3 of the Bill) defines “non-sterling bills of exchange” and “promissory notes” specifically listed in the First Schedule to the Ordinance, instead of by reference to “sterling”.

In regard to the question of provision in the Exchange Control Ordinance for transactions in raw gold, the position, Sir, is as follows. Whilst Order No. 49 of 1950 exempts authorised gold miners, licensed gold dealers, and licensed goldsmiths from their obligations under sections 1 and 2 of the Ordinance in respect of transactions in raw gold carried out in accordance with the provisions of the Gold Trading Ordinance and the Goldsmiths Ordinance, there is no specific provision in the existing Ordinance relating to transactions in raw gold, such, for instance, as the export of gold that might be attempted by other persons than those I have mentioned, in an endeavour to defeat the purposes of the Exchange Control Law. It is, therefore, desired to clarify the position by means of clause 5 of the Bill, which extends the existing definition of "gold" as covering "gold coins and bullion" to comprise also "raw gold" as defined in the Gold Trading and Goldsmiths Ordinances.

The remaining amendments in the Bill, Sir, are of a purely drafting nature. Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity, I will move the second reading of the Bill which has just been read a first time.

THE INTERPRETATION (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I beg to move the first reading of a Bill entitled

"An Ordinance further to amend the Interpretation Ordinance."

This Bill makes two changes in the law which are not of any great importance, but are matters of considerable convenience. There are two operative clauses and the first one relates to the signification of Orders made by Your Excellency. As the law stands these can be signed by the Chief Secretary or by a Chief Commissioner, but it may sometimes happen that the Chief Secretary is not in Lagos nor is there a Chief Commissioner there. Consequently it is desirable, in order to avoid delay, that another officer should be empowered to sign these Orders, and this Bill proposes that the Administrative Secretary should be the person so entitled.

The second clause refers to the mode of proving that consent has been given in those cases where the initiation of proceedings in the court requires the consent of some authority. As the law stands, where the consent is given by Your Excellency or the Attorney-General, it can be proved by a written statement that the consent has been given by Your Excellency or, as the case may be, by the Attorney-General. But there are other provisions in the law which require the consent of other authorities, for example, a Superior Police Officer or the Solicitor General or Crown Counsel in certain instances, and the object of this Bill is to extend the existing provisions to consents which are signed by those officers, to save the inconvenience of having to bring the officers to court.

Sir, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LOCAL BORROWINGS ORDINANCE, 1951**The Hon. the Acting Financial Secretary :**

Your Excellency, I beg to move the first reading of a Bill entitled :—

“An Ordinance to authorise the Borrowings of Moneys from certain Public Authorities and Corporations in Nigeria.”

The purpose of this Bill, Sir, is to provide Government with legislative authority to accept long-term loans from certain public institutions and corporations, for the general purpose of implementing Government's loan programme for development and welfare, to which I shall refer in more detail in my remarks regarding the Bill for a new Local Loan Ordinance. The secondary object is to provide a statutory basis for two loans which have already been taken up by Government; one from the University College, Ibadan, and one from the West African Airways Corporation.

The first loan comprises £250,000, approved by the Legislative Council in 1948, as a contribution to the Endowment Fund of the University College, Ibadan, and £225,000 contributed by the Nigeria Cocoa Marketing Board to the same fund. The University authorities, Sir, being anxious to invest this money locally offered to lend it to Government for a period of forty years, Government having the option to repay the loan after twenty-five years and giving not less than twelve months notice. This offer was accepted and the loan taken up at 3 per cent per annum. As indicated in paragraph 34 of the Memorandum on the Approved Estimates for 1951-52, the Standing Committee on Finance of the Legislative Council in January, 1951, approved the provision of £500,000 as a further grant to the Endowment Fund. The University College now wishes to invest this amount for the time being by lending it to Government. The necessary provision for interest charges was included in the Approved Estimates for the current year.

The second loan, Sir, comprises an investment by the Corporation of money standing to the credit of their Renewals Fund, accepted at the request of the Corporation as a convenient method of putting this portion of the Fund on deposit within Nigeria. Interest at the rate of 2 per cent per annum is payable, calculated monthly on the amount currently in the hands of Government, the maximum which the Corporation is allowed to deposit being £100,000. This amount is at present held by Government.

It is considered, Sir, that with the growth of the number of Public Corporations in Nigeria and the development of Local Government bodies throughout the country, requests for similar facilities for placing money on deposit at interest with Government may be expected to increase. In this connection I should perhaps point out, Sir, that legislative provision already exists for the Produce Marketing Boards to lend money to and borrow money from Government under the terms of their establishing Ordinances. Furthermore, it is unnecessary to extend a similar power to such bodies as the Local Development Boards, which include the Lagos Executive Development

[Ag. F.S.]

[The Local Borrowings Ordinance, 1951]

Board and the Regional Development Boards, since they are executive bodies set up by Government to administer funds which have already been voted to them by the legislature, or raised in loans. In view of this, Sir, the number of bodies to which the proposed Ordinance will apply has been limited to those which are listed in the Schedule to the Bill.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity, I will move the second reading of the Bill which has just been read a first time.

THE EVIDENCE (BRITISH AND FOREIGN DOCUMENTS)
(REPEAL) ORDINANCE, 1951

The Hon. the Attorney-General :

Your Excellency, I beg to move the first reading of a Bill entitled :

“An Ordinance to repeal the Evidence (British and Foreign Documents) Ordinance.”

The purpose of this Bill, Sir, is to remove a statute which is unnecessary. The one in question refers to the admissibility of certain official documents in the courts by the mere production of those documents and without further proof, and the purpose of having such provision is, of course, to save the expense and inconvenience of having to prove the facts to which those documents relate by some other method. After this Ordinance, which it is proposed to repeal, had been enacted, it was pointed out by the Secretary of State that there already existed quite sufficient provision in the law which achieved exactly the same result as it was intended to achieve by that Ordinance. I refer to the English statute, the Evidence Act of 1851, which, together with certain Orders in Council, does all that is necessary for the purpose, and as I have said, the Secretary of State brought this to our notice, I think as long ago as 1935. I trust that Honourable Members will agree to this Bill, because it is of course inconvenient, and sometimes, in law, embarrassing, to have a duplicating Ordinance, as it were, on the Statute Book when there is sufficient provision from another source.

Sir, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA LOCAL LOAN ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Your, Excellency, I beg to move the first reading of a Bill entitled :—

"An Ordinance to authorise the Raising in Nigeria of a Loan not exceeding Twenty Million Pounds for purposes in connection with the Development and General Welfare of Nigeria and for such other purposes as may from time to time be approved."

This Bill, Sir, is, I suggest, one of the more important pieces of legislation which this Council has before it. Its purpose is to provide statutory authority for raising locally an adequate proportion of the funds necessary to meet Government's programme of loan expenditure up to 1956. The following are the main items which are comprised within it:—

The Ten Year Development Plan of development and welfare (excluding expenditure to be financed out of Revenue).

The Redemption of the 1955 Loan.

The Apapa Wharf Extension.

Coal and Lignite Investigations.

The Niger Agricultural Project.

Working and development Capital for the Electricity Corporation.

Railway and Road Development.

The working capital of the projected Railway Corporation and Ports Trust.

Housing and Slum Clearance.

Certain of these items, Sir, represent expenditure to which the Government is already committed, some of which has already been incurred out of advances and included in Appendix I to the Approved Estimates 1951-52. It is hoped that these items will materialise in the near future. The list of approved subjects for which monies may be raised, detailed in the Schedule to the Bill, has, however, purposely been made as wide as possible so as to admit of the maximum flexibility. In addition, Sir, section 3 of the Bill provides that monies so raised may be spent "on any other purposes in connection with the development and general welfare of Nigeria, as the Governor may, with the approval of the Legislative Council and the sanction of the Secretary of State from time to time approve", thus providing for any additional schemes which the future may prove to be necessary in this territory. The total of the borrowing envisaged during the next five years is limited, Sir, not so much by the needs of the country, nor yet by the ceiling of borrowing, which is considered appropriate to a territory with an annual Revenue of £30 million, as by the resources available for investment both locally and overseas. Hitherto, Sir, the part played by local borrowing in the financing of our development has been small, but as the Development Plan gathers momentum the amount of money required for the goods and services to carry it out increases, and this process is accentuated, Sir, by the fact that the value of money in terms of goods is decreasing. The additional strain imposed upon the United Kingdom financial resources by the re-armament programme has restricted access to the London money market and this state of affairs is, one fears, likely to persist unless there is an unforeseen improvement in the world situation. It is thus all the more desirable to mobilize our local capital to the greatest extent possible.

It will be recalled, Sir, that in 1946, a local loan of £300,000 was raised by public subscriptions in Nigeria under the Nigeria Ten Year Plan Local Loan Ordinance. This loan was over-subscribed by just over £500,000. It is true, Sir, that by far the greater part of this issue was subscribed by Native Administrations and other bodies and only a very small portion was

subscribed by individuals. But, Sir, there is now a much greater volume of free money in the hands of individuals in this territory. In this connection I might perhaps mention that the circulation of West African currency in Nigeria has nearly doubled between 1946 and 1951. In 1946, the circulation was £22,900,000; in 1951 it was £39,200,000. Government feels sure that Nigerians will welcome an opportunity to invest in a new Nigerian Government loan, whose purpose is the betterment of their country. Honourable Members of this Council have stressed this duty on numerous occasions. From the economic angle a local loan would have the added advantage of helping to curb inflation at a time when inflation is a very real threat to our economic and social security, and of promoting that sense of communal responsibility which is so essential for true political, social and economic progress. It is not, of course, suggested that anything approaching £20 million is likely to be subscribed by individual lenders even, though circumstances may render desirable the flotation of a succession of smaller loans. The Nigeria Cocoa Marketing Board has already lent to Government £2,700,000 at $2\frac{7}{8}$ per cent interest per annum repayable in half-yearly instalments, and this Board and other Produce Marketing Boards have indicated that they are likely to be prepared to invest a further £9,300,000 of their reserves in the Government's Loan Programme. The figure of £20 million has, therefore, been adopted in the draft Bill to allow of the Boards investing £9,300,000—or a larger sum if they so wish—not by a direct loan as in the case of the original £2,700,000, but by taking up part of a local public issue.

It should be emphasised, Sir, that quite apart from the general considerations which I have already mentioned, it is essential to the financing of major development works that the fullest use should be made of local resources. In the first place, Sir, it would be reckless to bank on financing more than a fraction of our main Capital Programme out of surplus balances of Revenue over Expenditure even though at first sight these surplus balances may appear to be large. On the 31st of March, 1951, the General Revenue Balance stood at £23,723,595 and advances, pending the raising of loans, stood at £5,316,357, leaving a net available cash balance of £8,407,238; but Sir, the final cost of forthcoming constitutional developments and the establishment of adequate autonomous Regional reserves is as yet unknown; the amount involved must, however, be very substantial. It is therefore necessary to keep whatever surplus is available as a free reserve in as liquid a state as possible. A liquid reserve of even £10 or £11 million is no more than adequate for a territory whose annual expenditure is of the order of that of Nigeria, especially having regard to the fact that this reserve constitutes the reserve not only of the Central Government, but also of the Regions. This is not to say that this Revenue surplus has not stood us in very good stead so far. As was announced in the Financial Secretary's speech in presenting the Budget £1 million is to be made available for the Loan Programme through the medium of the Loan Development Fund within this year's Revenue. It is hoped, Sir, that an additional £1 million will be added to that Fund in 1952-53. A loan of £2 million has been made available by this legislature for the Electricity Corporation, and Honourable Members have before them a motion to vote £1½ million to the Ibadan University College. These are very large sums to be found from Revenue, Sir.

In the second place there exist the difficulties with regard to raising monies on the London Market, to which I have already made reference. It will be recalled, Sir, that as was recorded in paragraph 31 of the Memorandum on

Approved Estimates 1951-52 it was Government's intention to float a loan of £6,500,000 on the London market early this financial year on terms which it was hoped would not exceed $3\frac{1}{2}$ per cent per annum. The London market has, however, reacted unfavourably as a result of the United Kingdom budget and hitherto it has not proved possible to float as many Colonial loans as was desired. In fact, 94 per cent of one of this year's Colonial loans (the Rhodesian flotation) was left in the hands of the under-writers. The acceptance of a more recent loan, the Mauritius issue, has proved more favourable. The fact is that up to date the Crown Agents for the Colonies, who are our agents in this matter, have not found a favourable opportunity for floating the loan on terms that could possibly be commended to Honourable Members. Further, Sir, in view of the existing economic and financial situation in the United Kingdom there can be no firm guarantee that the remainder of this Government's loan requirements can be raised on the London market between 1952 and 1956. In other words, so long as the present general nervousness persists in the money market we must be thrown to the greatest extent upon our own resources. It is in these circumstances, Sir, and above all because it is our duty to encourage local investors, like good husbandmen who return to the soil a generous measure of its gifts, to participate in the development of their own country. Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity during this meeting I will move the second reading of the Bill which has been read a first time.

THE EDUCATION (AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Education :

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Education Ordinance, 1948.”

It will be within the recollection of Honourable Members that at the meetings of this Council in March and September, 1950, several Bills were passed which will have a significant effect on the development of primary education in that they empower certain local bodies to have Education Committees and to levy rates for Education. I refer, Sir, to what are now the Education Ordinance, as amended by Ordinance No. 27 of 1950, the Native Authority (Amendment) Ordinance, 1950, and the Eastern Region Local Government Ordinance, 1950. The present position so far as Lagos is concerned, *vis a vis* the Lagos Local Government Ordinance, is that the Lagos Town Council is not a “Local Authority” and is therefore not eligible to receive grants under the appropriate section of the Education Ordinance: further, Sir, that although there is a section in the Lagos Local Government Ordinance which empowers the Town Council to provide for the establishment and maintenance of primary schools, as the Lagos Town Council is not Government, any school which it may establish can only be established in accordance with section 20 of the Education Ordinance: and, finally, that if the Lagos Town Council wishes to become a Local Education Authority and if it desires that its Committee be recognized as a Local Education Committee, the procedure laid down in section 26 of the Education Ordinance,

as amended in 1950, should be followed. In short, Sir, the purpose of this Bill is to clarify the position of the Lagos Town Council in respect of its educational functions and its eligibility to receive grants-in-aid for educational purposes. Sir, I beg to move.

The Hon. the Director of Medical Services :

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Education :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE WEST AFRICAN INSTITUTE FOR OIL PALM RESEARCH
ORDINANCE, 1951

The Hon. the Acting Director of Agriculture:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance for the establishment of an Institute to undertake Research into matters relating to the Oil Palm, for the incorporation of a Committee to manage the Institute and for other purposes connected therewith.”

It is unnecessary, Sir, for me to emphasise the importance of the oil palm in its relation to the prosperity of Nigeria. As an item of export, the produce of the oil palm has taken a leading place since the earliest days of trade between this Coast and countries overseas, and at the present time palm produce exceeds all other forms of produce exported from Nigeria, whether estimated in terms of cash value or as tonnage. In the early days we depended entirely upon the produce of the wild oil palms which exist in profusion in large areas of the Southern Provinces; these still provide the bulk of our supplies but more recently attention has been paid to the development of cultivated palm plantations. Over a period of years, people of other countries, in which the oil palm is not indigenous, took an interest in this source of wealth and established plantations of cultivated palms with plants originating from imported seed. Development of these plantations was greatest in the Dutch East Indies and in the 1920s a state of affairs came into being which was known at the time in Nigeria as “the Eastern menace”—a rather ugly terms perhaps, and I think “challenge” would have been a more appropriate epithet, and this challenge was accepted in Nigeria. Encouragement was given to the establishment of oil palm plantations as an alternative to the wild palms, or in addition to the wild palms, experimental work was instituted in connection with cultural and extraction operations, and attention was paid to the breeding of higher yielding palms for planting. At the start this breeding or selection work was confined to the part-time services of one botanist, but as the staff situation improved so it was possible to give more attention to it. In connection with any sort of developing industry it is vital that research should keep pace with the development—indeed research should keep ahead of development; the cultivation of the oil palm is most certainly a developing industry and the need was realised for additional research into this subject. In 1938 the Agricultural Department established an Oil Palm Research Station in Benin Province. Then, of course, came the war and during the war years the work at the station was restricted to preliminary investigations, a limited amount of planting and, mainly, planning for the future, but out of this introductory work some very useful results were

[*Ag. Dir. of Agriculture*][*The West African Institute for Oil Palm Research Ordinance, 1951*]

obtained and, when in due course, Colonial Development and Welfare Funds became available we knew where we wanted to go and it was possible to develop rapidly. During the past three years the cost of this station has been undertaken by the Oil Palm Products Marketing Board. The results obtained up to date from the Research Station are very valuable in themselves and it is quite clear, Sir, that this station can form a basis on which we may build our Oil Palm industry of the future, but some modifications are required. As a branch of the Agricultural Department, this station has had to bear its share of staff shortages and the lack of continuity that has necessarily resulted from them, and in times of financial stringency it would also have to take its share of curtailment of work due to the necessity for cutting down expenditure. There are other reasons too why modifications are required, and we visualise something bigger and having greater scope than simply a station which is a branch of a Department. The present proposal is to establish in the place of the existing Research Station an independent and autonomous Oil Palm Research Institute, whose function would be to undertake all lines of research in connection with the oil palm; botanical, chemical, soil requirements, control of insect pests and fungus diseases and so on, combined with the provision of planting material of a very high grade for Nigerian planters.

This kind of Research Institute has been found to be the most satisfactory in connection with other forms of large-scale agricultural production in other countries, and I quote a few examples, such as the Rubber Research Institute in Malaya; in Ceylon there is a Coconut Research Institute and of course in West Africa we have Cocoa Research Institute on the Gold Coast. It is intended that we should therefore, introduce measures for establishing this Oil Palm Institute in Nigeria and that it should be established on a West African basis, financed by the Nigeria Oil Palm Produce Marketing Board and the participating Governments.

If reference is made to the Bill under consideration it will be seen that the first four clauses deal formally with the establishment of the Institute, the establishment of a Managing Committee and the appointing of a Director. It will be noted that the Director is to be appointed by the Secretary of State. Clauses 5 and 6 deal with the constitution of the Committee and Honourable Members will note that this will consist of two members nominated by the Secretary of State, six members from Nigeria and one each representing the Governments of the Gold Coast and Sierra Leone. Clauses 7 and 8 enable the Committee to frame the policy of the Institute and to appoint and control its staff. With regard to the latter, it will be noted that this Committee is under the ultimate direction of the Secretary of State and that it may delegate any part of its duties in this connection to the Director of the Institute. Honourable Members will also note with satisfaction that the Committee is specifically charged at clause 8(f) with making the results of its research known and with the provision of advice based on these results. The next three clauses provide for carrying out the business of the Committee and clauses 12 and 13 provide for the receipt, custody and disbursement of the funds made available to the Committee. Clause 15 places the Committee in the same position as any Government Institution in regard to the acquisition of land. Clause 16 concerns the discipline of servants of the Institute or of the Committee and it is to be noted that the procedure generally will be governed by Colonial Regulations and General Orders. Finally, clause 17 provides for the dissolution of the Institute should the necessity for this arise.

[Att.-General]

[*The Survey (Amendment) Ordinance, 1951*]

Sir, I beg to move.

The Hon. the Acting Development Secretary:

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Director of Agriculture:

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE SURVEY (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Survey Ordinance”.

This Bill seeks to repair an omission in the Survey Ordinance relating to the restoration of the licence of the licence of a surveyor after it has been cancelled. Provision exists in the principal law for the cancellation of a Surveyor's licence if he has misconducted himself and that, as the law now stands, is a proceeding which is a function of the Supreme Court. But before 1945, the law provided that Your Excellency had the power of cancellation of surveyors' licences. In 1945 that function was transferred to the Supreme Court, but it has now become apparent that where a licence was cancelled by Your Excellency before 1945 there is no power to restore it. There may be cases of hardship in this connection. If a licence has been cancelled it prevents a surveyor practising his profession in Nigeria and a case may arise, for example, where after cancellation some evidence comes to light showing that the surveyor's conduct had not been so blameworthy as at first appeared, and that it would be appropriate after a suitable interval to restore the licence and enable him to practise again. If this Bill is passed that would become possible, but if it is not passed no surveyor whose licence has been cancelled by the Governor can in any circumstances again practise his profession.

Sir, I beg to move.

The Hon. the Acting Development Secretary:

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General:

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE PRODUCE INSPECTION (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Produce Inspection Ordinance, 1950.”

The purpose of this Bill, Sir, is to close a loophole in the law relating to inspection of agricultural produce. It would be indeed out of place for me to remind Honourable Members of the importance of maintaining a high standard of quality for produce intended for export and this Bill, and the Ordinance which it seeks to amend, relate to such important produce as

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[*The Produce Inspection (Amendment) Ordinance, 1951*]

cocoa, groundnuts and palm oil. The principal Ordinance is designed to impose penalties for adulterating these products if they are intended for export, but recent experience has shown that section 17 of this Ordinance, which deals with the offence of adulteration of produce, is not sufficiently comprehensive. And in fact a recent case made it very apparent that if that section was to be effective it needed amending. The section as it stands makes it an offence to adulterate produce intended for export, and in certain circumstances makes it an offence to have it in one's possession, if intended for sale, knowing it to be adulterated. Well, the main point of this Bill is to enlarge the scope of that section and, with proper safeguards, to make it an offence to be in possession of adulterated produce if it is intended for export and if the possessor knows it is adulterated. If an innocent person comes into possession of such produce there is no cause for fear, because mere possession of adulterated produce is not in itself an offence. One must know it to have been adulterated, and the Bill expressly provides that if anyone is in possession of such produce but has taken all reasonable precautions and has given all reasonable information about where he got it from, then he cannot be penalised and he commits no offence. So I think Honourable Members will agree that this clause would not impose any undue hardship on anyone, but would merely put the law right in that direction.

There is one more operative clause in the Bill, which relates to the question of evidence, and that is, Sir, the question of proving that produce which is the subject of a prosecution is intended for export. One may know that produce to which this Ordinance applies is obviously intended for export, but sometimes there is difficulty in providing the strict proof which, as the law now stands, is required; so that it is proposed, and I think it is not unreasonable to do so, that the onus should be upon the defendant to prove that it was not intended for export if such is the case. It is open to the defendant to prove his innocence in this manner, but it will not be necessary for the prosecution to adduce proof that the produce is intended for export.

Both the provisions that are proposed by this Bill are, of course, in the ultimate interests of the agricultural producer and of the agricultural industry, so I hope the Bill will be welcomed by Honourable Members. Sir, I beg to move.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LAGOS LOCAL GOVERNMENT (AMENDMENT No. 2)
ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I rise to move the first reading of an Ordinance entitled:—

“An Ordinance further to amend the Lagos Local Government Ordinance.”

The Lagos Local Government Ordinance which was passed in 1950 contains, amongst many other provisions, wide and comprehensive provisions relating to the employees of the Town Council. It gives the Town Council

[Att.-General]

[The Lagos Local Government (Amendment
No. 2) Ordinance, 1951]

wide powers in relation to its employees but it has certain safeguards designed to give its employees a proper degree of security in the tenure of their office and emoluments. For example, as the law now stands, an employee who is dismissed has the right of appeal to Your Excellency in Executive Council, and schemes for pensions and other retiring benefits are also subject to the approval of Your Excellency in Executive Council.

The purpose of this Bill is to amplify those provisions, again with the purpose of providing a proper degree of security for employees and to avoid the possibility of hardship that exists, at any rate in theory, as the law stands.

The first operative clause, that is clause 2, relates to the termination of a contract of employment between the Town Council and an employee. Section 63 of the Principal Ordinance provides that an employee holds office during the pleasure of the Council, and that, in plain English, means he can be got rid of without notice at any time. Perhaps there was some justification for including this provision in the Ordinance, because the law used to be the same in England but quite a long time ago, in fact in 1933, it was changed, by including in the general law relating to local government a provision on the lines which it is now proposed to include in clause 2 of this Bill. Its effect is that, although the Ordinance provides that an employee holds office during the pleasure of the Council, nevertheless the contract can include provision whereby reasonable notice is required by either party before termination of the contract. A contract could include that provision at the moment, but it would be quite useless if it was tested in the Courts. That was what was discovered in England, and then the law was changed there. It is thought that an appropriate change in the law here should be made in the same way.

Now, the other operative clause of this Bill relates to retiring benefits pensions and gratuities, and it is sought to include in the law provision that such benefits shall not be unreasonably with-held. The reason why it is desirable to put this in is because the pension laws relating to servants of the Town Council are the same as the pension laws relating to the servants of the Government: that is provided in the Principal Ordinance. Well, servants of the Government, servants of the Crown, not only hold office during the pleasure of the Crown, but in theory their pensions are granted at the pleasure of the Crown and not as of right. That is so in all pension laws so far as Crown employees are concerned, because it is a matter of the royal prerogative which still holds good and which, as we all know, involves no hardship in these matters whatsoever. But the prerogative, which is a constitutional matter, has, I am sure you will agree, little relation to a local government authority. So that it is thought we should, in case any hardships should arise, include this additional safeguard in the Lagos Local Government Ordinance. The effect will be if a retiring benefit is with-held from an employee, or it is refused to grant it to an employee, and he feels this has been unjustifiably done, he will be able to go to the Court to have his grievance tested; and, if it should be found that it was unreasonably with-held, he will have his redress, or if it should be found that it was reasonably with-held, it will have been established that there was good reason for depriving him of it. This Bill should, I think, remove any doubts there may be among any employees of the Town Council who may think sometimes that their terms of contract and retiring benefits are not as safe as they would like. This would give them, in the opinion of Government, all that is necessary in the way of a proper degree of security. Sir, I beg to move,

[D.M.S.]

[*The Medical Practitioners and Dentists (Amendment) Ordinance, 1951*]**The Hon. the Commissioner of Labour :**

Sir, I beg to second.

*Bill read a first time.***The Hon. the Attorney-General :**

Sir, I beg to give notice that at a later stage of this meeting I will move the second reading of the Bill which has just been read a first time.

THE MEDICAL PRACTITIONERS AND DENTISTS
(AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Medical Services:

I beg to move the first reading of the Bill entitled:—

“An Ordinance further to amend the Medical Practitioners and Dentists Ordinance.”

The purpose of this Bill, Your Excellency, is to effect two changes in the present Ordinance, as stated in the Objects and Reasons at the bottom of the published Bill. The first change will enable us to register as medical practitioners the future graduates from the Ibadan University College for whom no provision is made in the present Ordinance. The second amendment is designed to permit the temporary registration of medical practitioners additional to those who possess the qualifications indicated in section 8 of the present Ordinance, provided their qualifications are deemed by the Medical Registrar to be of adequate standard, and to enable such temporarily registered practitioners to be employed by the Government, by a local authority, by a native authority, or by the University College Hospital. In short, the combined effect of these changes is to enable us to meet our present difficulty in finding sufficient doctors for the public services.

Now I have repeated, Your Excellency, these Objects and Reasons in full chiefly in order to call attention to the fact that Government is well aware of the two main criticisms which have been levelled at the present Ordinance and at this amending Bill. The first criticism is that in order to attract more doctors to this country we ought to cast our net over a much wider field than that covered by the countries indicated in section (8) of the principal Ordinance and by this amendment; in other words, that we should be able to recruit doctors anyhow and from any where, no matter where they come from, and no matter what qualifications they possess. The second criticism, Your Excellency, is that practice by temporarily registered or licensed practitioners should not be confined to the employers indicated in clause 3 of the amending Bill before the House.

I fear, Your Excellency, that we cannot accept these arguments. There are very few countries which accept practitioners with foreign qualifications to practise within their borders, without the closest scrutiny and without a further professional examination. As many Honourable Members will be aware, even for example in the United States of America every single one of the forty-eight states has its own separate medical qualification which does not necessarily entitle its possessor to practise in any other State without a further local or national qualification. In these days when there are numerous bogus medical practitioners some of whom obtained their so-called qualification by merely taking a correspondence course, it behoves us in a young country like Nigeria, short of doctors though we may be, to be very careful as to what sort of doctors we permit to practise. There is nothing discriminatory about this. It is, if I may say so Your Excellency,

[D.M.S.]

[*The Medical Practitioners and Dentists (Amendment) Ordinance, 1951*]

plain common sense. With regard to the second criticism as to why the employment of temporarily registered doctors should be confined to the Government and certain other public bodies and, in the case of the principal Ordinance, to Missionary bodies also, the reply is that we consider that it is very necessary to exercise some sort of control over the activities of these doctors, and this control would be adequately exercised by the employers indicated. It cannot be done under the provisions of the Private Hospitals Ordinance, as has been suggested in certain quarters, as that Ordinance has an entirely different object in view, namely the registration and control of private hospitals, and not of private practitioners. I might add here, Sir, that in the case of foreign doctors recruited for public service, we do make sure that both professionally and personally their qualifications are up to the standards we require for the Colonial Medical Service.

Finally, Your Excellency, it may perhaps be possible for us at some future date to examine the possibility of extending the scope of Section 8 of the present Ordinance to a wider class of practitioners than we at present contemplate. Our view, however, is that the time to do so has not yet arrived.

Sir, I beg to move.

The Hon. the Director of Education:

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Medical Services:

Sir, I beg to give notice that at a later stage during this meeting I shall move a second reading of the Bill which has just been read a first time.

THE WIDOWS' AND ORPHANS' PENSION (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I rise to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Widows' and Orphans' Pension Ordinance.”

This Bill, Sir, is designed so to amend the Widows' and Orphans' Pension Ordinance, Cap. 23, as to exempt from the necessity of becoming contributors under that Ordinance all those Medical Officers who, being members of the National Health Service of the United Kingdom, may be employed in the Colonial Medical Service under any scheme established by the Secretary of State for the interchange of such officers between these two Services. It has been proposed that such an interchange of Medical Officers may be instituted on a short term basis with a view to enlarging the experience of the officers so interchanged and to ease the present difficulties in recruiting Medical Officers with suitable qualifications.

The Bill, Sir, is also designed to make permanent those increases to pensions granted on an annual basis in 1945 by the Temporary Increases (European Officers, Widows' and Orphans') Ordinance, 1945, which legislation was re-enacted in 1946 and 1947, and to ratify increases made and paid to pensioners between the 1st April, 1948, and the commencement of this Ordinance. Honourable Members will recall that, since 1948, such increases have been approved from time to time by annual resolutions of the Legislative Council. It was at first hoped that these increases would be purely temporary

[*Ag. F.S.*][*The Widows' and Orphans' Pension (Amendment) Ordinance, 1951*]

measures designed to meet the inflation consequent upon the 1939-45 War, but abundant evidence now exists, I regret to say, to show that the conditions which gave rise to these increases have come to stay.

Sir, I beg to move.

The Hon. the Attorney-General:

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary:

Sir, I beg to give notice that at the first convenient opportunity I shall move a second reading of the Bill which has just been read a first time.

THE TELEGRAPHS (AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Public Works:

Sir, I rise to move the first reading of an Ordinance entitled:—

“An Ordinance to amend the Telegraphs Ordinance.”

This is a very short and simple Bill. The Director of Posts and Telegraph proposes that section 4 of the Telegraphs Ordinance which provides for the construction and general working of telegraphs inside Nigeria, should be amended to enable private inter-communication and telegraph systems to be installed without the need for a licence, providing that such systems do not cross roads or interfere with existing electric cables. As the law now stands, licences are required for the installation of all private inter-communication systems even if they only consist of two connected telephones or a simple electric bell. Licences are not required under similar circumstances in the United Kingdom and this proposed amendment will bring local procedure into line with what obtains in the United Kingdom.

The Hon. the Acting Development Secretary:

Sir, I beg to move.

The Hon. the Director of Public Works:

Sir, I beg to give notice that at a later date during this meeting, I will move a second reading of the Bill which has just been read for a first time.

His Excellency :

That concludes the business on the Order Paper today. I think it would be in accordance with our usual practice if I were to invite the Chief Secretary to introduce the matter of hours of work at this meeting.

The Hon. the Chief Secretary to the Government :

With your permission, Sir. We have been given to understand that Honourable Members would like, if possible, to have this meeting of the Council over by Saturday. Also, Sir, in accordance with normal practice in this Council it is not proposed to sit this afternoon. For tomorrow, the second day, Wednesday, notice has already been given to Honourable Members of Government Motions—copies of two of those Motions have been circulated—and it is proposed to take those as well as the first readings of all Bills which have not been given their first readings today. Thereafter it is proposed to take the second and third readings of all Bills which have been given their first readings today.

On Thursday, 23rd August, Sir, it is proposed that there shall be a meeting of the Council's Standing Committee on Finance, and it is expected that as the business before that Committee is fairly heavy there will be no time for the Council to meet on that day.

On the fourth day, Friday, which is usually a half day, we may have left over Government Motions of which notice has been given, and also we should like to find time to debate Motions of which notice has been given by Private Members. We have also left for that day the second and third readings of Bills which would be read a first time tomorrow. It is also the practice to have a short day, if possible, on Saturday. For Saturday morning, there are three financial Motions of which notice was given this morning by the Honourable the Financial Secretary, and there would also be any other Motions of which notice may be given by the Honourable Members within the next two days.

The general intention therefore would be to have morning sessions beginning possibly at 10 a.m. and lasting until 1 p.m., and an afternoon session possibly from 3 to 5 p.m. As I have already said, Sir, the only day on which we shall be able to have two sessions of the Council will be Wednesday, the 22nd August.

I trust, Sir, that that general programme will be in accordance with the wishes of the Honourable Members.

His Excellency :

The tentative programme arranged at the beginning of a meeting can always be altered if business does not go as fast as we think, or if it goes slower than was anticipated.

If it be the pleasure of Honourable Members we shall adjourn the Council now, and meet at 10 a.m. for two sessions tomorrow. Then, as indicated by the Chief Secretary, there will be a meeting of Finance Committee on Thursday, and we shall have a half day on Friday and a half day on Saturday. Would that be in accordance with the wishes of the Honourable Members? The ayes have it.

I am advised that a photograph is to be taken at the end of this sitting, so we shall meet downstairs.

Council is adjourned until 10 a.m. tomorrow morning.

ADJOURNMENT

Council adjourned at 12.25 p.m.

Debates in the Legislative Council of Nigeria

Wednesday, 22nd August, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 10 a.m. on Wednesday, the 22nd of August, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable A. E. T. Benson.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Attorney-General,
The Honourable A. McKisack.
- The Acting Financial Secretary,
The Honourable R. W. Baker-Beall, M.B.E.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Acting Development Secretary,
The Honourable H. R. E. Browne, O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable D. H. Brown.
- The Director of Public Works,
The Honourable A. McDonald.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
The Honourable W. Fowler.
- The Senior Resident, Plateau Province,
The Honourable C. R. Niven, M.C.
- The Resident, Owerri Province,
The Honourable J. S. Smith.
- The Resident, Benin Province,
The Honourable R. J. M. Curwen.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku, O.B.E.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
The Honourable Sir Francis A. Ibiam, K.B.E.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki, C.B.E.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Member for Calabar,
The Honourable E. E. E. Anwan.
- The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.
- The Fourth Member for the Western Provinces,
The Honourable A. Soetan.

ABSENT**UNOFFICIAL MEMBERS**

- The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The Third Lagos Member,
The Honourable Adeleke Adedoyin.
- The Third Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 21st of August, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

NOTICE OF MOTIONS

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Sir, I rise to give notice of the following motion :—

“BE IT RESOLVED : That this House having studied the text of the
“new Constitution as promulgated by His Majesty in Council, humbly
“expresses regret at the deviations from the recommendations made at
“the Ibadan Conference and in the Legislative Council.”

QUESTIONS

The First Nominated Member (The Hon. P. J. Rogers) :

98. To ask the Honourable the Chief Secretary to the Government :—

Is Government in a position to state the scale of salaries and/or allowances which it is proposed to pay the members of legislative houses and executives under the new Constitution?

Answer—

The Hon. the Chief Secretary to the Government :

The determination of the salaries and allowances to be paid to Ministers and members of Legislatures is a matter for the new Legislatures themselves to consider when they have been constituted. It has, however, been necessary for Government to make a provisional assessment of the scales to be paid in order to determine the extent of financial provision to be made during the current financial year.

In making these provisional calculations it seemed appropriate to provide for a salary to be paid to each member of a Legislature ; and in fixing that salary to take into account the interruption of his private business and engagements during his attendance at sessions of the Legislature, and necessary touring of his constituency. A figure of £300 per annum has been thought sound on this basis as the salary for a member

[C.S.G.]

[Answer]

of a Regional House, and an additional salary of £300 per annum for each member of a Regional House who is also a member of the House of Representatives. These salaries are intended to cover all payments, other than those in respect of transport costs, due to a member of a Legislature for travelling to and from, and for attendance at, the place or places where his duties as a member of the Legislature are to be performed.

As regards Ministers it has been thought that a distinction should be drawn in Regional Executive Councils between Ministers holding portfolios and Ministers without portfolios; and in the Council of Ministers between Ministers holding portfolios comprising subjects reserved for Central legislation, Ministers holding portfolios comprising subjects over which Regions have legislative jurisdiction, and Ministers without portfolio. On this basis salaries have been assessed as follows:—

	£
(1) Regional Minister without portfolio	450
(2) Regional Minister with portfolio	1,000
(3) Central Minister without portfolio	500
(4) Central Minister with portfolio of Regional subjects ...	900
(5) Central Minister with portfolio of Central subjects ...	1,200

These salaries would be in addition to the salaries drawn for membership of Legislative Houses; so that the total salaries of Ministers would be:

	£
(1) Regional Minister without portfolio £450 + £300 ...	750
(2) Regional Minister with portfolio £1,000 + £300 ...	1,300
(3) Central Minister without portfolio £500 + £300 + £300 ...	1,100
(4) Central Minister with portfolio of Regional subjects £900 + £300 + £300	1,500
(5) Central Minister with portfolio of Central subjects £1,200 + £300 + £300	1,800

Central and Regional Ministers would, in addition, draw an allowance of £1 10s per night when travelling on Ministerial duties, that is, duties distinct from those of attendance at meetings of a Legislature, and outside Regional Headquarters in the case of a Regional Minister, and outside Lagos in the case of a member of the Council of Ministers.

These salary arrangements would be modified in the case of Chiefs and Native Administration officials who become members of a Legislature, as they are already in receipt of salaries from their respective Native Authorities. For the purposes of calculation it is proposed that:

- (i) where a Chief's Native Administration salary is greater than his total Legislative salary, he would refund to the Native Administration an amount equal to half his Legislative salary during such period as he is a member of the Legislature;
- (ii) where a Chief's Native Administration salary is less than his total Legislative salary as a member of a Legislature he would draw from the Native Administration only half salary during such period as he is a member of the Legislature;
- (iii) similar arrangements would apply to members and officials of Native Administrations.

[C.S.G.]

[Answer]

Should a Native Administration official be appointed a Minister (either in a Region or at the Centre), the demands made upon his time by his Ministerial duties would be such that he would have to be regarded as on leave without pay from his Native Administration Employment.

MOTIONS

The Hon. the Acting Development Secretary :

I rise to move the following motion standing in my name :—

“BE IT RESOLVED :

That the following regulations be approved by this Council:—

The Produce Inspection Regulations No. 26 of 1951,

The Palm Produce (Inspection for Export) Regulations No. 27 of 1951,

The Cocoa (Inspection for Export) Regulations No. 28 of 1951,

The Groundnuts (Inspection for Export) Regulations No. 29 of 1951,

The Cotton (Inspection for Export) Regulations No. 30 of 1951,

The Ginger (Marketing and Export) Regulations No. 31 of 1951,

The Capsicums (Inspection for Export) Regulations No. 32 of 1951,

The Cassava Starch (Inspection for Export) Regulations No. 33 of 1951,

The Rubber (Inspection for Export) Regulations No. 34 of 1951.”

This series of Produce Inspection Regulations has been made by the Produce Inspection Board set up under section 5 of the Produce Inspection Ordinance No. 24 of 1950, and, in accordance with section 8 of that Ordinance, they are required to be laid on the table of this Council for approval.

Honourable Members will remember that in 1950 the new Agriculture Ordinance and Produce Inspection Ordinance were enacted, clearly defining the respective spheres in the two matters. The necessity for the present Regulations arises from the transfer of the power to make regulations providing for produce inspection matters from the Board of Agriculture to the Produce Inspection Board set up under the new Produce Inspection Ordinance. The Produce Inspection Board met in 1951 and made the Regulations now presented for approval.

Prior to the making of the present Regulations there was one set of Regulations for each type of produce excepting Palm Produce, Cocoa and Cassava Starch, which were all covered by one set. The main Regulations were made over a period of years from 1931 onwards, and there were in existence by the year 1950 no less than forty-four sets of Regulations or amendments thereto. These have been collated by the Produce Inspection Board into nine sets of Regulations. The revised series of Regulations includes one of a general nature and eight of a more technical nature for the various products concerned.

Sir, I beg to move.

The Hon. the Acting Director of Agriculture :

Sir, I beg to second.

Resolved in the affirmative.

The Hon. the Acting Development Secretary :

Sir, I rise to move the following motion standing in my name :—

“BE IT RESOLVED:

That, whereas it is desirable to establish a Teaching Hospital in connection with the University College, Ibadan, and whereas the Government understands from views expressed by Honourable Members in the Standing Committee on Finance at their meeting held on the 27th of July, that it is the wish of this Council that the University College should be assured of the provenance of these funds, a sum not exceeding £1,500,000 be made available for this purpose from the funds and revenues of Nigeria and that the Governor be empowered to authorise expenditure for this purpose by warrant executed under his hand at such times and in such amounts within the limit stated as shall seem to him fit.”

Honourable Members will be aware that the original proposals for the establishment of a Teaching Hospital in connection with the University College, Ibadan, provided for the use of the old Military Base Hospital, which it was proposed to convert into a 500 bed Teaching Hospital. Pending the completion of this conversion the Jericho and Adeoyo Hospitals have been used jointly as a temporary 200 bed Teaching Hospital for the Medical School.

In view of the recommendations for improvements which must be made before the University of London will be prepared to recommend the University College Hospital as being of the requisite teaching standard to award the London University Medical Degree, it became necessary to review the proposal to convert the old Military Base Hospital into a permanent Teaching Hospital. It is now the view of all concerned that the converted buildings will not satisfy the requirements, and that new buildings on an entirely new site are absolutely essential. A new site is already in process of acquisition.

Preliminary estimates for the construction of a 500 bed Teaching Hospital on a new site, designed to meet the requirements of the University of London, have been prepared, which amount to one and a half million pounds for the complete hospital of 500 beds, and £545,000 for the first stage, which provides for 285 beds. The Standing Committee on Finance of this Council was informed of these provisional estimates at its meeting held on the 27th July, and members then expressed the hope that it would be possible to make adequate financial provision for the new Teaching Hospital before the expiration of the life of the present Legislative Council. The purpose of this resolution is therefore to make available a sum of up to one and a half million pounds for the construction and equipment of the Teaching Hospital at Ibadan.

I should, perhaps, make it clear, Sir, that it has always been contemplated that the construction of a new Teaching Hospital would at some stage be required. It was originally hoped that it might be possible to bridge the gap for a period of a few years with the temporary arrangements at the old Military Base Hospital.

I should perhaps say, Sir, that this Resolution affords to my Honourable Friend, the Director of Medical Services, the almost perfect opportunity, which, knowing him, I think he is unlikely to take, of saying, “I told you so.” He has always urged that it would be preferable to build a new Teaching Hospital from the outset rather than attempt to bridge the gap with a temporary arrangement

[*Ag. Dev. Sec.*][*Motion : Teaching Hospital, Ibadan University*]

I should also perhaps disclose, Sir, that I have a personal interest in this Resolution—one which I hope will not be shared by those who have the good fortune to pass through this Medical School. The interest, Sir, is that of an unsuccessful medical student !

Sir, I beg to move.

The Hon. the Director of Medical Services :

Your Excellency, in rising to second this motion, I believe it is Your Excellency's wish that in doing so, I should do more than pronounce the customary four words—"I beg to second."

Sir, it does give me very great pleasure to associate myself with the Resolution which has just been moved by my friend the Honourable the Acting Development Secretary. The reason is, firstly, because the future of the University Faculty of Medicine and of its Teaching Hospital is very much the concern of the Government Department of Medical Services ; and secondly because I hold, as your Excellency and some members of this Honourable House may be aware, and as the Honourable the Acting Development Secretary has just informed us, strong official and personal views as to the vital necessity of placing from the very first and at the earliest possible date our University Faculty of Medicine on a sound and sufficiently broad financial basis, in order to enable us to turn out with the greatest possible speed our own Nigerian doctors whom the country so badly needs.

Your Excellency, my various attempts—sometimes fair, and perhaps sometimes possibly not so fair—to achieve the assurance of what the Resolution calls the "provenance" of the funds necessary for this purpose, will no doubt be well remembered by His Honour of the West. Perhaps in this connection Your Excellency will permit me to quote from a speech which I made when Deputy Director in the Western Region at the Budget Session of the Western House of Assembly in December last year. Referring to a speech by Sir Hugh Mackintosh Foot, then Officer Administering the Government, which he made at Ibadan when launching the University Endowment Fund which, at the time I spoke, was meeting with very little response, I said :

"In his great speech at the University here last month, His Excellency the Officer Administering the Government declared it as his belief—and with popular assent—that the future of Nigeria will largely depend on a fruitful marriage of Education with Agriculture. I venture to suggest that the party best qualified for the role of bestman at that marriage would be the Medical Department. Customarily the bestman is the custodian of the wedding ring and without the ring there can be no marriage. As custodians of the public health, therefore, it is the duty of my Department to see that the participants are rendered physically fit for the ceremony."

I then went on to say, Your Excellency :

"It is my belief that we ought to endow the Faculty of Medicine of our University in the same way as the Faculty of Agriculture has been endowed."

I then went on to refer to the painful tardiness with which public subscriptions were coming in, in response to His Excellency's Appeal, and finally I advanced the suggestion that if we could not raise the funds otherwise, we might perhaps consider the possibility of floating a public loan as a last resort.

[D.M.S.]

[Motion: *Teaching Hospital, Ibadan University*]

Now, Your Excellency, the very public spirited action of the Standing Committee on Finance of this House in proposing this vote for the capital funds required for the erection of our University Teaching Hospital and referred to in this Resolution will fortunately make this step now unnecessary. The grant cannot, I believe, be considered an Endowment Fund as it does not provide for the large recurrent expenditure which will be necessary for the maintenance of this Teaching Hospital; but it will certainly speed up the construction and equipment of the hospital and it will therefore bring very much nearer the realisation of our hopes in providing as rapidly as possible the highly trained Nigerian medical staff, the present lack of which is very seriously retarding our medical progress.

One last remark, Your Excellency, and I hope I am not speaking out of turn here. That remark is this. All Regions must admit that though the Medical School of our University is situated in one particular Region, it is all the same a national, all-Nigeria institution from which will emerge in due course doctors whose services will benefit all three Regions including, I may add, Lagos. The Teaching Hospital itself will attract many patients from all over Nigeria for skilled treatment by its many very highly qualified specialists and professors. Nevertheless, I would remind the Council that we are at this very moment actively contemplating the inauguration of a School for Medical Assistants in the Northern Region. And when the time arrives—as we hope it soon will—for that scheme to be finally approved and implemented, I do trust that it will also receive an adequate measure of financial support, in order to hasten its rapid and full development. I have just returned from my first of a series of tours of the Northern Region and I realise, as I am sure all members of this House also do realise, how urgent and how manifold the medical needs of that Region are.

Finally, Your Excellency, speaking as a Nigerian, as Head of the Department of Medical Services, and speaking also—I might perhaps add—on behalf of the University Medical Faculty of which I have the honour to be an honorary member, I feel sure that all Nigerians, irrespective of regional affiliations, will acclaim and applaud this generous, this magnificent, and this public-spirited gesture on the part of this Honourable House. It is therefore with great pleasure, Your Excellency, that I second this motion.

The Fourth Member for the Eastern Provinces (Dr The Hon. Sir Francis Ibiam, K.B.E.):

Your Excellency, I cannot allow this opportunity to pass without expressing my personal view in regard to this motion. As an ordinary man who has nothing to say about the actual working of funds for development and so on, I feel that the Government deserves congratulation for voting this large sum of money—one and a half million pounds—for the establishment of a teaching hospital for our University College. Every Nigerian is very anxious to know that our University College is recognized throughout the world as a proper teaching Institution and we want to feel that our students, having passed through this place, would have the confidence that their training is worth their while and that they will pass out from there to give first class service to this country. Therefore, I want to say here that we are very much delighted that the Government is fully aware of this anxiety and has moved, and made positive action, to make this possible. Thank you.

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

Your Excellency, I rise as a member of the University Council to thank this House for her generous gesture.

[A. Soetan]

[Motion : Teaching Hospital, Ibadan University]

The Fourth Member for the Western Provinces (The Hon. A. Soetan):

Your Excellency, I think it should not be left to a member of the University College Council alone to express his appreciation of the gesture of the Government in this connection, and in signifying my own personal approval, I think the Government should be assured by the vote that will follow that all the Honourable Members appreciate the gesture.

Sir, I beg to support.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.):

In rising to support the motion I have only one thing to say. That is to express the sincere hope that, when we shall have had this gesture implemented, it will not be long before the people of Nigeria enjoy the privilege or right of free medical attention as is done in England. Thank you.

His Excellency:

If no other Honourable Member wishes to speak the Honourable Mover has the right to speak again.

The Hon. the Acting Development Secretary:

I have nothing to add to what I have already said, Sir.

Resolved in the affirmative.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the motion standing in my name, which reads as follows:—

NIGERIA No. of 1951
RESOLUTION made under THE CUSTOMS ORDINANCE
(Cap. 48)

In exercise of the powers conferred by section 9 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—

1. This resolution may be cited as the Customs (Amendment of Duties No. 2) Resolution, 1951, and shall have effect as from the 23rd of August, 1951.
2. Part I of the Schedule to the Customs Ordinance is hereby amended—
 - (1) by the addition to the second column of item 7 of the words and figure “or *ad valorem* 20 per centum, whichever is the higher”;
 - (2) by the insertion of the words “not particularly exempted in Part III of this Schedule” between the word “trailers” and the comma immediately following that word in the second line of sub-item (2) of the item 22;
 - (3) by the insertion of the words “other than those particularly exempted in Part III of this Schedule” between the word “Oils” and the colon immediately following that word in the first line of item 23;
 - (4) by the re-numbering of sub-item (3) of item 23A as (4), and the insertion immediately after sub-item (2) of the following new sub-item:

“(3) Cardboard, strawboard, millboard and pasteboard of a size not less than 16 inches by 15 inches.....*ad valorem* 10 per centum.”
 - (5) by the deletion of item 28 and the substitution therefor of the following item:

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[Ag. F.S.]

[Resolution : The Customs (Amendment of Duties, No. 2)]

"28. SPIRITS and liquids of a kind that may be prepared with or without spirits:

(1) Brandy, Gin, Rum and Whisky.....the gallon £3 18s.

(2) Varnishes, polishes, lacquers, liquid driers, fluids for the operation of hydraulic brakes and shock absorbers and similar liquids, whether containing spirits or not.....the gallon 5s or *ad valorem* 20 *per centum*, whichever is the higher.

(3) Methylated and denatured spirits and other non-potable spirits accepted as such by the Comptroller (unless exempted from duty in Part III of this Schedule).....the gallon 5s.

(4) All other spirits (unless exempted from duty in Part III of this Schedule).....the gallon £3 18s or *ad valorem* 66½ *per centum* whichever is the higher.

Proviso: Provided that for the purpose of this sub-item medicinal preparations containing less than two and one-half *per centum* of pure alcohol which are not particularly exempted in Part III of this Schedule and other liquids containing less than one *per centum* of pure alcohol shall not be deemed to be spirits."

3. Part III of the Schedule to the Customs Ordinance is hereby amended—

(1) by the addition thereto of the following new items:

"6A. Bags, made of paper, imported for the packing of cement.

6B. Batteries, dry, made up of primary cells in units of not less than 20 volts nominal voltage.

7A. Bottles and jars, common, of glass or earthenware, empty";

(2) by the deletion from item 8 of the figure "10" and the substitution thereof of the figure "15";

(3) by the deletion therefrom of item 17;

(4) by the deletion of item 20 and the substitution therefor of the following:

"20. Fuel, lubricants and other products, if the Comptroller is satisfied—

(a) that they are imported, or purchased prior to clearance through the Customs, solely for use in the operation of aircraft of airlines approved by the Governor in Council; and

(b) that they are necessary for the operation of those aircraft; and

(c) that those aircraft are operated solely on air services approved by the Governor in Council.";

(5) by the insertion of the words and comma "and Deck and Engine Room Stores," immediately after the word and comma "Bunker," in the first line of item 21;

(6) by the addition thereto of the following new item:

"21A. Gypsum.";

(7) by the insertion of the words "and trailers therefor" between the words "tractors" and "and" in the second line of item 32;

(8) by the addition of the following sub-item to item 33 immediately after item j:

"(k) Goods imported for the official use of the United Kingdom Trade Commissioner for West Africa.";

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[Ag. F.S.]

[Resolution : The Customs (Amendment of Duties, No. 2)]

(9) by the deletion from item 34 of sub-item (2) and the substitution therefor of the following:

“(2) Tin plate, flattened tin cans and other unassembled containers, and other material imported for manufacture into containers for the packing of foodstuffs for distribution in Nigeria, and tins and other containers, empty, imported for the same purpose.”;

(10) by the addition thereto of the following new item:

“51. Water filters and parts thereof and all appliances for the filtration of water.”

RESOLVED by the Legislative Council this day of ,
1951.

Clerk of the Legislative Council

Subject to amendment, with the concurrence of this Council, by the deletion of clause 3 (7) and the renumbering of the succeeding sub-clauses as (7), (8), (9) and (10). I will advert on the reasons for this alteration later on in my speech. I think, Sir, it will probably be of convenience to Honourable Members if I briefly run through the various items included in the second and third clauses of the Resolution.

The modification under clause 2 (1) substitutes an *ad valorem* for the existing specific duty on beads. The specific duty is inequitable in its incidence since it fails to discriminate between cheap beads and luxury beads which might almost be classified as jewellery.

The amendment under clause 2 (2) is consequential on the amendment under clause 3(8).

The amendment under clause 2 (3) is designed to bring item 23, which provides for the levying of duties on oils, into accord with Item 20 of Part III to the Schedule to the Ordinance which, if the modification proposed in clause 3 (4) of the resolution is accepted, will provide for the duty free supply of fuel and lubricants to approved aircraft from bonded warehouses. This Government, as Honourable Members may be aware, as a signatory to the International Civil Aviation Organisation, has bound itself to the following clause:—

“Every airport in a contracting State which is open to public use by its national aircraft shall likewise.....be open under uniform conditions to the aircraft of all other contracting States.”

In order to avoid discrimination, Sir, we must, therefore, grant exemption from duty on fuel and lubricants to aircraft of all other contracting parties just as it is granted to our own aircraft, and, incidentally, permit them to enjoy the concession here which we enjoy when re-fuelling in their territories.

Clause 2(4) of the Resolution is designed to assimilate the duty on card-board, strawboard, millboard and pasteboard of a commercial size to the duty presently charged on printing paper; namely, ten per cent *ad valorem*. Other paper and paper manufactures of a non-commercial size are chargeable at twenty per cent *ad valorem*.

The duty on methylated and de-natured spirits which falls to be dealt with under Item 28 (3) of the First Schedule, is at the present time £3 18s. a gallon. It is considered that this is too heavy an impost on spirits which are used solely for commercial purposes and it is proposed to reduce the duty to 5s. a gallon under clause 2 (5). To obviate confusion it has been found desirable to republish the whole of Item 28.

Clause 3 of the Resolution, Sir, deals with amendments to Part III of the Schedule to the Customs Ordinance which provides for the exemption of certain items from import duties. The proposed exemption of cement bags and bottles and jars under clause 3 (1) is in the interests of local industries. The proposed exemption of dry batteries for use in wireless sets marches with the exemption of cheap broadcast receivers under Item 8 of Part III: the object being to encourage "listening in" amongst the general public. Before submitting this proposal to Council, Government has satisfied itself that these dry batteries are not of such a type that readily or cheaply could be converted to other uses such as lighting.

Under clause 3 (2) it is proposed to raise the exemption ceiling for cheap broadcast receivers under Item 8 of Part III from £10 to £15. This increase of fifty per cent will not let in luxury broadcast receivers.

The modification under clause 3 (3) is consequential on the proposed new exemption under clause 3 (11) to which I shall be referring in due course.

The proposed exemption under clause 3 (4) is designed to provide for the duty free supply of fuel and lubricants from bonded warehouses to approved aircraft in the circumstances on which I have already adverted earlier in this speech.

Under clause 3 (5) it is proposed to relieve from duty deck and engine room stores trans-shipped or transferred to vessels at sea.

The exemption of gypsum under clause 3 (6) should be, I suggest, of great assistance to the new cement factory which we all hope, Sir, will shortly be in operation.

The next clause appearing in the resolution is clause 3 (7), which I now beg leave to delete. Further discussions have taken place with the Customs and the Military Authorities since this resolution was drafted, and these discussions suggest that it would be premature to grant the proposed NAAFI exemption, and that at present it would be better to continue with the present system whereby NAAFI pay duty and subsequently enjoy a refund.

The object of clause 3 (7) is to exempt from import duty tractor trailers as well as tractors, I quote, "ordinarily employed in the construction or maintenance of roads or the clearing of land," which enjoys exemption under Item 32 of the Schedule.

Clause 3 (8) is self-explanatory. I should, however, perhaps mention that His Majesty's Government has given an undertaking that similar treatment will be accorded to the Commissioner for Nigeria in the United Kingdom.

The object of clause 3 (9) is to assist local industries in the production of packed foodstuffs. It is considered that the encouragement of local industries is of higher importance than the safeguarding of a very inconsiderable amount of current and prospective revenue.

Clause 3 (10) must be read in conjunction with clause 3 (3) of the Resolution. Under Item 17 of Part III filters and parts thereof and all appliances in the filtration of water are presently exempted from duty. It has recently become apparent that the word "filters" is of too wide application. The reference is not to "water filters" only and consequently items such as motor engine filters, which should pay the duty appropriate to motor parts, can come in free. In order to limit the application of this exemption to the purpose for which it is designed, Item 17 of Part III has been deleted and this new item which refers specifically to "water filters and parts thereof" substituted.

Honourable Members possibly may not be aware that the Resolutions of this nature, which are periodically presented to Council, are the outcome of the deliberations of the Tariff Advisory Committee. This body consists mainly of representatives of all races of the local commercial community and sits at three monthly intervals. May I take this opportunity of expressing appreciation of the valuable assistance afforded by these gentlemen in improving and keeping up-to-date our Tariff Schedule.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Resolved in the affirmative.

BILLS

(First Reading)

THE REGIONAL PRODUCTION DEVELOPMENT BOARDS ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Your Excellency, I rise to move the first reading of a Bill entitled :—

“An Ordinance to provide for the Reconstitution of the Northern, Eastern and Western Regional Production Development Boards, for the functions of the Boards, and for purposes connected with the matters aforesaid.”

I do not propose, Sir, in introducing this Bill to restate the principles underlying the formation of the Marketing Boards and the Regional Production Development Boards, which were detailed in Sessional Paper No. 18 of 1948, and which were warmly endorsed by this Council in 1948.

The main objects of this Bill may be briefly summarised as follows :—

Firstly, to transfer the development functions of the Cocoa Marketing Board to the Regional Production Development Boards ;

Secondly, to clarify the fundamental principles underlying the establishment of the Regional Production Development Boards ;

Thirdly, to reconstitute the membership of the Regional Production Development Boards ;

Fourthly, to widen the variety of methods whereby the Boards may apply funds at their disposal to the purposes of the Ordinance ;

Fifthly, to widen the Boards' powers investment, and

Lastly, to effect certain procedural and consequential reforms.

The question of broadening the basis on which development financed by the funds of the Cocoa Marketing Board might be carried out, and of handing over at least part of the development functions of the Cocoa Marketing Board to a Regional Production Development Board, or a Board modelled on the Regional Production Development Boards set up under the Nigeria Groundnut Marketing Ordinance, No. 11 of 1949, and under the Nigeria Oil Palm Produce Marketing Ordinance, No. 12 of 1949, has been under examination for some time. After full discussion with the various authorities concerned it was agreed in principle to transfer the development functions of the Cocoa Marketing Board to the Regional Production Development Boards, and further to excise from the Groundnut Marketing and Oil Palm Produce Marketing Ordinance those sections dealing with the Production Development Boards, and to incorporate them in the Regional Production Development Boards Bill which I am now introducing.

It was decided, in preparing this Bill, to take the opportunity of incorporating certain clarifications of the fundamental principles underlying the establishment of the Regional Production Development Boards, and also certain amendments designed to broaden the scope of the Boards' activities. The first principle which it has been deemed necessary to re-emphasise in the Bill is that the large sums of money which the Regional Production Development Boards derive from the Produce Marketing Boards are sums which, in fact, belong to the producers, and are virtually trust funds of the producing industry concerned. It is therefore one of the cardinal principles of this Bill to ensure that these funds shall be spent on schemes designed to further one or other of the following objects:—

First, the development of the producing industries in respect of which funds accrued to the Board ; or

Second, the economic benefit or prosperity of the producers ; or

Third, the economic benefit or prosperity of the areas of production ; or

Lastly, the preliminary investigation of any schemes designed to secure these objects.

Honourable Members will observe the intentional repetition of the word "economic" in the objects which I have set out, and will appreciate that the purpose of repeating the word "economic" is to exclude from the activities of the Boards, schemes which have a social rather than an economic bias. Schemes which would be likely to bring incidental "social" benefits would not necessarily be excluded from the activities of the Boards, but any such schemes would require to be primarily of economic benefit to the producers concerned.

It may be urged that these objects are unduly restrictive and would hamper the Boards in applying their funds for the economic benefit of the respective Regions. The reply to this objection is twofold. In the first place the Boards are not, and were never intended to be, general development bodies applying their funds throughout the Regions. Any such definition would be at variance with the original principles that the monies which the Boards handle are virtually trust funds for the industry concerned. In the Northern and Eastern Regions there is, however, nothing to prevent the Boards applying their funds widely throughout their respective Regions since groundnuts, beniseed and sunflower, from which the Northern Board derives its resources, are widely grown throughout that Region, and oil palm produce, from which the Eastern Board derives its funds, grows everywhere in the Eastern Region. It would, however, be otherwise with the Western Regional Production Development Board envisaged in this Bill. That Board would derive its money from two sources. Firstly from oil palm produce, and secondly from cocoa. The funds derived from the Oil Palm Produce Marketing Board could properly be applied to the schemes throughout the Western Region, but it is otherwise with funds derived from the Cocoa Marketing Board, since the Nigerian cocoa crop is confined to certain provinces. The question whether too rigid an application of cocoa monies will result has been considered with the greatest care in framing the present Bill, and the Attorney-General has advised that the Bill as at present drafted will not unduly restrict the application of cocoa monies. At the same time the fundamental principle that the cocoa monies which the Board will receive are virtually trust funds of the cocoa producers and must be spent primarily to benefit them, has been retained in the Bill.

[*Ag. Dev. Sec.*][*The Regional Production Development Board Ordinance, 1951*]

With regard to the membership of the Boards, the existing legislation provides that at least half of the members of the Regional Production Development Boards will be appointed by the appropriate House or Houses of Assembly. Clauses 4, 5 and 6 of the present Bill incorporate a new procedure whereby a minority of the members of the Regional Production Development Boards will be appointed by the Chief Commissioner concerned from amongst the members of the Regional House or Houses of Assembly. The purpose of this change is to marry the two opposing interests. On the one hand, it seems clear that the interests of the Boards would best be served if membership was largely divorced from politics, and if appointment were by nomination of Chief Commissioners. On the other hand, Sessional Paper No. 18 of 1948, on which the existing legislation is based, stresses the fact that the Marketing Boards allocate funds to the Regional Production Development Boards for development expenditure, that is to say for public purposes. It is therefore of great importance that unofficial members of the Boards responsible for planning this expenditure should be aware of the programme of Regional expenditure, and that there should be no overlapping or lack of liaison. It is in order to ensure co-ordination in this sense, and to provide responsible Regional control of expenditure, that the present compromise has been adopted.

I have referred, Sir, to the special difficulty in regard to the application of funds of the Western Regional Development Board. Honourable Members will agree that it would be contrary to the fundamental principles of the Bill for the Western Regional Production Development Board to merge grants received from the Oil Palm Produce and Cocoa Marketing Boards immediately on receipt, and that it will be necessary for the Western Regional Production Development Board to keep separate accounts of such monies until such time as the Board has voted these funds for expenditure on schemes. It is for this reason that special provisions affecting the Western Regional Production Development Board have been incorporated in Clause 19 of the Bill. Further special provisions relating to existing schemes of development undertaken by the Cocoa Marketing Board have been inserted in clause 18.

New provisions designed to facilitate the investment of funds of the Board have been incorporated in clause 21. The general purpose of this clause is to enable Boards to participate, by way of investment, in local enterprises of economic benefit to producers or to the areas of production. Clause 17, sub-section (3) of the Bill contains provisions of importance enabling the Boards to make loans within the principles on which the Bill is based. These new powers have been inserted at the unanimous request of the Regions and will, it is considered, greatly enhance the usefulness of the Boards to the communities which they serve.

Opportunity has also been taken to insert in the Bill a number of formal or amending changes which experience has shown to be necessary, or which it is advisable to make from a drafting point of view.

I need not enlarge further on the importance of this Bill, which as I have already said, is based on principles which were warmly endorsed by Legislative Council in 1948, and has now received the unanimous approval of the Regional Houses.

Sir, I beg to move.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a first time.

[*Ag. Dev. Sec.*][*The Nigeria Cocoa Marketing Board (Amendment) Ordinance, 1951*]**The Hon. the Acting Development Secretary :**

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA COCOA MARKETING BOARD (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the first reading of a Bill entitled :—

“An Ordinance further to amend the Nigeria Cocoa Marketing Board Ordinance.”

This Bill, Sir, is consequential on the Regional Production Development Boards Bill, the first reading of which I have already moved, and its object is to provide for the transfer of the development powers of the Nigeria Cocoa Marketing Board from that Board to the Regional Production Development Boards, which it is proposed to reconstitute by the new Regional Production Development Boards Ordinance.

It will be noted, however, that the Cocoa Marketing Board retains certain powers conferred on it by Chapter 151 of contributing from the funds at its disposal such sums as may be advisable to any institution, society or scheme or for any purpose likely in the opinion of the Board to be to the benefit of producers.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Development Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE PENSIONS ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the first reading of a Bill entitled :—

“An Ordinance for regulating Pensions and Gratuities to be granted to officers in respect of offices held by them in His Majesty’s Service in Nigeria.”

This Bill, Sir, as is stated in the Objects and Reasons, is designed to fulfil two main purposes. The first of these is the consolidation and assimilation of the law relating to the grant of retiring benefits for officers in the Government Service which, as Honourable Members are aware, is presently contained in two separate Ordinances, namely the European Officers’ Pension Ordinance and the Non-European Officers’ Pension Ordinance. Assimilation has already advanced so far that it is not considered to be necessary any longer to maintain this distinction which, in any circumstances, in the present stage of development of the Service must be regarded as undesirable. Here I should perhaps mention that where divergencies in treatment of officers do still exist under these two Ordinances, in ironing them out the practice more favourable to the officer has been adopted in every case for the purposes of this Bill.

[Ag. F.S.]

[The Pensions Ordinance, 1951]

The second main purpose of this legislation is to embody in the Statute Law the decision to which legislative sanction was given by resolution of this Council in respect of Sessional Paper No. 4 of 1947, and the provisions for increases to pensions authorised by a resolution adopted on the 10th of March, 1949, and to give legal force to the administrative practice presently applied under Public Notice 4 whereby most Government and Native Authority service is treated as continuous for the purpose of computing final retirement benefits.

This Bill, Sir, embodies no new principles, and were it not for the fact that an accepted principle which has already received legislative sanction from this Council has come under public discussion since the Bill was published, I should at this stage have suggested that there was no occasion for me to trespass further on the time of this Council. I feel, Sir, however, that it might facilitate and expedite consideration of this Bill by Honourable Members if I were to advert for a moment on the principle which has been called in question, namely the pensionability of expatriation pay.

I would like to make it clear beyond any question that Government is embodying in this Bill no principle which has not already been accepted unanimously by this present Council. I can perhaps best do so by quoting the relevant extracts from the official records of this Council.

The first of these is paragraph 30 of the Report of the Commission on the Civil Services of British West Africa 1945-46 by Sir Walter Harragin, which was laid on the table of this Council in December, 1946. The relevant part of this paragraph reads as follows :—

“Where it is necessary to appoint an officer from overseas, he should be paid in addition to the basic salary of the post, expatriation pay at the rate of one-third of the basic salary. Expatriation pay must, of course, be regarded as a pensionable emolument.”

On the 11th of December the then Financial Secretary moved the following resolution :—

“That the Report of the Commission of the Civil Service of British West Africa, which was laid on the table today be examined by a Select Committee.”

In moving the adoption of this resolution the Financial Secretary referred specifically to the pensionability of expatriation allowances in the following words :—

“The Harragin Commission recommends that the terms of service to be adopted for these expatriate officers should be basically the same as those adopted for Africans, but supplemented by a pensionable expatriation allowance and additional leave terms.”

“The proposed rates of expatriation allowance and the recommendation that it should be a pensionable emolument have received some attention. It is an undeniable fact that similar rates with pensionability are being offered in London at the present time, and if any substantial alteration were to be made from the relative recommendations of the Harragin Report there can be no doubt that the standard of recruitment for West Africa would at least be affected if not almost impeded. I suggest to this Council that it would be false economy to attempt to do so.”

The motion for reference to a Select Committee was adopted by this Council without dissent and the committee reported to Council as follows :—

“Your Excellency, the Select Committee sat on the 11th of December and examined the Report presented to Council. The Committee accepts and approves recommendations contained in the Report and their financial implications subject to the following modifications and reservations. . . .”

The Select Committee had no modifications or reservations to make in accepting paragraph 30 of the Report. The Report of the Select Committee was finally adopted by this Council on the 20th of March, 1947, by a resolution which provided, *inter alia*, for the payment of pensions, gratuities and allowances in accordance with the approved recommendations of the Harragin Commission pending the enactment of legislation to give full legal effect to those recommendations.

I hope, Sir, that Honourable Members will forgive this tedious exposition. I did, however, feel, Sir, that, in fairness, I should remind them of the historical background to this issue; of the decision which they themselves have so incontrovertibly reached and of the obligation into which this Council itself has entered.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity, I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA OIL PALM PRODUCE MARKETING
(AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Nigeria Oil Palm Produce Marketing Ordinance, 1949”.

This Bill, Sir, is also consequential upon the Regional Production Development Board Bill, the first reading of which I have already moved, and also contains certain other amendments which have either been found to be necessary from experience gained in operating the Ordinance, or are desirable from a drafting point of view.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Development Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA GROUNDNUT MARKETING (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Nigeria Groundnut Marketing Ordinance, 1949”.

[*Ag. Dev. Sec.*][*The Nigeria Groundnut Marketing (Amendment) Ordinance, 1951*]

This Bill, Sir, is also consequential upon the Regional Production Development Board Bill, the first reading of which I have already moved, and also contains certain other amendments which have either been found to be necessary from experience gained in operating the Ordinance, or are desirable from a drafting point of view.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Development Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA COTTON MARKETING (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the first reading of a Bill entitled:—

“An Ordinance further to amend the Nigeria Cotton Marketing Ordinance, 1949”.

It is unnecessary in introducing this Bill to add to the Objects and Reasons, which show that the object is to substitute for the general Penalty Clause contained in the principal Ordinance, specific penalties for contraventions of the Ordinance. The specific penalties for which it is desired to legislate are identical with the penalties provided for under the existing general Penalty Clause.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Development Secretary :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE GENERAL LOAN AND INSCRIBED STOCK
(AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the General Loan and Inscribed Stock Ordinance.”

The General Loan and Inscribed Stock Ordinance (Cap. 78) lays down the terms and conditions applicable to loans authorised to be raised by the Nigerian Government and provides for the creation of inscribed stock. The Ordinance was passed in 1916 and, in relation to the issue of stock in England, it lays down that such issue shall take place under the provisions of the relative United Kingdom legislation, namely the Colonial Stock Act of 1877.

Section 1 of the Colonial Stock Act, 1877, provided for the inscription of stock and for its transfer by an entry in the Register signed by the transferors or their Attorneys. This entails attendance by the holder of the stock (or a person holding his power of attorney) at the office where the stock

[Ag. F.S.]

[The General Loan and Inscribed Stock (Amendment)
Ordinance, 1951]

is inscribed and signature of the necessary entry in the register. This method of transferring stock by inscription has been found to be inconvenient and cumbersome. The Colonial Stock Act, 1948, was therefore passed in order to provide, amongst other things, for the substitution of the method of transferring stocks by instrument in writing for the previous method of transferring stocks by inscription in the Register of the Stock. This is effected by providing that Registrars of Stock may make Regulations under section 16 of the Act of 1877 for the transfer of stock by instrument in writing and in no other manner, subject to the enactment of the necessary legislation by the appropriate authority in the Colony concerned.

As explained in the Objects and Reasons of the draft Bill as published in the *Gazette* it is now desired to pass the appropriate local legislation to enable Nigerian stock to be transferred by instrument in writing. Sir, Honourable Members are aware that it is intended at a favourable opportunity to float a loan on the London market, as part of the Government's loan programme for development and welfare. It is thus desirable for this Bill to be passed before this loan is floated, so that the stock to be offered need no longer be subject to transfer by inscription. We have also heard from the Secretary of State that in view of the recent ending of the state of war with Germany, which will entail the transfer of a number of Colonial stocks, it is desirable that the necessary amending legislation be passed with despatch, in order that these transfers may be carried out by registration rather than by the old and cumbersome method of inscription.

This Bill, Sir, also embodies certain other minor amendments which are explained in the Objects and Reasons.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

Sir, I beg to give notice that at the first convenient opportunity, I will move the second reading of the Bill which has just been read a first time.

His Excellency :

Is it thought that we might have time for a short break this morning ?

The Hon. the Chief Secretary to the Government :

With your permission, Sir, we were hoping that we might reach the end of the first readings before we have a break.

His Excellency :

Unless there are any protests I shall assume that is the will of the House.

THE NATIVE AUTHORITY (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I beg to move the first reading of a Bill entitled :

“An Ordinance further to amend the Native Authority Ordinance.”

A certificate of urgency has been laid on the table in respect of this Bill, the reason being that it replaces the Bill that was duly gazetted and submitted to the Houses of Assembly and Houses of Chiefs in a different form. It then

[Att.-General]

[*The Native Authority (Amendment) Ordinance, 1951*]

bore the title "the Native Authority (Modification) Ordinance." The reason for this course of events was that the Bill as originally drafted applied to only a portion of Nigeria and not the whole of it. When it was considered by the Regional Houses it was considered by them that it would be preferable to adapt it suitably for application to the whole of Nigeria. That being so, it was necessary to alter its form and to make it a Bill to amend the Native Authority Ordinance, but this new Bill is not designed to affect anything more than was intended to be affected by the first Bill, except that it will apply to the whole of Nigeria.

The Bill seeks to effect three purposes, the most important of which is the incorporation of all Native Authorities. At the moment the law provides that any Native Authority may, if it wishes, apply to be incorporated, and the application is made to Your Excellency who grants a certificate, and that certificate has the effect of making the Native Authority in question a body corporate. Well, recently, it has become more and more apparent that it is desirable that Native Authorities should have the attributes that attach to a body corporate because, without incorporation, doubts arise as to their legal powers—for example, doubts have been expressed as to their powers of holding investments, which is legally in order where a Native Authority is a body corporate. Doubts have arisen, too, about their powers of borrowing and lending money, and for a considerable time there have been doubts about their rights in the acquisition of land or the holding of land. Now, it would, of course, be possible to continue the present system whereby Native Authorities would apply for incorporation, but as there is a very large number of them in this country it is clearly more simple and more expeditious that they should be incorporated by statute, that is to say by an amendment to the Native Authority Ordinance which would dispense with the making of applications and the granting of certificates; so that, if this Bill is passed, every Native Authority will be a corporate body and that, as such, there will be no question as to their powers for borrowing or lending money or holding investments, and they will be able to acquire title to land.

The second matter with which the Bill deals is really for the purpose of filling a gap in the present law. It provides for the disposal of the property of a Native Authority where the area of jurisdiction is taken over by some other Authority—for example, a local Government Council. At the moment the law is silent as to what happens to the property when such an event takes place, and clause 4 of the Bill fills this gap by saying that the immovable property, that is land, shall vest in the Authority by which the area is taken over and that all property other than land shall vest as the Governor may direct.

The third and last matter with which this Bill deals is to extend the rule making power of Native Authorities. There is in section 25 a long list of matters about which rules may be made, and it is now proposed to add one more, relating to schemes of planned rural development or settlement. Rules can then be made about those matters which are understood to be engaging the attention of certain Native Authorities.

All the remaining clauses of this Bill are purely consequential upon this matter of incorporation.

Sir I beg to move.

His Honour the Chief Commissioner, Western Provinces :

Sir I beg to second.

Bill read a first time.

[Com. of Labour]

[The Townships Servants (Withdrawals from Provident Fund) Ordinance, 1951]

The Hon. the Attorney-General :

Sir I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE TOWNSHIP SERVANTS (WITHDRAWALS FROM
PROVIDENT FUND) ORDINANCE, 1951

The Hon. the Commissioner of Labour :

Sir I rise to move the First Reading of a Bill entitled :—

“An Ordinance to prohibit Township Local Authority Servants from becoming contributors to the non-pensionable Township Local Authority Servants Provident Fund after the commencement of this Ordinance, to permit Depositors to withdraw from the Fund and to validate withdrawals by depositors already made.”

Although, Sir, the title of this Bill gives prominence to the word “prohibit” the enactment is in fact designed to enable a benefit to be conferred on the servants of Township Local Authorities. The Superannuation Scheme evolved in 1944 is more attractive to the contributor than the older Township Local Authority Provident Fund. This Bill permits contributors to that Fund to withdraw from it, if they wish, the intention being to afford them an opportunity of transferring to the Superannuation Scheme. The Bill also provides that no new contributors will be admitted to the old Provident Fund and invalidates certain withdrawals which have already been made. The Bill is in almost precisely the same terms as the Government and Railway Servants (Withdrawal from Provident Funds) Ordinance which was enacted in 1945 enabling Government and Railway officers who were then contributors to Provident Funds to be treated as this new Ordinance proposes to treat Township servants.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a first time.

The Hon. the Commissioner of Labour :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LAND REGISTRATION (VALIDATION) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I rise to move the first reading of a Bill entitled :—

“An Ordinance to validate the registration of certain Instruments affecting land in Nigeria.”

This Bill, Sir, is introduced on a Certificate of Urgency. The reason is that very recently it came to light that an error had been made, and I apologise to Honourable Members that they should be troubled with this Bill which will put that error right.

There is on the Statute Book an Ordinance entitled the “Land Registration Ordinance” and in 1948 an Ordinance was passed to amend it for the purpose of setting up subsidiary land registries outside Lagos so as to enable certain documents to be registered there instead of being registered in Lagos, which, in some cases, caused inconvenience. Early this month an enquiry was

[Att.-General]

[*The Land Registration (Validation) Ordinance, 1951*]

addressed to us asking us on what date the Ordinance relating to subsidiary land registries came into effect, and I regret to say that, when the Statute Book was consulted, we found we could not answer the question until after the meeting of this Council, because it had never been brought into force, due to an oversight. It was an Ordinance which said that it shall come into force on a date to be notified by the Governor in the *Gazette*, and that step was never taken. But meanwhile documents have been registered at Enugu and Ibadan and are still being registered, but this is not in accordance with the law. This Bill puts it right. It is important that it should be put right, because the validity of those documents, which refer to land, would be in question unless the law which should have been brought into force in 1948 is brought into law now with retrospective effect. This Bill seeks to do that, and to validate the registration of those documents so that no doubt will be thrown on their validity.

Sir, I beg to move.

His Honour the Chief Commissioner, Western Provinces :

Sir, I beg to second.

The Hon. the Attorney-General :

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

His Excellency :

Now perhaps I may be allowed to suggest that this sitting should be suspended for a quarter of an hour.

Council adjourned at 11.20 a.m.

Council resumed at 11.40 a.m.

(Second Reading)

THE DIRECT TAXATION (AMENDMENT) ORDINANCE, 1951

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I rise to move the second reading of a Bill entitled :—

“An Ordinance further to amend the Direct Taxation Ordinance.”

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

The Hon. the Attorney-General :

No date has been inserted. Apparently it comes into operation on the blank day of blank.

His Honour the Chief Commissioner, Eastern Provinces :

Would my Honourable friend the Attorney-General suggest a date ?

The Hon. the Attorney-General :

It is beyond my competence, Sir.

The Hon. the Chief Secretary to the Government :

This date is not important. It does not mean in fact that there will be any compulsion on employers to start deducting tax, and therefore it seems to me that if we take a date—say 1st September, 1951—there can be no harm in it.

His Excellency :

Is that acceptable to the mover of the Bill.

His Honour the Chief Commissioner, Eastern Provinces :

Indeed Sir.

Clause 1 as amended.

Clause 2.

Clause 3.

Title.

Council resumed.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to report this Bill from Committee with one amendment and move that the Bill be now read a third time and passed.

The Hon. the Commissioner of Labour :

Sir, I beg to second.

Bill read a third time and passed.

THE LIQUOR (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance further to amend the Liquor Ordinance”.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE EXCISE (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance further to amend the Excise Ordinance”.

[Att.-General]

[The Excise (Amendment) Ordinance, 1951]

The Hon. the Attorney-General :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-3.
Title.
Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment. Sir, I beg to move that the Bill be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.
Bill read a third time and passed.

THE EXCHANGE CONTROL (AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—
“An Ordinance to amend the Exchange Control Ordinance, 1950”.

The Hon. the Attorney-General :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-8.
Title.
Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.
Bill read a third time and passed.

THE INTERPRETATION (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :—
“An Ordinance further to amend the Interpretation Ordinance”.

The Hon. the Acting Development Secretary :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-3.
Title.
Council resumed.

[Att.-General]

[The Interpretation (Amendment) Ordinance, 1951]

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment and I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE LOCAL BORROWINGS ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance to authorise the Borrowing of Moneys from certain Public Authorities and Corporations in Nigeria”.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Clause 5.

The Hon. the Acting Financial Secretary :

Sir, owing to printing error one word has been omitted from the Bill published in the *Gazette*. In order to remedy this I beg to move the following amendment :—

“that in the fourth line of clause 5 of the Bill the word ‘the’ be inserted between the word ‘with’ and ‘development’ ”.

Clause 5 as amended.

Schedule.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee as amended. I beg to move that the Bill be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE EVIDENCE (BRITISH AND FOREIGN DOCUMENTS)
(REPEAL) ORDINANCE, 1951**The Hon. the Attorney-General :**

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance to repeal the Evidence (British and Foreign Documents) Ordinance.”

The Hon. the Acting Development Secretary :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-2.
Title.
Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment, and move that it be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.
Bill read a third time and passed.

THE NIGERIA LOCAL LOAN ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir I beg to move the second reading of a Bill entitled :—
“An Ordinance to authorise the raising in Nigeria of a Loan not exceeding Twenty Million Pounds for purposes in connection with the Development and General Welfare of Nigeria and for such other purposes as may from time to time be approved”.

The Hon. the Attorney-General :

Sir I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-3.
Schedule.
Title.
Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment. I beg to move that the Bill now be read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.
Bill read a third time and passed.

THE EDUCATION (AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Education :

Sir, I beg to move the second reading of a Bill entitled :—
“An Ordinance further to amend the Education Ordinance, 1948”.

The Hon. the Director of Medical Services :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clause 1.
Clause 2.

[*Sir Francis A. Ibiam*][*The Education (Amendment) Ordinance, 1951*]**The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :**

I should like to know Sir, why Port Harcourt Town Council is not included. Is it not the same as in Lagos.

The Hon. the Director of Education :

I rise on a point of explanation, Sir. The short answer to the Honourable Member's question—I speak subject to correction by my Honourable friend the Attorney-General—is that, legally, Port Harcourt Town Council is a Local Authority, but Lagos Town Council is not.

The Hon. the Attorney-General :

That is so.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

I see there is a gap between 1948 and now. If now we include the Lagos Town Council under the definition of a "Local Authority" what about the time between 1948 and now in connection with schools that may or may not have been put on the Grant List; in other words could the Bill be made retrospective to 1948.

The Hon. the Director of Education :

The Honourable Member is under a misapprehension. The Lagos Local Government Ordinance was enacted in 1950, so the point really does not arise. There is a section in that Ordinance (as I said when moving the first reading of this Bill) which empowers the Lagos Town Council to provide for the establishment and maintenance of Primary Schools, but, as the Lagos Town Council is not Government, any school which it may establish can only be established in accordance with Section 20 of the Education Ordinance. The point has not yet arisen, Sir, and this Bill is to provide for the future.

Title.

Council resumed.

The Hon. the Director of Education :

Sir, I beg to report this Bill from Committee without amendment and move that it be now read a third time and passed.

The Hon. the Director of Medical Services :

Sir, I beg to second.

Bill read a third time and passed.

THE WEST AFRICAN INSTITUTE FOR OIL PALM
RESEARCH ORDINANCE, 1951

The Hon. the Acting Director of Agriculture :

Sir, I rise to move the second reading of a Bill entitled :—

"An Ordinance for the Establishment of an Institute to undertake research into matters relating to the Oil Palm, for the incorporation of a Committee to manage the Institute and for other purposes connected therewith".

The Hon. the Acting Development Secretary :

Sir, I beg to second,

[Sir Francis A. Ibiam]

[The West African Institute for Oil Palm
Research Ordinance, 1951]**The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :**

Your Excellency, while I support this Bill, there are one or two things that I do not quite understand. There is in clause 7 sub-section (3) the phrase "European Officer" in inverted commas and I do not quite understand the meaning of that phrase.

His Excellency :

I think it would be more appropriate if the Honourable Member raised the matter for discussion when the House is in Committee and when we come to that clause.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

I take it, Your Excellency, that other West African territories are passing a similar Bill as this in West Africa.

His Excellency :

Perhaps the mover will deal with that in his reply.

The Hon. the Acting Director of Agriculture :

In reply to the Honourable Member, Sir, the matter has been put to the other West African Colonies concerned. They have agreed to contribute and no doubt if legislation is required in those territories it will be dealt with.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Incidentally the mover of the Bill, Your Excellency, said they have agreed to contribute and the word "contribute" always raises a doubt. Could he indicate in what proportion ?

The Hon. the Acting Director of Agriculture :

Sir, I understand this matter is still under discussion and it has not yet been decided what the proportion to be borne by other West African Colonies will be.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Part 1.

Part 2.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

In clause 7, I would like to draw attention to sub-section (3) (a) (b) (c) and perhaps the Honourable Mover might explain. Section 3 (a) reads : "The Committee at any time, with the approval of the Governor, may require to contribute to the scheme established by the Widows' and Orphans' Pension Ordinance any servant of the Institute or of the Committee being a person who if he were in the service of the Government of Nigeria would be deemed to be a 'European Officer' within the meaning of such Ordinance." Sub-section (b) says "where the Committee requires any person to contribute in accordance with paragraph (a) of this sub-section, the provisions of the

[Sir Francis A. Ibiam]

[The West African Institute for Oil Palm
Research Ordinance, 1951]

Widows' and Orphans' Pension Ordinance shall apply to such person in the same manner and to the same extent as if such person were in the service of the Government of Nigeria, and every such person so contributing shall be deemed a 'European Officer' within the meaning of such Ordinance." And (c) says "Servant of the Institute" means "a person engaged by the Director in the exercise of his delegated powers for work in or in connection with the Institute". This is confusion to me, Sir; I do not know the difference between the phrase "European Officer" and the "Servant of the Institute". I should have expected that all of them would have been servants of the Institute.

The Hon. the Chief Secretary to the Government :

Sir, the necessity for putting this phrase "European Officer" in this clause of the Bill arises simply from the fact that the Widows' and Orphans' Pension Ordinance only affects European Officers. We have for many years in this territory considered the possibility of introducing a Widows' and Orphans' Pension Ordinance which would affect non-expatriate officers but for reasons which I need not go into at the present moment, Sir, we have come up against countless difficulties and have been unable to go further with the idea. So that for the present the Widows' and Orphans' Pension Ordinance relates only to a European officer. Now the purpose of this clause is as follows. There may be Nigerian European Officers who will serve this Committee or the Institute. For the time while they are serving they will, presumably, be seconded, or indeed they might go to the Institute under transfer terms for a short time. During that time it would, in order to preserve their rights under the Widows' and Orphans' Pension Ordinance (or rather to preserve the rights of their dependents), be necessary for powers to exist in order to compel them to continue their contributions under that Ordinance. I trust, Sir, that in the light of that explanation the necessity for that clause does become clear. There is nothing more in the clause than that particular requirement.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

In Part II, clause 9 (6), I am not quite clear in my mind as to where to draw the line, Sir, for the necessity for a casting vote. I know that clause 8 sets out the duties of the Committee and quite a lot of those duties have to do with matters not purely technical, but when you come to the field of purely technical duties, I wonder whether the Chairman should have a casting vote. In a purely academic and non-technical matter I would like to have the Chairman having the casting vote. His vote is as good as that of any other member.

His Excellency :

The Honourable Member wishes to move an amendment ?

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Clause 9 sub-section (6) reads :—

"The Member presiding at any Meeting shall have a vote and, in the case of an equality of votes, a second or casting vote;"

I would say in non-technical matters a second or casting vote. I suppose His Honour will help me out there but my point is fairly clear. In technical matters the Chairman should not have a casting vote,

[H.E. the Governor]

[The West African Institute for Oil Palm
Research Ordinance, 1951]**His Excellency :**

I am afraid the onus is on the Honourable Member to move an amendment.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

May I suggest that after the words "an equality of votes" and before the comma, the words "in non-technical matters" be inserted.

His Excellency :

The question is that clause 9 sub-clause (6) be amended by inserting after the word "votes" the following words: "in non-technical matters".

The Hon. the Attorney-General :

I think there are two objections to the Honourable Members' proposal. The first is, of course, that "non-technical matters" may have a general meaning to us, but when it came down to deciding what was technical and what was not technical within the meaning of the Ordinance, there would be scope for a great deal of dispute, because you would have to define what should be treated as a technical matter and what should not. You would probably have to make a provision that the Chairman should decide whether a matter was technical or otherwise. But that is only a small objection compared with the second one, which is that we would leave the committee in a state of permanent suspended animation in the case of an equality of votes in technical subjects if he has not got a casting vote; because—which side wins? Your technical matter, unless there is a casting vote, expires, lapses and falls to the ground. It is, I think, always necessary to make some provision to prevent a stalemate arising from an equality of votes. You could say that in an equality of votes the motion shall lapse. I think the lesser danger is to leave the clause as it stands. I don't think it will give the Chairman any particularly dictatorial powers.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

May I seek your permission to withdraw the amendment?

His Excellency :

It is the Council's wish that the amendment be withdrawn?

*Part II**Part III***The Hon. the Acting Director of Agriculture :**

Part III Sir, clause (14). I would like to suggest an official amendment; that the word "Committee" be substituted for the word "Board". The printing of the word "Board" is an error which was overlooked in the re-drafting of the Bill. In the early drafts of this Bill the term "Board of Management" was used throughout and was subsequently changed to "Committee of Management". The necessary corrections were made in all clauses but in this particular one it was overlooked. The proposal is that the word "Committee" be substituted for the word "Board".

*Clause 14 as amended**Part IV**Title.**Council resumed.*

[*Ag. Dir. of Agriculture*][*The West African Institute for Oil Palm
Research Ordinance, 1951*]**The Hon. the Acting Director of Agriculture :**

Sir, I rise to report this Bill from Committee with one amendment and to move that the Bill be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE SURVEY (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Your Excellency, I beg to move the second reading of a Bill entitled:—
“An Ordinance further to amend the Survey Ordinance”.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

Title.

Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment and to move that it be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE PRODUCE INSPECTION (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Your Excellency, I beg to move the second reading of a Bill entitled:—
“An Ordinance to amend the Produce Inspection Ordinance, 1950”.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Clauses 1-3.

Title.

Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment and move that it be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

[Att.-General]

[The Lagos Local Government (Amendment No. 2)
Ordinance, 1951]

THE LAGOS LOCAL GOVERNMENT (AMENDMENT NO. 2)
ORDINANCE, 1951

The Hon. the Attorney-General :

Your Excellency, I beg to move the second reading of a Bill entitled:—
“An Ordinance further to amend the Lagos Local Government Ordinance”.

The Hon. the Commissioner of Labour :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-3.
Title.

The Hon. the Attorney-General :

Sir, I beg to move that the Bill be amended by the addition of “1950” after the word “Ordinance” where it severally occurs, in the title, the proper title of the Ordinance there mentioned being “The Lagos Local Government Ordinance, 1950”.

His Excellency :

The question is in the terms of the motion.
Title as amended.
Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee with one amendment and move that it be now read a third time as amended and passed.

The Hon. the Commissioner of Labour :

Sir, I beg to second.
Bill read a third time and passed.

THE MEDICAL PRACTITIONERS AND DENTISTS
(AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Medical Services :

Sir, I beg to move the second reading of a Bill entitled:—
“An Ordinance further to amend the Medical Practitioners and Dentists Ordinance”.

The Hon. the Director of Education :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clause 1.
Clause 2.
Clause 3.

[D.M.S.]

[*The Medical Practitioners and Dentists (Amendment)
Ordinance, 1951*]**The Hon. the Director of Medical Services :**

In clause 3, the new section 28A sub-section (2) (a) requires a minor amendment by the correction of a typographical error by the addition of the words "or in" immediately before the words "or in connection with" in line 5 of (a) in sub-paragraph (2) of that clause. The complete phrase should read : "the Lagos Town Council, or in, or in connection with the hospital of any college of a University established by law in Nigeria." The amendment in no way materially affects the sense of the clause. Similarly the correction now requested in no way affects section 28A of the main Ordinance. I beg to move therefore that the words "or in" in line 5 of (a) of sub-paragraph (2) of clause 3 be inserted.

His Excellency :

The question is that the words "or in" be inserted after the word "Council".
Clause 3 as amended.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Your Excellency, I regret that I have to oppose the whole of that clause on principle ; clause 2 (a), the clause that the Honourable the Director of Medical Services has just spoken about. While I agree with the principle of temporary registration, I cannot agree that Medical Practitioners temporarily registered should be only such as are in Government or Local Government employment. I think we have two ideas there together and speaking about this yesterday the Director of Medical Services gave a reply in advance and I think the two thoughts are quite distinct and separate in themselves. The idea of temporary registration presumably arose because those so temporarily registered had not come up to the mark of those that should have been ordinarily registered by the Ordinance as it now stands. That I can see and can endorse it personally but I cannot see that they should be pressed into Government or any service but as the Director of Medical Services mentioned, the idea was that there should be supervision. I do not imagine that anybody registered to practise medicine here has any better supervision in a Government hospital than elsewhere. I do not imagine that Government teachers are any better supervised than non-Government teachers and therefore I beg leave Your Excellency to oppose that in practice. If you register a man in practice he is registered ; if he is temporarily registered he is temporarily registered. If you want to supervise it do so on a National scale whether he is in a mission hospital or University College hospital or in private practice. I absolutely oppose the idea of using this temporary registration to recruit into Government. The two ideas, I submit, are quite distinct.

His Excellency :

I think I have given a good deal of latitude to the Honourable Member but the speech which he is now making ought properly to have been made in debate on the second reading. I may not have given enough time but I did pause for a noticeable time to see if any Honourable Member was going to speak on the second reading which is the time for debate on the principles. I have not hitherto interrupted the Honourable Member but I must now ask him whether he wishes to propose an amendment to the clause under discussion.

[A. Ikoku]

[The Medical Practitioners and Dentists (Amendment)
Ordinance, 1951]**The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :**

My amendment is the deletion of section 2 (a). I beg to move that section 2 (a) as it stands be removed in entirety.

The Hon. the Director of Medical Services :

I am afraid, Your Excellency, I cannot agree to that. The Honourable Member should not forget that doctors whose profession is one of life and death have to be supervised by a stricter control than we could give to teachers. As I said yesterday, the purpose of this temporary registration is to allow us to recruit doctors into the Public Service and we feel that if we extend temporary registration to doctors who practise privately it will be a very bad thing to do because we cannot control the private practitioner as we can control a doctor in the Public Service. If I may use an *argumentum ad hominem*: the speakers who oppose this section of the Bill would be very chary of being operated on or allowing their families to be operated on or treated by a private practitioner whose qualifications they are not sure of, and would surely prefer to consult a Medical Officer who is in the service of a Public Body. I am afraid we cannot exercise sufficient control over those people and for that reason we cannot accept that amendment.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Could I get Government's guarantee that these temporary registered people will not be posted to any hospitals where there are no fully qualified people. If you talk of supervision I can only understand supervision to mean that Your Excellency, but if you send them to out-stations they will do all sorts of operations and if you do that, I don't understand what this supervision means.

The Hon. the Director of Medical Services :

Before we temporarily register these people in Government Service we would be certain of the quality of their qualifications and therefore we would be quite right to post them to a hospital where they would be in sole charge.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

What is supervision, Your Excellency ?

The Hon. the Director of Medical Services :

The supervision of the Senior Medical Officer of the area.

The Hon. the Chief Secretary to the Government :

I wonder may I say a few words, Sir, about this ?

We have a proposal before us—I trust, Sir, that I may have the same latitude to speak as you have allowed to the other members who have spoken. We have before us a proposal for legislation which will, for the first time, require the Registrar, who will be the man best qualified in Nigeria, to decide on what are useful qualifications and what are bogus qualifications. We have legislation now before us for the first time to enable him to register someone who has never been registrable before. Now, Sir, as the Director of Medical Services said yesterday, all over the world people are getting qualifications which are granted by Universities; sometimes by States; sometimes by Towns. Some of them are first-rate qualifications and those

[C.S.G.]

[*The Medical Practitioners and Dentists (Amendment) Ordinance, 1951*]

are the ones which we shall want to draw on. Some of them may not be first-rate qualifications. I do want to get the point over to the Honourable Member that we are taking a very large step here and a dangerous step, and the step we take today will off-set all the people of Nigeria. We in this House are responsible if any ill comes to them through this measure.

Now, Sir, once a man is registered as a Medical Practitioner—I say this with the greatest respect to my Honourable Friend, the Director of Medical Services—it is the work of Hercules to get him unregistered unless he commits some crime which is punishable by law. What is more, he must commit that crime in such a way that evidence can be collected against him. Now, Sir, a man may have a perfectly good qualification and be recognised by our Medical Registrar. We all know that in the course of a few years it is possible for a man to change his nature; he may cease to wish to benefit humanity and the people of Nigeria by giving them proper medical attention; he may be all out for his own ends; for money-grubbing, or even worse purposes. Now it may be very difficult to strike that man off the register if he is in private practice. It is very difficult for us, Sir, or anyone in authority to give a warning against that man. The courts in Nigeria are very properly ready to listen to charges of slander or libel, and frequently enough warnings which we should like to give cannot be given for that reason. If that man, Sir, is an employee of Government or an employee of a Local Authority or an employee of a Native Authority, then we have the sanction against him. At need, we can sack him and once he has been sacked he can no longer practise in Nigeria. I suggest, Sir, it is very important that we should take this first step with our eyes fully open.

Again, Sir, as regards the question of supervision, when a man is an employee of a Native Authority or an employee of Government, the whole machinery and organization of the Government Medical Service is there to watch his every movement; it can and will get reports on him which can come under confidential cover, so there is no question of slander arising. Only by the retention of this provision shall we be able to ensure that the general public of Nigeria are protected.

I should, therefore, Sir, advocate its retention.

The Hon. the Acting Development Secretary :

Could I add one small point which I do not think has yet been made? It is this: that although we are going to accept temporary qualifications which are not yet registerable under the main Ordinance, they are not necessarily lesser qualifications, and the Secretary of State for the Colonies has said that in the case of persons who are recruited, he will ensure that they are qualified both professionally and personally as though they were in fact registerable under the Ordinance. He will ensure, in fact, that there is a parallel qualification. That we would not be able to ensure if the application of the proposed section was further extended.

His Excellency :

An amendment was proposed to the clause and the amendment was adopted. There is now a further amendment to the clause. The motion is that sub-section (a) of sub-clause (2) be deleted.

Motion rejected.

[*Sir Francis A. Ibiam*][*The Medical Practitioners and Dentists (Amendment) Ordinance, 1951*]

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

The same section (a), Sir, of sub-clause 2.....

His Excellency :

I am afraid the member is out of order—the clause now stands part of this Bill.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

That is not the point, Sir. I notice here, Sir, that (if I may read it again) “A person shall not be registered in the temporary register unless the Medical Registrar is satisfied that he is, or is about to be, employed in the service of the Government, or of a Native Authority, Local Authority, Local Government Council or the Lagos Town Council, or in or in connection with the hospital of any College of a University established by law in Nigeria.” I observe, Sir, that this is leaving out altogether any Voluntary Agency hospitals. I do not know whether it comes in here—the idea is of course that with all these Departments it is very difficult in Nigeria to get Medical Officers and this is by way of trying to recruit people so qualified to help in our Medical Service and I think, Sir, that it is fair enough for me to submit that the Voluntary Agency hospitals are doing as much medical work as any of these Departments here mentioned, and I would like to know why they are left out of this section.

His Excellency :

I am afraid, at this stage, I must draw the line at irregularities which I myself, in the chair, have condoned. The principles of the Bill should have been debated on the second reading. Our Standing Rules and Orders say that matters of principle may not be debated now. I allowed some latitude because I felt that perhaps some Honourable Member had inadvertently failed to take the opportunity of discussing the principles on the second reading, but I cannot allow further transgression. Council has passed clause 3 and there is no proposition before the Council except when the Clerk comes on to clause 4.

The Hon. the Director of Medical Services :

Your Excellency, I ask your indulgence to make one explanation. I think in making his point the Honourable Member has forgotten that section 28 of the main Ordinance does make provision for the registration of missionary doctors, who are doctors in charge of Voluntary Agency hospitals.

The Hon. the Chief Secretary to the Government :

On a point of order, Sir, I take it we are now on clause 4.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

I am sorry, Your Excellency, but I wish to make an amendment.

His Excellency :

I am afraid the Honourable Member is out of order. The clause as amended has been put to the Committee and has been passed. I allowed

[H.E. the Governor]

[The Medical Practitioners and Dentists (Amendment)
Ordinance, 1951]

the Honourable Member to express his views on a point of explanation, and now I ask the Clerk to call clause 4.

Clause 4.

Schedule.

Title.

Council resumed.

The Hon. the Director of Medical Services :

Your Excellency, I beg to report this Bill from Committee with one amendment. I move that the Bill be now read a third time and passed.

The Hon. the Director of Education :

Sir, I beg to second.

Bill read a third time and passed.

THE WIDOWS' AND ORPHANS' PENSION (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the second reading of a Bill entitled :—

“An Ordinance further to amend the Widows' and Orphans' Pension Ordinance.”

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-6.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee without amendment. I beg to move the Bill be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE TELEGRAPHS (AMENDMENT) ORDINANCE, 1951

The Hon. the Director of Public Works :

Sir, I beg to move the second reading of the Bill entitled :—

“An Ordinance to amend the Telegraphs Ordinance.”

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a second time.

Council in committee.

Enactment.

[*Dir. of Public Works*]

[*The Telegraphs (Amendment) Ordinance, 1951*]

Clause 1.

Clause 2.

Title.

Council resumed.

The Hon. the Director of Public Works :

Sir, I beg to report this Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Acting Development Secretary :

Sir, I beg to second.

Bill read a third time and passed.

The Hon. the Chief Secretary to the Government :

With your permission, Sir. We have got through this business rather more quickly than we had hoped. Honourable Members have been warned by circulated documents that we wish to have a meeting of the Commonwealth Parliamentary Association (Nigeria Branch) during the course of this meeting of the Council, and it is for consideration whether we should have that meeting immediately or whether we should break off now until 3 o'clock.

His Excellency :

Is it your wish to have the meeting now instead of resuming after a break ? Alternatively, we could try and fit in this meeting at a later stage. My suggestion is that we finish it off now. Those in favour of carrying on with the Colonial Parliamentary Association meeting ? The Council is adjourned until 10 a.m. on Friday, the 24th August.

ADJOURNMENT

Council adjourned at 12.45 p.m.

UNOFFICIAL MEMBERS

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

The Member for Calabar,
The Honourable E. E. E. Anwan.
The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.
The Fourth Member for the Western Provinces,
The Honourable A. Soetan.

ABSENT

UNOFFICIAL MEMBERS

The First Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
The Third Lagos Member,
The Honourable Adeleke Adedoyin.
The Third Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 22nd of August, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

ANNOUNCEMENTS

The Hon. the Acting Financial Secretary :

I crave Your Excellency's indulgence and the indulgence of Honourable Members to place before the Council some of the worries which have been in our minds during the last few months and to mention the main consideration which we think should guide the people of Nigeria in meeting the situation brought about by the fall in the purchasing power of money.

His Excellency :

Would it be the pleasure of Honourable Members to hear the Honourable Financial Secretary make a statement ?

The Ayes have it.

The Hon. the Acting Financial Secretary :

Some fifteen months ago Government, with the unanimous support of Honourable Members, introduced a temporary addition to rates of pay, designed to help Government servants to meet, in part, the hardship caused to fixed wage earners by the increase in the cost of living which had taken place since the Harragin revision of salaries. I wish to emphasise the words "in part". Government and this Council recognised that any all-round increase in pay packets was bound to add to the inflationary influences within Nigeria, since even a small addition to the amount of money paid to each man would mean a large total sum added to the money then in circulation and this would inevitably cause local prices to go up. Nevertheless, Government felt that some addition to wages and salaries must be made, and the

Now, as to our long-term plans. I cannot recite in detail everything that Government has done and is doing to increase the supply of foodstuffs, with the dual object of keeping the cost of living down and sending the standard of living up. Some projects, however, do invite a brief mention. There are the schemes—already meeting with much success—for increasing rice production in the Northern and Eastern Regions. There are the large-scale campaigns, in the same Regions, to encourage the use of artificial fertilizers. There is the steady increase in the number and kind of mechanical farming instruments used in the North and the West ; and there are the many schemes, in all parts of the country, for the re-settlement of Nigerians on hitherto undeveloped land. At Mokwa, for instance in the Niger Province, Government and the Colonial Development Corporation have together invested £450,000 in a 31,000 acre farm, where experiments will be carried out to determine how far modern agricultural practices can be combined with the great store of local knowledge our farmers already possess. All these projects have as their aim the extraction of the maximum economic output from the soil of this country. The same end is served by the work of the Regional Production Boards—with their Nigerian majorities—which in addition to spending large sums of money on rice production, on artificial fertilizers and on heavy earth-moving equipment, are also financing irrigation schemes in areas where the uneven rainfall has until now kept the soil unproductive. Nor has the importance of our fisheries been overlooked. The Colonial Development Corporation has ambitious plans for the catching of deep sea fish in Nigerian waters and the building of cold stores at Lagos and Port Harcourt from which both wholesale and retail dealers will be supplied. Lastly, I think it is worth noting that the Department of Commerce and Industries are making progress with their experiments in the production of garri by means of mechanised instruments. The catalogue I have given is far from complete but I hope it will show that we are tackling the problem boldly and not without imagination.

It has been suggested—by trades unions, by other Associations, and by a number of public-spirited citizens who are out to help, and whose ideas and suggestions are always most highly valued—that there is a short-cut to the solution of our problem. That short-cut, they say, is the introduction of a system of price control. The trouble is that in Nigerian conditions it would be simple enough to introduce the system but impossible to make it work. Take, for instance, the case of locally grown foodstuffs. Experience both here and in other countries has shown that for control of food prices to be effective, you need to combine it with a comprehensive system of central purchasing and rationing. You need to control distribution so that everyone gets the ration to which he is entitled. You need to be in a position to regulate prices all the way from the producer to the consumer. To do this, you need in turn a highly organized agricultural industry, highly organised channels of distribution, and, superimposed on this structure, an administrative machine which can deal with the complex procedure of enforcement and inspection. All this we should have to build, here in Nigeria, virtually from the ground up, at a very heavy cost to the taxpayer, and our difficulties would be magnified by the fact that we should have to provide for the varying tastes of about twenty-five million people who do not all like, and could not easily be persuaded, to eat the same things.

What is more, even if we could bring our system of rationing and price control into being, it could not function efficiently without the active and continuing support of the general public. Do Honourable Members believe that support would be forthcoming? Purchasing and selling prices would

[Ag. F.S.]

[Statement on Cost of Living]

have to be fixed by law and the law could only be enforced if people everywhere could be relied upon to help enforce it. Here in Lagos during the war we had our Pullen markets—and as an offshoot of them we had the person who bought his garri at the controlled price at the head of the queue and sold it at a profit at the end of the queue ; and instead of being condemned for his anti-social activities, he found willing customers in such numbers that in many cases his presence made it impossible to operate the markets successfully.

To attempt to control the prices of goods would involve difficulties of almost equal magnitude. Government has considered the possibility of importing foodstuffs so as to lessen the gulf between demand and supply and thus force prices down. But again there is the question of what types of food should be imported to satisfy a population with such differing tastes. Moreover, most of the things Nigerians like to eat are in short supply pretty well all over the world. We might seek to import limited quantities of rice—but the great rice-growing areas, in the Far East, are also the areas where most rice is eaten and where famine conditions are most acute. And, of course, only a small proportion of our people in Nigeria are accustomed to rice as the staple of their diet. In any case, the steep rise in freight charges, (a factor which, as I have said, is quite outside our control) would mean that any foodstuffs we imported could not be sold at other than very high prices unless they were subsidized—unless in other words, the consumer paid the same high prices indirectly in the form of taxation. (The poorer class of consumer might perhaps think he was paying no additional tax, but he would have to make up in various ways for the tax paid by others, who would certainly seek to hand on this new burden. Reference is often made to the United Kingdom system of food subsidies, which has continued since the war years ; but it is not generally realized that this system of food subsidies survives only because the British people are prepared to pay taxes at a rate far higher than it would be practicable to impose in Nigeria. Subsidies—of whatever kind, including subsidies paid direct to the farmer who grows the food—do not arrest inflation : they merely disguise it. And, like all other forms of price regulation, they require for their success the establishment of costly administrative machinery. We could not afford, and we could not operate, that machinery in Nigeria, nor could we ensure that the man who had bought his subsidised rations at the controlled price would not sell them later at a big profit.

The same, or substantially the same, arguments apply in the case of price control for imported goods other than foodstuffs. Quite apart from the prohibitive cost to the taxpayer, there is the difficulty of enforcing control all the way down through the long chain of middlemen—some of whom are itinerant—to the consumer. The first sale might perhaps be controlled, but there would be no knowing what was likely to happen round the corner. It is the consumer we want to help and it is impossible to have an inspector on the spot every time a piece of cloth is sold at a village stall or on the pavement by a wandering trader. Ineffectual control would do more harm than good, since it would force imported goods into the black market and so enable the few to make big profits at the expense of the many.

The familiar definition of the conditions which produce inflation is “too much money chasing too few goods”. I have spoken of what we are trying to do about the “too few goods”. Now let me turn to the “too much money”. The policy of Government and of this Council has always been that as little additional money as possible should be put into circulation and that the excess money already in circulation should be “mopped up”. One convenient

[Ag. F.S.]

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method of mopping it up is to increase taxes. But our scope for doing this is limited. Income tax in this country, although far below the United Kingdom level, is high by Colonial standards; and so are our import duties. In any circumstances it would be quite wrong generally to raise import duties when we are trying to keep down the prices of imported goods. On the other hand the rates of direct taxation other income tax have not gone up in anything like the same way as the prices of our export goods, although Honourable Members have helped to lessen this disparity by raising export duties. (A Resolution before Council at this meeting will impose graduated duties on other main export goods similar to those already imposed on cocoa). Direct taxation, other than income tax, *should* be increased and indeed the incidence of direct taxation on our people should be made more equitable; you must get to the man who has the money. In other words before you can tax a man fairly you must assess his income accurately—and to do that, as well as to ensure that more people who should pay tax do in fact pay it, you need an adequate number of skilled assessors and experts on direct tax collection. So far in spite of great efforts we have not been able to get them.

Our second method of limiting the amount of excess money in circulation—and in this also we have had the generous support of Honourable Members—has been to resist any all-round increase in wages and salaries above the minimum which it is considered is essential to avoid real hardship. It is quite natural that the wage-earner, when he sees the farmer (and particularly the farmer who exports his crops) getting high prices for his produce, should feel left out in the cold unless he too can reap some benefit from present world conditions. Resistance to his claim is bound to be an unpopular policy and it would have been far easier for Government to have let inflationary tendencies have their head and to have granted increases in wages and salaries to all its employees. We have put aside that temptation for one reason only, and that is because we are convinced that in the long run the worker would thereby be far worse off. It is a matter of recent memory that when the award of Temporary Addition to Rates of Pay was announced there was immediately a significant increase throughout the country in the prices which the workers receiving the award had to pay for the very food which kept them alive. The same thing would happen a second time, and a third, and a fourth.

The Marketing Boards have had to face the same sort of temptation and have shown wisdom and courage in declining to pay to producers the full amount which World prices for our exports might suggest they should get. Had the farmer been given the money which the Boards have now put to reserve he would in all likelihood, after a period of false prosperity, have found himself the victim of the inflation which he would unwittingly himself have helped to create.

By the one test which we can apply—a comparison of events here with has happened in other countries—I think we can say that our policy has met with a real degree of success. Even in Lagos, which is hit first and most severely by any rise in the cost of living, prices, although they have gone up in the last three years, have not gone up nearly so much as in neighbouring territories or in the world as a whole. Our line has not been broken so far and we must not let it be broken. We must not allow what has been achieved up to now by foresight and restraint to be dissipated by a change of policy which would let loose a flood of new money upon the country. There can be no surrender to inflation—by which I mean that there can be no all-round increase in the wages and salaries of Government servants.

[Ag. F.S.]

[Statement on Cost of Living]

A little, however, we must do for some of the more lowly paid wage earners, to ensure that we continue to avoid real hardship. There are already in existence the Regional Wage Boards, set up under the Miller Award, which can, within certain limits, vary the wages paid to the lowest categories of workers.

The scope of the Miller Award is adequate in the case of daily rated staff in all areas except those in Area I, for whom no increase in pay is possible under the present Miller wage structure because they are already on the maximum rates. It is therefore proposed to delimit a new area to be known as Area IA, in which the wage rates will be as follows:—

	s	d	s	d
General Labour.. ..	2	10	—	3 2
Special Labour, Grade III	2	11	—	3 3
Special Labour, Grade II	3	3	—	3 9
Special Labour, Grade I	3	9	—	4 9

Provincial Wage Boards will have the power to re-group any particular area where the rise in the cost of living makes this necessary, within this extended structure.

This little, as I say, we are bound to do for the man who is finding it hardest to make ends meet.

We wish we could do something for the rest of the people who work for Government. Honourable Members will be aware that the time is now approaching for the salaries review suggested in the Harragin Award. After anxious thought, we have come to the conclusion that this review must be carried out in accordance with the principle that no all-round increase in salaries is for one moment contemplated. Rather the object will be to remove anomalies which have arisen, or which have come to light, since the original award; but one of the main purposes of the review will be to consider the introduction of an Intermediate Grade between the Senior and Junior Services to which officers may be appointed whose qualifications and abilities, while not justifying direct entry to the Senior Service, suggest that they should be offered something better than the minimum of the Junior Service Scales. I must, however, emphasise that this Intermediate Grade is not to be a substitute for promotion to the Senior Service.

We are trying, as I have said, to hold the line against inflation, but we should be deceiving ourselves if we supposed that there was any prospect of prices in future falling below the level at which they stood when Temporary Addition to Rates of Pay was awarded. It is the intention, therefore, that the basis of the salary review shall be existing salaries plus Temporary Addition to Rates of Pay. The review will take time and it is unlikely that any new scales can be introduced before the 1st April, 1953. In the meantime, however, it is proposed to consolidate Temporary Addition to Rates of Pay with salaries and wages in the Estimates for the year 1952-53. This will mean and this is a very important thing that future pensioners will be accorded the same treatment as serving officers.

I have no illusions about the probable reaction to this part of my statement. Even those Government employees who admit the validity of my arguments—and there are many of them who do so—can scarcely be expected to welcome the conclusions to which they have led. But the short-term interests of Government servants must be subordinated to their long-term interests, and to the interests of Nigeria as a whole; because of that our duty is to

persist in the policy which has so far served us so well and not to abandon our fight against the forces of inflation from whose worst effects we have so far been fortunate enough to defend the people of Nigeria.

I am deeply grateful to Honourable Members for their consideration in allowing me to submit these views to them and for their patient hearing. I feel sure, Sir, that it is only by taking counsel together in this way and by pooling our knowledge and resource that we who serve Nigeria shall in the end be able faithfully to resolve the great problems which lie on the road ahead.

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following paper :—

Annual Report of the Colony Development Board from 1st April, 1950 to 31st March, 1951.

QUESTIONS

The Second Nominated Member (Major the Hon. J. West, M.C., E.D.) :

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

Whether in view of the prevalence of rabies in the Northern Provinces, prophylactic anti-rabies injections for dogs can be made available in Nigeria, as, according to my information, such injections are available in many countries and compulsory in some.

Answer—

The Hon. the Director of Medical Services :

Prophylactic anti-rabies injections cannot yet be made available in Nigeria but the Virus Research Institute is at present conducting experiments into the possibility of producing a vaccine locally. It must, however, be borne in mind that, while such inoculations would benefit the dogs so treated and thereby lessen the risk of rabies in a restricted circle, they could not within the foreseeable future be administered in a country like this on a scale sufficiently comprehensive to provide any hope of eradication of the disease. Prophylactic inoculation could not, therefore, replace the essential precautions to be taken under the Dogs Ordinance (Cap. 56).

MOTIONS

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I rise to move the motion standing in my name in the Order Paper, which reads as follows :—

“Be it resolved :

“That this House having considered the report of a Commission appointed to enquire into the Kalabari-Okrika dispute over fishing rights in the Rivers Province humbly advises His Excellency not to implement the same”.

Your Excellency, this Commission of Enquiry was appointed by Notice No. 1549 published in the *Nigeria Gazette* of the 10th November, 1949. The Honourable Mr Justice G. G. Robinson was appointed Commissioner, and he had to enquire into several matters which Your Excellency set out in the schedule to the notice. I would first of all draw attention to the

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Preamble to that Notice which is contained at page 1 of the Report. The main Preamble to which I shall refer is the first one which reads as follows :— “whereas diverse judgments of Courts, Treaties and Agreements have from time to time been given or made in connection with the rights of fishing and matters connected therewith in the Degema and Okrika Division of the Rivers Province”. Then Your Excellency came the terms of reference. Now the first thing that strikes me is that there is in this Preamble a clear recognition of the fact that there are existing Judgments, Treaties and Agreements. The terms of reference are as follows :—

“To determine

“The nature and extent of the rights of fishing possessed respectively by the Okrikans, the Kalabaris or any other person or tribe in the Degema and Ogoni Divisions of the Rivers Province.

“The nature and extent of any rights of settlement possessed by the Okrikans or the Kalabaris or any other person or tribe in connection with the exercise of any such fishing rights and the terms and conditions thereof.

“The respective areas within which any such rights of settlement may be exercised by the Okrikans or the Kalabaris or any other person or tribe”.

Now, Your Excellency, I have not referred to the last term of reference which deals with the ability of the Native Authorities in the areas concerned to “maintain, preserve and enforce any rights found to exist,” because I think that that last term of reference can only have meaning when the first three have been established. Now, Your Excellency, if we bear in mind that there are existing certain Judgments, Treaties and Agreements it becomes clear that the duty of the Commissioner was not to create new rights but merely to set out what rights existed under the Judgments, Treaties and Agreements, and to take evidence to determine what other rights exist outside these Treaties, Judgments and Agreements.

I would submit with respect that the Commissioner had no right to modify, alter or otherwise interfere with any existing Judgments, Treaties or Agreements. But if Your Excellency would look at paragraph 7 of the Report, which reads :—

“Therefore if I come to different conclusions on certain points to those arrived at by the learned judges who heard various cases, it is because I have had the opportunity of going into matters with much more detail than was possible for them”.

You would agree that it is fair to interpret this clause as meaning that the Commissioner considered himself competent not only to express disagreement but to give recommendations completely at variance with the existing judgments.

I think, Your Excellency, it would be appropriate at this stage to refer to some of these judgments on which I have made comments, and I would therefore refer to page 12 of the Report, and would particularly refer to paragraph 23. It says :—

“Up till then, might was right, and the Kalabaris being strong held sway over the rivers, creeks and swamps. It was only common sense and only an elementary precaution against disaster for individual Okrika fishermen to face facts, in spite of the Treaty of 1871—Exhibit 1. When they went fishing far from Okrika to the west, *i.e.*, into the rivers and

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swamps overlorded by the powerful Kalabari, I can well believe they behaved civilly and gave a dash to the chief when they fished in the waters and settled on the banks to dry their catch. Individually they did it because the Kalabaris were powerful and they were far from home and vulnerable. In other words, they paid tribute regularly”.

The Commissioner was then satisfied that at some time in the past subsequent to 1871 the Kalabaris had been collecting tribute from Okrika fishermen who were drying their nets on the shores or the banks of the river.

I would also refer Your Excellency to paragraphs 36 and 37. These paragraphs refer to the minutes of a meeting held at the Residency, Port Harcourt, on the 4th October, 1926 :—

“The leading Kalabari Chiefs from Buguma, Abonnema and Bakana were there, and also from Okrika Samson Adoki took the points that the Okrika Chiefs had very little to do with the individual fishermen whose liability it was to pay rent, and also that no boundary had ever been demarcated to fix the meaning of the Full Court Judgement. Okrika did not know exactly what area New Calabar thought they had got as a result of the judgment, and they would like a boundary fixed”.

The Resident said that the Okrika boys must pay rent back to 1923. The interview finished up like this—

“Chief Tom Marian Braid—‘Cannot Okrika Chiefs order their boys to pay rent ? Unless this is done things will go on as before. We ask that if Okrika Chiefs cannot render assistance, we can eject them from the place’.

“The Resident ordered Okrika Chiefs to instruct boys to pay rent within one month of 1st October, 1926. The amount to be paid was 10s per house and if amount was not paid New Calabars could apply for ejectment.

“Chief Samson Adoki—‘We agree to pay rent as ordered’”.

Your Excellency, the Judgment of 1928 is contained in page 16 of the Report—in that case the Supreme Court gave judgment to the Kalabaris, but the matter went on appeal and the judgment of the Full Court is set out at page 17. The Full Court adjusted in favour of Okrika. This was in March, 1931. Okrika was entitled to go to the creeks and ponds, tributaries of the New Calabar River to fish. Okrika was entitled temporarily to erect huts on the banks on payment of yearly tribute to the New Calabar Chiefs according to Native law and custom. It was further found that Kalabari could exact rents for permanent houses—so it was tribute for temporary huts and rent for permanent houses, but the taking of fish anywhere was free for all.

I would refer to some of the observations made by the Commissioner on these Judgments, and I would read from page 27. The Commissioner said at paragraph 116 :—

“I do not agree with all the learned Judge said in his judgment. I think he has come to certain wrong conclusions on the historical side. I say that because I have had very much more time to go into matters, with more references and authorities available to me. If I may say so, with great respect, I think he did well with the tools at hand.”

But I would suggest, Sir, that the Commissioner was there to find out what rights existed. He was not sitting as a Court of Appeal on a judgment made by Mr Justice Berkeley over thirty years before. Then he goes on :—

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"The Kalabaris rely on this judgment as defining their boundary. Whenever Okrika has asked for a boundary to be demarcated, the Kalabaris have always objected because they say this judgment has fixed it. It is, presumably, because the authorities have accepted what the Kalabaris claim as the judgment boundary, that the Okrikans are now confined to Okrika and to the left bank of the Bonny River.

So it is interesting to see what territory was given to the Kalabaris by the judgment. It is as follows: 'I regard therefore all that territory from Old Shipping extending to Bakana, Buguma and Abonnema (including Degema) and as far west as the Kula country as the territory occupied by the New Calabar people over which they have exercised ownership for at least forty years and which is now the territorial property of the Chiefs of New Calabar as representing the people of New Calabar and this property includes all lands, banks of rivers, ponds and creeks and swamps and includes the New Calabar River and the Ekwe River and all its tributaries in the territory of which Old Shipping, Bakana, Buguma, Abonnema, Degema and Kula may be regarded as boundaries but excluding the country of the Billes who appear to have never lost their independence'. The boundary is clear enough—the New Calabar River and the country to the west of it as far as Kula. Strictly speaking the boundary only goes as far south as Old Shipping, and the only reason for giving the Kalabari the left bank of the river at all is because Bakana is on it. I expect the learned Judge, without a map, thought Old Shipping was nearer the sea than it is. However, I think Kalabaris ought to have the river all the way to its mouth. In the course of the evidence that the Kalabari Chiefs gave evidence that their boundary with Bonny was the Ilomatoro, or Cawthorne Channel—Bonny, so far as I know, has never challenged that in any subsequent case."

Now that, Your Excellency, was the boundary of the area awarded to the Kalabaris by the previous judgment in the Supreme Court. I think anybody who read this report would discover one thing. That Okrika has never at any time got judgment to any piece of territory outside Okrika island. But for fishing operations they are compelled to fish in the New Calabar River and they are compelled to go ashore on New Calabar land for the purpose of drying their nets or erecting temporary fishing houses.

But I think if Your Excellency looked at the recommendations from paragraph 166, Your Excellency would see that the Commission of Enquiry set up what it called spheres of influence. These spheres of influence were described as places where members of the clan could set out for fishing without payment of tribute. Now the Commission said that "the right to make a temporary settlement" in paragraph 166 "should be licensed and the money be collected and licenses be issued by the Native Authority. The money paid would be for a licence to land on the bank and make a settlement, not of course for fishing which is free for all. This would only apply to fishermen wishing to make settlements for the purposes of carrying on fishing outside their own area. I suggest a tally be issued with the license, perhaps a piece of metal properly stamped, and it should be fixed to a pole of the temporary house, wherever it is. The object about marking the house is twofold, it will assist the Native Authorities to verify in a simple way that payment for settling has been made, and it will assist the fishermen in that a tally will not be easily lost or defaced."

Now, the first thing which is recommended is that within these different spheres of influence fees for licenses or licences for settlement should be

collected from strangers—that all these monies should be collected in a central pool and distributed in a manner set out at page 36, paragraph 172.

That is :—

“15 per cent to Bonny

15 per cent to Okrika

70 per cent to Kalabari

which 70 per cent shall be further distributed :

10 per cent to Bille

15 per cent to the Southern Group Council (Kula, Ke and Abissa)

75 per cent to the rest of the Kalabari Clan.”

The first thing to observe, Your Excellency, is this—that although there is little or no fishing within the area which Okrika originally owned under this recommendation she was given a sphere of influence which extended as far south as near Bonny ; and if a Bonny man fished in that area he would pay tribute or pay for some licence for settling on the shores, and that some of this would go to Okrika in an area where they had never had any right title or interest whatever.

I would refer Your Excellency to paragraphs 149 and 150 in the Report which set out the spheres of influence of the Kalabaris and the Okrikans :—

“Kalabari. Starting from the sea, with back to sea, up the west bank of the Cawthorne Channel to the New Calabar River including Ivy Island, or Chokorocho. Then along the left bank, going north, or Arugbana Creek, but excluding the Arugbana fishing village itself (given to Okrika by the Jackson Award Exhibit 10) and then along the creek (*see inked line*) leading into Hutton Creek, then into Kathleen Creek and Primrose Creek. Then in a line across the swamps and land in such a way as to give Isaka to Okrika and Bakana to Kalabari. (This will have to be done by the District Officer, Degema, on the spot). Thence North to the boundary which is the Port Harcourt River. There is no dispute, so far as this Commission is concerned, about that boundary on the north and west.”

Now, Your Excellency, the Commission puts this, which is obviously Kalabari territory, within the sphere of influence of the Okrikans. Now when all this had happened it became clear to get some statement from Government on what all this meant, and notwithstanding several protests which had been addressed to the Government, I addressed a letter to the Chief Secretary on the 4th of October, 1950. With your permission, Sir, I may read it in full :—

“I shall be grateful for information about the precise intentions of Government respecting the above report. It was announced that His Excellency had accepted the report, but it is not quite clear to me how far this report supercedes previous judgments of the Law Courts and how far it is a bar to future court action.

“The people of Bonny and the people of the Kalabari area have addressed protests to the Government, and I am informed that the Okrika people have addressed some form of protest to Government also. It does not appear that any of the interested parties accepts the report without serious reservations and the people of Bonny and the Kalabari people have through their agents requested me to make a motion in Legislative Council rejecting the report.

“The fact that so many fishermen lost their lives shortly after the publication of the report would be, in my view, a very good reason for admitting that the report has not been accepted, and seeking some other solution to

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the problem. It is not for me to suggest to Government how to tackle the problem, but I am sure that the Government will not force the report on a large section of the people concerned when it has been made clear in an unmistakable and unfortunate manner that such a course can only lead to more trouble.

"I am myself reluctant to make the motion in Legislative Council as such a course might serve to focus world attention on an unfortunate incident which can be quietly settled, and also, possibly, give rise to a spate of ill-will among the peoples of the Rivers, as well as give occasion to a clique of irresponsible, political opportunists. I am convinced that a way out can be found without all the potholes of Council debate.

"If however the Government is determined to stand by the report, I shall be obliged to give notice of a motion."

To that, Your Excellency, I received a reply from the Chief Secretary as follows :—

"I am directed to inform you that the Governor has accepted the recommendations of the Robinson Commission of Inquiry which form the basis on which it is hoped permanent peace between the clans in Degema Division can be established.

"2. As you are aware, the findings of a Commission of Inquiry cannot in any way affect judgments of Courts of Law and do not debar any party from recourse to these Courts. The recommendations set out administrative proposals for a solution of a problem which has been a source of antagonism between the clans concerned for many decades, proposals which, it is intended, should be brought into effect by Native Authority rules or orders. As Mr Justice Robinson pointed out previous judgments were very inconclusive except for the fact that fishing in the tribal waters is free to all."

Your Excellency, I think I will endeavour to show from excerpts from this Judgment that far from previous Judgments being inconclusive they were as clear as could be ; they defined the boundaries with precision, and I have often wondered myself, Your Excellency, if this Commission of Enquiry does not constitute a bar to future Court action, what useful purpose has been served by the Commission of Enquiry ; since, all that one has to do would be to go to Court and apply for an injunction to restrain anyone going on the lands which have been declared spheres of influence. Now it appears to me, Your Excellency, that the duty of this Government is surely to maintain with all the forces at its command all the Judgments given in Court. If any party is not satisfied with Judgments he has his remedy in the Court of Appeal, but if the Government itself is going to use the Administrative machinery to undermine Court decisions, then it appears to me that there is no sense in having Courts at all.

Now, the real issue is this—whether the Government should allow these spheres of influence to be maintained and allow the Okrikans to defy previous Judgments and settle themselves on Kalabari lands without payment of tribute, or whether the Government will appeal to the good sense of the Kalabari people. If the latter are prepared to give up their rights well and good ; if they are not so prepared it appears to me to be wrong, Sir, that the Government should use Administrative machinery to force a man to give up his rights merely because the Government considers that it is in the interests of peace. Peace cannot be maintained by taking away from one what he justly and rightly owns, and giving it to another merely because that other happens to be more vociferous and clamant.

Your Excellency will remember that at a meeting held in Port Harcourt His Honour the Chief Commissioner Eastern Provinces, shortly before this Commission was held pronounced the Okrikans as aggressors, and he confined them to their own island of Okrika, and they were told that they could either go out and fish with the permission of the Kalabaris or pay a deposit of £500. The Okrikans refused to pay the tribute; they insisted on fishing without payment of a fishing tribute. Well, for the Government now, Sir, to turn round and support the Okrikans by creating spheres of influence and granting them areas in Kalabari territory is to my mind neither legally nor morally justifiable.

Furthermore, Sir, I do not think that under our present system of Government that because one man has too much he must be compelled to give up some to a man who has little. When the Communist Regime comes into being possibly there might be a levelling out or levelling down! But at present, Sir, I think that the Government should ensure that right and justice as interpreted in the Courts anywhere are maintained, and that the Administration will not seek a back door to undermine the efforts and results of Treaties, Agreements and Court Judgments.

Your Excellency, I beg to move.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

Sir, I rise to second.

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I rise to oppose this motion and oppose it with all the strength that I am able to use. I am speaking early in this debate, Sir, because I think that Honourable Members will wish to have more information, than has been given to them by the Honourable the Mover of the motion. Sir, I shall be obliged to go into some detail in connection with this motion in that my Honourable Friend, the First Member for the Eastern Provinces has not painted the full picture. As my Honourable Friend has said, the Robinson Commission was set up by Government Notice No. 1549, published in the *Nigeria Gazette* of the 10th November, 1949. It held its first sitting on the 15th of December, 1949, and the report was completed on the 31st of March, 1950, and subsequently was published in June of the same year. It is of importance to mention the reason for the setting up of this commission. It was set up as a result of a motion in this House by the Honourable the Third Lagos Member, and it is recorded in the Legislative Council Debates, 3rd Session, March, 1949, Volume II.

I think, Sir, that it would be as well to establish now the position of Government at that time as it is today. In reply to the Honourable the Third Lagos Member's motion, I replied :—

“Your Excellency, I am speaking at this stage because there are only two Honourable Members in this House who have any personal experience of this dispute, that is my Honourable Friend the Second Member for the Eastern Provinces and myself. I do not think, Sir, that this Honourable House need spend much time over this motion. It can be said, Sir, that the principle of appointing a Commission of Enquiry is acceptable. Indeed, any suggestion which could assist in bringing this deplorable dispute to an end would be welcome. As it happens this suggestion of a Commission of Enquiry has already been made by my Honourable Friend the Second Member for the Eastern Provinces, who has, Sir, in the last

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three months, devoted a great deal of his time and energy in endeavouring to settle this dispute. I have, Sir, discussed the suggestion with my Honourable Friend the Attorney-General. He informs me that he is of the opinion that a Commission of Enquiry would be of practical assistance towards resolving the various questions which are in dispute between these two clans. That being so, Sir, the suggestion, as I have already said, is welcomed."

That motion was also supported by my Honourable Friend the Second Member for the Eastern Provinces, and as a result the Robinson Commission was set up. Reference, Sir, has been made to a Peace Agreement, which is an inapt description of it, held in January, 1949 at Port Harcourt. I, as Chief Commissioner, met the disputants and, after a very considerable amount of argument and discussion, an agreement was reached whereby the Okrikans were to deposit £500 in respect of any future judgments that might arise in the Courts with bearing on the payment of tribute. The agreement had further bearing on this fact in that one party or the other was to pursue its claim in the Court and establish what tribute was in fact payable.

My Honourable Friend the First Member for the Eastern Region has stated that the judgments throughout have been conclusive. I would hesitate to enjoin with him at any time in a legal battle, but throughout those judgments there has never been any satisfactory definition of tribute or the extent of tribute that should be payable. It was when the Okrikans failed, Sir, to deposit the £500, and it was when neither side would go to the Courts to take action that finally no thinking person could any longer believe that there was a chance of an amicable and peaceful settlement of this dispute by means of Court procedure or by means of an agreement which had any possibility of being ratified afterwards.

It is, I think, important, Sir, to give an account of the immediate background. That is to say, the immediate background to the Robinson Report. In this connection, Sir, I cannot do better, or provide better words, than quote from the Gunning Report, paragraph 15 :

"The background against which this incident"

That is to say, the massacre that happened later, and to which I will refer in due course,

"must be viewed in order to see it in perspective is a sombre history of smouldering inter-tribal hatred between the Kalabari people and the Okrikan people, principally in connection with fishing rights, which has existed for over fifty years and which has flared up intermittently into savage fights between rival fishing parties from both sides. During the two and a half years preceding this incident, the tempo of violence has increased considerably and it was due to this and to the imperative necessity of trying to find a solution to the dispute that the Robinson Commission of Inquiry was appointed."

The history and the recent history which forms the background to the Robinson Commission is, indeed, Sir, a shameful story. It would be better left unpublished, but in view of this motion, Sir, and in view of the fact that Honourable Members must appreciate the full background in order to assist them in deciding whether to oppose or support the motion, I propose to give details of incidents that have occurred. From May, 1948 to September, 1950, twenty-nine people were killed, 104 were missing, mostly believed killed, and upwards of 100 wounded or assaulted. Those acts of violence, Sir, atrocities, were in the following form, and I ask the indulgence of the House to read from this list ; it is impossible to bear them all in memory.

There were thirteen definite incidents between May, 1948 and August, 1949. Those involving loss of life were of a Kalabari mutilated body found, assailant not identified, on the 11th of November, 1948; on the 26th of December, 1948, one unidentified body found floating near the sea; on the 10th of January, 1949, two Okrikans, with up to fifteen accomplices, killed and ate an Ikwerre boy; the same month ten Okrikans attacked four Kalabaris and killed one—all convicted and nine sentenced to death and hanged, the tenth sentenced to imprisonment on account of youth; on the 16th of May, 1948, Okrikans assaulted two Kalabaris who were collecting rents from Ijaws—four men detained but no prosecution was possible; on the 9th of November, 1948, one Kalabari was shot and wounded by unknown assailant; on the 22nd of December, 1948, two Kalabari war canoes attacked forty Okrikan fishing canoes—one Okrikan definitely wounded; on the same day, three armed Kalabaris with two canoes captured and sentenced, one to nine months and two to six months with hard labour, for being armed; on the 21st of August, 1949, two Okrikans intercepted by Kalabaris while fishing in Kalabari waters—one escaped, one was for a while forcibly detained—the principal accused was sentenced to a fine of £100 or two years imprisonment with hard labour for conduct likely to cause a breach of the peace; he underwent the prison sentence. And between the 18th of November, 1948, and the end of December, 1948, the Kalabaris maintained canoe patrols, forty-two canoes being seen at the time—three were captured and five men convicted for going armed. Then, between March and June, 1950, Sir, there were twelve incidents, eight of which involved loss of life. The first was on the 3rd of June, no bodies recovered but seven out of ten Okrikan were suspect for the murder of four Bonny men. Again, on the 3rd of June, no bodies were recovered, but two Adonis believed murdered by the same party. On the 4th of June, no bodies recovered but three Adonis believed killed by unknown Okrikans, and on the same day, again no bodies recovered, but seven Okrikans charged with murdering another Okrikan, of whom two were convicted. On the 8th of June, no bodies were recovered but sixteen Andonis were charged with murdering five Okrikans—the charge was altered when the case was before the Supreme Court to promoting native war. On the 15th of June, two Andonis murdered one Okrikan—the body was recovered but the investigation was not brought to a successful conclusion.

And so it goes on, Sir. Those which I have read to Council are not all the incidents.

I should now, if I may Sir, like to turn to the Robinson Report itself, and I will summarise it as briefly and concisely as possible. Paragraphs 9 to 54 give a brief history. It is a history over the past years back into the distant times of strife which is inextricably bound up with Court cases, treaties and agreements. None of these Court cases, treaties or agreements provided any lasting settlement or remedy. It is, in fact, a history of jealousy, enmity and bloodshed. It commenced first of all with trade rivalry and then it continued through to economic rivalry in the form of fishing. Paragraphs 135 to 161 of the Report deal with the conclusions, and the conclusions are that fishing in the waters was always free. In the past, rent was always payable for permanent settlement; tribute was payable for temporary settlement, and it was also held that the river and creek side lands were commonly owned except for small areas here and there which had been re-claimed and had become privately owned.

And then paragraphs 162 to 197 deal with the recommendations, Sir. The first and most important recommendation was that temporary settlement should be licensed in place of the previous payment of tribute; that the Native Authorities were to license this temporary settlement within their respective spheres of influence and that this only applied to fishermen who made temporary settlements outside the sphere of influence to which they themselves belong, and that the Kalabari, Okrikan and Bonny Native Authorities were to issue the licences, retaining five per cent to cover the Administrative costs. The balance was then to be divided up according to the share which has already been mentioned by my Honourable Friend the First Member for the Eastern Provinces. It was also recommended, Sir, that all of the people of Degema Division should pay thirty shillings per annum wherever they settled in a temporary manner outside their own sphere of influence, and that others from outside Degema Division should pay £3 per annum. And then followed, Sir, the Ochokorocho massacre. Twenty-three Okrikan bodies were recovered after the massacre and, as far as is known from evidence that is available, there are ninety-eight or more Okrikans missing. Police investigations and prosecutions became a matter of great difficulty, Sir. This massacre took place towards the dark hours and the prosecutions depended on identification. Some 110 Kalabaris were arrested and charged with being participants in the crime; ten were brought before the Court and acquitted. *Nolles* were then entered in respect of the remainder and they were released. At the same time, Sir, awards of up to £500 were offered for information that would lead to the arrest of the guilty persons. However, no success has been achieved so far in bringing to justice the perpetrators of this crime. Police investigations are still proceeding and I hope that they may be attended by successes in due course. There is a point here which I must mention, Sir, and that is that there has been confusion in thought between the Robinson Commission and the subsequent enquiry that was held under the Collective Punishments Ordinance and is known as the Gunning Enquiry. The Gunning Enquiry was published in an *Extraordinary Gazette*, published on the 12th of April, 1951. The Enquiry itself was to establish what occurred at Ochokorocho on the 4th and 5th day of August, 1950, in order to enable, "Your Excellency to decide whether all or any of the inhabitants of any village or district or members of any tribe or community have suppressed or combined to suppress evidence in any criminal case, investigation or inquiry, or whether their conduct has been such as to require the bringing of police to any village or district or the employment of police against them for the purposes of preventing or suppressing disturbances or enforcing lawful order."

It is material in speaking to this motion, Sir, to read two paragraphs of the Gunning Enquiry. Paragraph 16 reads :—

"As the result of our Inquiry, we consider that the following main fact has been established beyond all doubt, namely that a massacre of Okrikans by Kalabaris took place on the night of the 4th and 5th August in the neighbourhood of Ochokorocho. The word massacre has been used deliberately since there is not a vestige of evidence either that the Okrikans retaliated in any way or that any casualties, even of a minor nature, were suffered by the Kalabaris."

And paragraph 20 reads :

"The second important fact which emerged from the evidence was that neither the Kalabari Native Authorities nor any of the community gave at the time, or have given since, any real assistance to the police or the

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Administration in bringing to light the facts of the incident at Ochokorocho. We received the impression throughout the phase of the Inquiry which dealt with the Kalabari evidence that the enormity of the crime which had been committed was very far from being appreciated by the Kalabaris. Their attitude seemed to be that they could not understand what the fuss was about."

Needless to say, Sir, police measures in connection with re-enforcing the Rivers Province with police were taken. Between March, 1948 and August, 1949 up to an increase of 226 police were employed in the Rivers Province ; between March, 1950 and June, 1950, 54 ; between August, 1950 and December, 1950, 250 police. The cost of those extra police to the Eastern Region, Sir, was £11,176, and on top of that, was the cost of the Marine transport which was another £22,505, making a total cost in police re-enforcement in the Rivers Province of £33,781. It has, of course, been necessary, Sir, in the light of the situation in the Rivers Province to increase permanently the establishment of the police, and the following is the intentional increases : nineteen rank and file as a Water detachment to be used throughout the Rivers Province, working from a launch with four powered dinghies ; an increase of eleven rank and file for the Degema Detachment, including one Assistant Superintendent of Police ; a Detachment of nine rank and file to be posted at Okrika ; a Detachment of six rank and file to be posted at Buguma, and a post at Bakana to be opened and another at Ochokorocho where police can be quartered for short periods. As I have mentioned, Sir, the Water Detachment of police are to operate from a launch and four powered dinghies ; the launch is on order and the powered dinghies are in the course of being set up.

Now, Sir, I will, if I may turn to the question of implementation of the recommendations. It was impossible to implement these recommendations after the Ochokorocho massacre. Passions, as can be imagined, reached their height then. Feelings still are running high in the Rivers Province. The Resident has recently advised me that it is impracticable until early next year to implement the recommendations, firstly, because of the feelings that exist, and secondly because of the work that is now going on in connection with the elections for the constitution and also to be followed by elections in respect of the Kalabari Native Authority. It is hoped that the elections for the new Kalabari Native Authority Council may result in the return of more responsible persons to that Council. In the light of that I have accepted the Resident's advice, but as soon as possible after the 1st of January, next the proposals, the recommendations of the Robinson Commission will, Sir, be implemented. There is nothing, Sir, in the recommendations, as far as I am able to read them, that affects permanent settlement or privately owned land. Likewise, there is nothing in those recommendations, or in the report itself, which prevents any person so wishing from having recourse to the Courts. The recommendations as they stand provide a basis for a permanent peace in the Rivers Province. To set them aside, as my Honourable Friend the First Member for the Eastern Provinces desires, would be to commit the Rivers Province to years more of strife and bloodshed. A lot, Sir, will depend on the Native Authorities ; if they fail, or obstruct in the implementing of the recommendations, then Government will not hesitate to take whatever measures may be possible and necessary to ensure that the recommendations are implemented. Experience, Sir, may show that the division of the licence fees in the proportion recommended by the

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Commissioner is not entirely equitable. If experience does show that, Sir, after a period of a year or may be more, then I would make a recommendation to you for adjustment, Sir, in the proportions.

There are two things, finally, that I would like to say, Sir, in connection with, firstly, tribute. Tribute today is outmoded. It can only be replaced by licences properly issued and properly accounted for. And finally, Sir, I would like to mention that the recommendations refer only to temporary settlements, where fishermen are obliged to land to dry the fish that they have caught. Rafts, Sir, could take the place of the swamp land at the side of the rivers on which the fishermen at present are making their temporary settlements. I mention that, Sir, because my Honourable Friend here has referred to the importance of ownership.

Sir, I oppose the motion.

The Hon. the Chief Secretary to the Government :

Would it be the pleasure of this House to take a brief rest at this stage ?

His Excellency :

Could I ascertain if a number of Honourable Members propose to speak in the debate ?

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

I propose to speak.

His Excellency :

If it is agreeable to the House I think we might suspend the sitting for ten minutes. The House is suspended for ten minutes to a quarter of an hour.

Council adjourned at 11.45 a.m.

Council resumed at 12.5 p.m.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.) :

Your Excellency, as has been mentioned by His Honour, the Chief Commissioner for the Eastern Provinces, I think I was primarily responsible for the suggestion that a Commission of Enquiry should be appointed to go into this dispute between the Kalabaris and Okrikans of the Degema Division so when the Third Member for Lagos attempted to introduce the subject by way of a motion at Ibadan, I fearlessly opposed him as I thought he was interfering with my domain and had no right to do so. Your Excellency was pleased to listen to his explanation and mine and so the Commission was appointed. Now Sir, I would like it to be well understood by Honourable Members of this House that the trouble between Okrika and Kalabari has not been an isolated one between the two clans. It is one that has covered the whole of the Degema Division for many years past. There have been serious troubles—worse than the one gone into now by the Commission,—between Okrika and Bonny. That disgraceful and lamentable struggle was brought to an end through the efforts of your humble servant. I did all that was humanly possible to speak to both sides and with the aid of the then member for the Rivers Division, Mr Justice S. B. Rhodes, who was then representing us, the District Officer, then Captain Kelsie and the Commissioner of Police Mr Ince. We appealed to the two sides and got them together, Okirka and Bonny. I was the spokesman for Bonny and a

Chief, John George was spokesman for Okrika and without going to Court or having recourse to ask Government for a Commission of Enquiry, we settled the dispute or feud among ourselves. The estimated death roll on the side of Bonny was, I think, about one hundred against Okrika and Okrikans complained that they lost an equal number. We said "let bygones be bygones" and there should be no repetition of these disgraceful attacks on one another in the Rivers area—we must keep the peace in other words. That was settled and we carried on more or less in friendly spirits when we had, as Honourable Members will remember, what we called "The Conference of Chiefs" of the Rivers areas—Kalabari, Bonny, Okrika, Brass and other places. The Chiefs of these places usually met together at Port Harcourt and the Chief Commissioner, then Sir Bernard Carr sometimes presided and we discussed amicably among us our internal and tribal problems in the interest of our people. That was done until this last trouble began between Okrika and Kalabari. This last affair could, in my opinion Sir, have been settled amicably as well if the Okrikans had been a little bit more reasonable in their demands. As the Honourable The Chief Commissioner said, in January, 1949, I made every effort to bring them together. The Chief Commissioner, assisted by Mr Chubb the Resident helped and Mr Newington who was District Officer of Degema also contributed his own quota and we did everything possible to bring them together and concluded our conference by getting both sides to sign a peace agreement which I think has already been referred to, that both sides were to keep the peace and be friendly pending decision of the Supreme Court or some other way of proving their titles, Okrikans who had been occupying over 180 villages or fishing ports claimed by Kalabaris should deposit the sum of £500 in any of the banks, without prejudice, and that when the claim was established either by Kalabari or Okrika we would decide where this money should go. That would in effect enable Okrikans to continue to fish in Kalabari waters in all the areas and also to occupy the lands in dispute until one side or the other had succeeded in proving their claim. I remember Sir, I very much regret to say, that whereas the Chiefs of Okrika were inclined on that occasion, to accede to our request and act upon our advice, the fishermen themselves who were directly concerned definitely told the Chiefs not to sign any agreement and said that they would rather vacate all Kalabari areas and all the lands of their fishing ports than pay one penny to Kalabari as rental. Nevertheless His Honour, the Chief Commissioner, and myself tried to persuade the Chiefs to sign the agreement which, I think, was brought to the notice of this House before. It was unfortunately some subsequent events, Your Excellency, that led me to approach you because after signing of the agreement the Okrikans decided to vacate all the fishing ports and cleared away to the Cameroons, Calabar and other places. They practically vacated all the towns and fishing areas—even Bonny waters—and went far away to look for their livelihood Sir, their principal or only vocation being fishing. I observed that was very hard on the mass of the people. The Chiefs were fairly comfortably situated but the mass of the people who depended upon fishing were suffering very great hardship and I therefore approached Your Excellency with a request that this Commission of Enquiry be set up. I also approached the then Attorney-General, Sir Gerard Howe, who thought it was a good thing for a Commission of Enquiry to be set up. This Commission was set up and I think the learned Judge made a laudable effort to enquire into the matter very carefully but I am sorry to say, Sir, that I myself who was primarily responsible for this Commission do not agree in every detail with regard to the recommendations of the Commission. I would not say

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that the findings of the Commission as a whole should be scrapped—I would not go that far—Sir, but there are certain portions of it which have led to these subsequent troubles, one for instance, Sir; it was declared that Okrika—look at the map of Nigeria; it will show you that there is no place known as “Okrika River”. You have Bonny River and Kalabari River but no Okrika River because Okrika town is just at the top of the Bonny River. If there is any place in Okrika which has a River, it is Ogoloma so that Okrika people had to go about to do their fishing business in Bonny and Kalabari waters etc., all the time. According to custom they have always paid some form of dash or tribute; in any case they made some acknowledgment of the owner’s rights in Kalabari and Bonny areas. Personally I have my own fishing ports in one of the chief towns at Bonny and I accommodate a lot of Okrika fishermen who pay rent to me and Kalabaris who come there pay rent to me. I have gone to the extent of even demanding rent from Bonny people who were not members of the Finima or Brown’s family. Therefore, Sir, I find it very difficult to accept the decision of the Commission in the matter of having to divide what belongs to me with another man or my tenant who has no claim whatever to it. Okrika has no fishing land and yet the learned Judge says that all the rents collected should be pooled together and divided in this proportion :—

15 per cent to Bonny

15 per cent to Okrika

70 per cent to Kalabari

which 70 per cent shall be further distributed :

10 per cent to Bille

15 per cent to Southern Group Council (Kula, Ke and Abissa)

75 per cent to the rest of the Kalabari Clan.

Well, Sir, this is one of the most objectionable clauses of the recommendations. This is my land and a man who comes to fish and live on that land pays me rent and I have to divide that rent with him ! It is my money and all he can do is ask me for a reduction of the rent if he considers it too high, and I will consider that. Then another mistake I find in the report was the important question of boundaries and spheres of influence. I think this is one of the things which was the subject of a protest lodged with Your Excellency by Bonny and Kalabari. Okrikans did not lodge any such protest because they had the lion’s share in the distribution. They had what did not belong to them Sir and I would call attention also to paragraphs 147 to 149 of the report. 147 reads :—

Bonny :—Starting from Bonny, with back to the sea, up the Bonny River on the East side to Bolo Creek where there is boundary with Okrika.

148 :—

Starting again from Bonny to the sea, up the Bonny River on the West side to Boler’s Creek. Along Boler’s Creek, the whole of the southern bank to Cawthorne Channel. Then south along the east bank of the Cawthorne Channel to the sea. The boundary on the east with Ogoni and Andoni does not concern this Commission.

149 :—

Kalabari :—Starting from the sea, with back to sea, up the west bank of the Cawthorne Channel to the New Calabar River including Ivy Island, or Chokorocho.”

Ochokorocho is the scene of the alleged massacre. You will observe, Sir, it was given to the Kalabaris by this Commission, apart from the fact that it

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had belonged to them from time immemorial. We all profoundly deplore the lamentable incident. But why did the Okrikans go there at that time? It was a sort of protest on their part.

"Then along the left bank, going north, of Arugbana Creek, but excluding the Arugbana fishing village itself (given to Okrika by the Jackson Award, Exhibit 10) and then along the creek (*see* inked line) leading into Hutton Creek, then into Kathleen Creek and Primrose Creek. Then in a line across the swamps and land in such a way as to give Isaka to Okrika and Bakana to Kalabari. (This will have to be done by the District Officer, Degema, on the spot). Thence North to the boundary which is the Port Harcourt River. There is no dispute, so far as this Commission is concerned, about that boundary on the north and west."

Now 150, Sir :—

"Okrika.—All which is left—*see* red inked line. Defining these boundaries of spheres of influence has not been done without much anxious thought and consideration."

Well, Sir, according to the findings of the Commission all that is left belongs to Okrika! Okrika that had no claim to the lands in dispute gets all that is left. Everything went to them and that is the reason why they did not submit any direct protest, but I would like to call attention to the fact, Your Excellency, that the very disgraceful and lamentable episode of Ochokorocho, might have been avoided if the Okrika people had not rushed on to that place which they had deserted when they refused to deposit the £500 suggested. They deserted or evacuated that and other fishing ports rather than pay anything. But as soon as the Commission's report was issued, they rushed from the Cameroons and everywhere to Ochokorocho. This fishing port was most valuable to them and that is the place where all this trouble occurred. Kalabari was given Ochokorocho and Okrika Ama-Isaka the Bonny had practically nothing.

Sir, I am sorry to have myself mixed up in this affair and the motion now before the House, not only because I am representing the Rivers Province, but because I was primarily responsible for bringing about the Commission of Inquiry which I intended to settle all this trouble. What I had hoped for was a proper demarcation of the boundaries between the different places, so that each clan can know their own boundaries and where their fishing rights lay, but unfortunately the boundaries were not defined; there was no demarcation of boundary, and that not being satisfactory to the parties concerned protests were naturally lodged to His Excellency the Governor, who had ordered the Commission to be set up. I am supporting this motion because we had not a chance to debate or discuss it in this House. It was with the approval of the House that Your Excellency appointed the Commission and I thought that when the Commission was completed perhaps the report would be laid on the table of the House and we would have a chance of expressing our views before any implementation took place, but that was not the case and I would say, with all due deference to the opinion held by Mr Newington, that whereas he did very well in trying to prevent greater bloodshed, he perhaps made some dangerous mistakes in his zeal to implement prematurely the report, by allowing one side of the people to go on fishing in the Kalabari River whilst others were excluded. That made the position worse and I would be very pleased and happy if this House would kindly advise His Excellency the Governor to reconsider his decision with regard to acceptance of the Commission's report in toto. The portions objectionable to the parties concerned should be reconsidered to bring about a more peaceful

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settlement. All I am pleading for is that Your Excellency may be graciously pleased to do all that lies in your power to bring about peace and tranquility in the Rivers Province and improve the relationship between the various clans comprising same. I believe this could be done, Sir. Thanks.

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

On a point of information, Sir, may I know whether the implementation of the recommendation of the Commission of Inquiry would mean going back on the decision of the Court as seemed to be suggested by the Honourable the First Eastern Member ?

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I do not know who is supposed to answer the question, Sir.

His Excellency :

I should say His Honour ought to answer but it seems to be rather hypothetical.

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, I did not hear the question very well.

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

Whether the implementation of the recommendation of the Commission of Inquiry would mean going back on the decision of the court ?

His Honour the Chief Commissioner, Eastern Provinces :

Your Excellency, it is not a very easy question to answer, but as far as I know, and without possessing legal qualifications, I do not believe that it affects any decision of the courts. In fact, any person can go to the Courts now in respect of any previous judgment and as I understand it, it cannot set aside any judgment which has already been recorded.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

Your Excellency, I am sorry that I did not indicate earlier that I would like to speak to this motion, but I hope you will allow me to change my mind.

His Excellency :

There is no suggestion at all that Members will be prohibited from speaking.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

What concerns me in this matter is that something should be done to bring about peace between the Kalabaris and Okrikans. I think we in the Eastern Provinces are thoroughly ashamed about this trouble that has been going on for so many months and there does not seem to be any amicable way of settling it. I would like to appeal to Your Excellency, Sir, and to the Honourable Members of this House to consider this rather carefully, because if we sway one way and it is not acceptable to the Okrikans, and if we sway another which is not acceptable to the Kalabaris, we are in trouble again, and it is a matter of great regret that the Government and the Legislature cannot

[*Sir Francis A. Ibiam*][*Motion : Kalabari-Okrika Dispute*]

do something to bring about peace. I would like to suggest, Sir, that this matter—the Report of the Robinson Commission—should be put before a Select Committee. I do not know, Sir, whether it is legal or not for a report of any Commission to be acted upon therewith without further consultation with any Select Committee or with the Legislature of the country, but I feel that in certain cases like this one, which is so important, that implementation should not take place unless the report has been carefully considered in every aspect and a decision come to, so that everybody will be pleased to know the final decision. Therefore, I would suggest here, Sir, that a Select Committee of people with legal background should go into this matter and look into the report carefully and give us their decision without either accepting the report as it stands or adopting the motion which is before the House.

Thank you, Sir.

His Excellency :

I would point out to the Honourable Member that apart from this fact that it would be a most unusual cause to appoint a Select Committee of this Council to enquire into matters which have been the subject of a Commission of Enquiry, this is probably the last meeting of this Council. As I understand, he is proposing that we appoint a Select Committee of this House, which would have to report back to this House.

Is the Honourable Member making a definite amendment to his motion before Council ?

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

It is, Your Excellency, rather difficult, because I do not know whether it is possible to summon this House again to a meeting of this kind and I, therefore, cannot say that if you did decide to ask a Select Committee to go into the matter that they should report back to the House, but I should certainly make an amendment if the Honourable Mover would agree to the suggestion that such a Committee should report to Your Excellency.

The Oni of Ife (The Hon. Sir Adesoji Aderemi I, K.B.E., C.M.G.) :

On a point of information, Your Excellency, may I know which is higher ; a Commission or a Committee ?

His Excellency :

The Honourable the Oni of Ife has posed rather a big question which takes us into rather deep waters.

The Committee to which reference has been made would be a Select Committee of this House. The Commission was appointed by me as Governor to report back to me and on the basis of that report I directed that action should be taken. Matters that have been discussed in this Council during the last quarter of an hour or twenty minutes relate to what happened in the last two or three years, but this affair goes back to 1870 or before that. I would ask Honourable Members to consider whether the appointment of a Select Committee of this House, even if they spent many months going over the same evidence and areas as this specially appointed Commission, might not result in this occurrence of grave events between now and whatever time the report was ready. I do not know whether at this stage a new question might be proposed to this Council. Perhaps His Honour from the Eastern

*[H.E. the Governor]**[Motion : Kalabari-Okrika Dispute]*

Provinces could help us in some way. He has himself made a suggestion about consideration being given at a later date to minor modification of certain of this Commission's proposals. I must be very careful here not to speak as Governor but as President of this Council. I do not wish in any way to influence the voting of Members. I only ask them to think over very carefully what might happen between now and six months hence while we were waiting for a report by a Select Committee. It is true I could convene this House again for an Emergency Meeting but not subsequent to a date when the first Member has been appointed to the new House of Representatives and I think we must be very careful where we stand in appointing a Select Committee of a Council which may be defunct before the time came for it to meet again. If it could help we might suspend the sitting for five or ten minutes to see whether any fresh counsel can come forward and I should be prepared, on this new facet, to allow His Honour the Chief Commissioner, Eastern Provinces to speak again.

The Hon. the Chief Secretary to the Government :

Sir, I understand the position is at the present moment that an amendment is proposed to a motion which has not been seconded. I am not very clear, then, of my own position in speaking at this stage.

His Excellency :

There is no formal amendment before the House, but there was a suggestion by the Honourable the Third Member for the Eastern Provinces that the Honourable Mover might be prepared to vary the terms of the motion. There is no proposition before the House. I ask your indulgence for having intervened in this way—I do not wish in any way to influence the voting—but I earnestly trust that members will not cast their votes without absolute realization of what is involved.

The Hon. the Chief Secretary to the Government :

Your Excellency, I know I speak on behalf of all members of the House when I express great gratitude to Your Excellency for the way in which you have put this particular problem before us now. You were careful to point out that you were speaking as Governor and not as Chairman of the House. There was no desire to influence in your capacity as Governor at all. I, Sir, am in a very different position. I am a Member of the House and I am a voter and I want to talk now on the motion and to say that I am strongly opposed to this motion. Unlike other Honourable Members who have spoken so far—all three Honourable Members who have spoken so far—I have no knowledge of the area at all, save what I have read or what I have been told. I have had five years of experience in similar areas in Africa ; creeks, waterways, fishing peoples—people who eat fish for breakfast, lunch, supper and hardly anything else, because there is no land to grow anything ; and I have learned of the tremendous bone of contention fish and fishing rights can be to such people, because it is their only means of livelihood. What has worried me a great deal, Sir, is the atmosphere this morning in which this motion has been discussed hitherto. It is one to which Your Excellency also referred—the tremendous dangers of doing nothing in this wretched business which has been going on for so many years in the Degema Division in Owerri Province—I should say Rivers Province (I trust the House will forgive a new-comer for errors of that kind). His Honour of the East gave us a long list of ghastly crimes which had been committed in the last few years. I have no doubt whatsoever in my mind that that is only a

small part of the crimes which have been committed. In such a wide area as that many murders, mutilations, terrorisms must take place, of which we know nothing. In listening to that list, I was impressed by the number of Okrikans who have been guilty of those crimes during the last three years; but, Sir, that only makes my point: we are not here concerned at the present moment to discover who is guilty of these crimes or who is responsible. We are not taking sides at all; it is not the job of this House to take sides. As the Honourable the Second Member for the Eastern Provinces has said, our object is to bring peace to those areas as quickly as possible and to ensure that peace is maintained.

Now, Sir, the Honourable the Mover of this motion read a letter which he had written to the Chief Secretary to the Government, my predecessor, about this problem, and I have read the enormous number of files which exist on this particular problem. I shall come back to this bulk of files of ours in connection with the amount of consideration which has been given to this particular Inquiry. The Honourable Mover of the motion, in the letter which he read, referred to his reluctance to make a motion in Legislative Council, as such a course might serve to focus world attention on an unfortunate incident. I am sure that the Honourable Member will himself agree with me that that is the most astounding under-statement that anyone could have written. "Unfortunate incident"! This is a series of brutal murders, culminating in a most ghastly massacre in which 120 people were slaughtered in the Nigeria of today which is having elections at the present time. That, Sir, I think we cannot wait any longer to stamp out. It is the job of the Executive: and if the Executive fails in its duty in this respect, how could it hold up its head before the Members of this House, who, in the last resort, control the Executive?

Now, Sir, we have had at last put before us clear recommendations for action which, in the opinion of the learned gentleman, who made those recommendations, are the best devices we at the present moment can evolve to establish a peaceable settlement on a long-term basis to end this series of outrages. I hoped when the Honourable Member moved this motion that he would say these are the wrong proposals; the right thing to do is this, and this, but he has not. In his letter which he read out he said "It is not for me to suggest to Government how to tackle the problem." Well, Sir, we have one series of concrete suggestions.

I would now like to say a few words on the vast amount of care and interest with which Your Excellency and all Your Excellency's servants considered these recommendations. We weighed them against all sorts of other suggestions which have come forward from the Executive, and decided in the end that the recommendations of this Commission of Inquiry were sound and would provide a basis for lasting peace. I, as a new-comer here, have read more in the last four months than I have ever read in my life; and the amount I have read on the Kalabari-Okrika business has cost me many hours of sleep; not only the hours of sleep that the actual reading cost me: but the anxiety that lasts in one's mind after one has finished reading, as to when some other outbreak like this is going to happen.

Sir, the Honourable Mover argued for a great deal of his speech that it was quite wrong for Your Excellency, on the recommendation of the Commission of Inquiry to over-rule and set aside judgments which have been given in the Courts. I could not agree with him more. What is more, the Honourable Mover himself quoted from the reply which was sent to him by the Chief Secretary saying that there could be no intention on the part of the Executive

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to take such action. It is open to any citizens of Nigeria at any moment, if they believe the Executive is proceeding irregularly, to take action—my learned friend will correct me if my phraseology is wrong—which would restrain the Executive from taking an action. The point about these recommendations, Sir, is that they could only be implemented, as I understand it—again I am subject to correction—they could only be implemented if legislation of some form—Native Authority rules or regulations—I am not quite sure what we call them in this territory yet—were enacted and brought into force. In such a case, Sir, that legislation itself over-rule these judgments. They were Civil judgments. I speak very humbly in these matters, but I believe that to be the position ; and Honourable Members may be sure that there can be no fear of any departure from this principle : the most vital point in the constitution of a free country is that the Executive is as subject as any of its people to the laws of the country.

Sir, with regard to the suggestion that was made that the matter should be further considered, we have had consideration proceeding on this ever since the Report of the Commission of Inquiry was submitted to Your Excellency. It is to my mind of vital importance that these recommendations should be implemented at the earliest possible date. I want to refer only to one other point in this regard. The Honourable Mover of the motion suggested that this massacre, which took place on the 4th of August, did take place so soon after the publication of the Report of the Commission of Inquiry, because the Report was not satisfactory. I disagree profoundly, Sir. Had that massacre taken place after an attempt had been made to implement those recommendations, yes ; but if those recommendations had been implemented that massacre could never have taken place. Possibly, Sir—I am not going to admit this for one moment—possibly it might be argued that the Executive was slow in implementing those recommendations. Had it been able to implement them and bring them into force in July, I suggest to Honourable Members that that massacre would never have taken place.

The proposal is now that we sit back, do nothing and leave the field open for other happenings of the same kind. I do appeal to Honourable Members of this House to support the Executive in its strong belief that the recommendations of this Commission of Inquiry, than which nothing better has been proposed, should not be interfered with and that His Excellency should continue in his firm intention of implementing them.

His Excellency :

If no other Honourable Member wishes to speak the Honourable Mover of the motion has the right of reply.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Your Excellency, I will take the points which have been made. The first point that was made by His Honour the Chief Commissioner, Eastern Provinces was to the effect that the parties were advised to go to Court during the settlement at Port Harcourt but neither side proceeded to take Court action as advised and I would refer Your Excellency to page 19 of the Report, Paragraph 54 which refers, to Court action commenced in 1949 transferred from the Kalabari Native Court to the Supreme Court. That was exhibited before the Commission as Exhibit 22. "Chief Samson Adoki for Okrika is suing Chief J. T. Princewill and others for Kalabari, for an Order of Court restraining the Kalabaris from interfering with Okrika fishing rights in the creeks and ponds, tributaries of the New Calabar River

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and for £1,500 damages for interference during the last twelve months." So it was not quite correct, Sir, to say that no party went to Court. The Okrikans went to Court and subsequent to that the Commission met and that put an end to all further proceedings in the matter. In fact, the case was struck out not more than two months ago in the Supreme Court for want of prosecution, the point being that the Okrikans being now quite satisfied with the Commission of Enquiry did not feel any further point was to be served by going on with Court action and they allowed their case to lapse.

The next point was that there has been very much made of all the ghastly crimes which have been committed in the area in the last three or four years. Nobody Sir, more deeply deplors this act than I do but I think that in a discussion of this nature it has no relevance; the fact that these atrocities have been committed is no justification for taking what belongs to the Kalabaris and giving it to the Okrikans. The two events have no relation. If, as has been proved, the Okrikans had been murdering Kalabaris, there is still less justification for creating an Okrikan sphere of influence in Kalabari territory. Your Excellency imposed a fine on the Kalabaris which has been paid. They have been taken to Court on a charge of murder and were duly acquitted. To introduce that now at this stage is to draw a red herring across the trail. It might excite a lot of sentiment in certain members who might vote against the motion in the mistaken belief that if they voted for the motion there would be a massacre. The two are completely unrelated. All we say is give to Caesar the things that are Caesar's. This is Kalabari territory; allow them to occupy it. If the Okrikans want to come there, let them pay a tribute. The amount and extent of that tribute is a matter to be settled between the two clans. I am sorry, Sir, I do not appreciate all this question of atrocity. In fact, I would not say any more about it but it has been pointed out by the Honourable the Chief Secretary the whole list of atrocities has been predominantly committed, not by the Kalabaris but by the Okrikans and the Report was concerned not to say who did or did not commit the atrocities, but to say whether evidence had been suppressed; and to say that Police have been imported into the area on account of the Kalabaris is different from saying that they (the Kalabaris) are guilty of killing Okrikans.

The Honourable the Chief Commissioner for the Eastern Provinces, also pointed out that the recommendations of Mr Justice Robinson were to the effect that the land was communally owned, but that raises the very point on which I venture to join issue with the Judge, because if the land had been communal to all the Ijaw tribe the previous judgment would not have imposed any tribute payable by the Okrikans to the Kalabaris. It was because the Court was satisfied that this land belonged exclusively to the Kalabaris that this tribute was imposed; for the Judge now to create an Okrikan sphere of influence in Kalabari territory where a Kalabari man would pay tribute or rent, is to my mind inequitable.

Another point, Sir, I would like to make is that there seems to be a misapprehension that once this Report is implemented there will be peace. I hope there will be; but why mention the Ochokochoro incident. By that I refer to what was written in the letter addressed to the Chief Secretary which was to say that although the findings of the Report might be acceptable to the people, it had done no more than rouse feelings which resulted in this unfortunate incident, and if Government holds the view, that implementation of this Report is going to bring peace, good luck to them. I think, Sir, the proposals for maintaining peace have already been set out by His Honour the Chief Commissioner this morning when he stated that they had increased

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the Police posts in that area ; they now had a Police patrol in the area—I think that is the best method of maintaining peace and I can do no more than refer to a speech made by His Honour the Chief Commissioner at Port Harcourt at the meeting of Okrikan Chiefs and Kalabari Chiefs on the 1st of January, 1949. This, Sir, was an exhibit exhibited before Mr Justice Robinson, so I think it is relevant to the recommendations themselves because they refer to the recommendations. His Honour the Chief Commissioner repeated his responsibility to maintain law and order and he went on—

“I will, if necessary, saturate the area with Police.”

That, I suggest, Sir, is a concrete proposal for maintaining peace in the area. Peace would be maintained if there is sufficient force of law and order, but peace would not be maintained when one man's property is taken from him and given to another against his will. You might succeed in forcing him by sheer weight of Police to do nothing, but it is clear to me, Sir, that the moment the pressure is removed nobody can tell what will happen. That is why in my letter, I said that I could not make effectual proposals. This was because at that time it had been announced that the Government had accepted the recommendations and all I was concerned about was whether they would take steps to implement them. I could not make any proposals which would be contrary to what Mr Justice Robinson said, because the Government, assuming they accepted mine, would have to refuse Mr Justice Robinson's proposals which, in fact, had already been accepted.

As I see it, the issue before this House is not really whether people have been killed or not—that we all deplore—but the issue is that the implementation of this Report would by necessary implication give the Okrikan people power and virtual ownership over territory which they had never owned before, since if the sphere of influence is created where the Okrikans could fish without payment of tribute or rent and where the Kalabaris would fish on payment of rent which would go to a central fund, the position of the Kalabaris would be impossible. This is not a matter, Sir, which can be decided by Executive action. It is a matter which has to be decided by the people. If the owner of the land agreed to give up his land, well and good. If not, I think it wrong that Government should use any weight to compel him to do so.

His Excellency :

The question is in terms of the motion.

The Noes have it.

Resolved in the negative.

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

Your Excellency, I rise to move the motion standing in my name, which reads as follows :—

“Be it resolved :

“That the recommendations contained in the Report of the Select Committee which were read and adopted by this Honourable House
“on 19th March, 1951, in respect of the restoration of the Ojomo
“Chieftaincy at Owo, in Ondo Province, be implemented in accordance
“with the spirit which animated the preparation of that Report.”

In speaking of this motion, Sir, I am not concerned with details of fact regarding the Ojomo Chieftaincy or the whys and wherefores of the attitude of Government on this issue. Rather, I am basing my argument on the

principle that a decision taken by this Honourable House was disregarded in such a way as to invite criticism : whether the deliberations of this Legislative Council are comparable to a glorified debating society in order to amuse omniscient bureaucracy ? The following are my reasons for holding this view.

On 5th March, 1951, a petition on behalf of the people of Ijebu Quarter, Owo, in Owo Division of Ondo Province, was presented to this Honourable House by the Member for the Colony, the Rev. and Honourable T. A. J. Ogunbiyi, O.B.E. The petitioners prayed for the restoration of the Ojomo Chieftaincy which had been abolished, presumably by Executive action. Four days later, Your Excellency appointed a Select Committee of this House to consider the petition, comprising the following :—

The Honourable the Senior Resident, Kano—(Chairman)

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

The Oni of Ife, the Honourable Sir Adesoji Aderemi I., K.B.E., C.M.G.

The Second Member for the Eastern Provinces, the Honourable Buowari Brown, O.B.E.

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

The Report of the Select Committee was read by its Chairman as follows :— (I am reading from the Legislative Council Debates, Fifth Session, at page 354) :

His Excellency :

I think I have given latitude to the member to speak on matters which have been raised but I think I can give him permission to continue.

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

“The Committee, having carefully considered both the historical background to the creation of the title of Ojomo Owo and the circumstances which led up to the recent dispute concerning this chieftaincy recommends that, in the interests of peace and tranquillity in Owo, Government should give earnest consideration to the restoration of the title of Ojomo Owo but that this restoration should be subject to a clear undertaking in writing being given by the recipient of the title that he will abandon all claims now and in the future to the right to wear a beaded crown or crowns and that he will assume only the status of Edibo Olowo together with just those privileges which are ordinarily by custom attached to the post of a senior Chief of Owo”.

The Chairman then moved the adoption of the Report, seconded by the Member for the Colony. It was adopted by this House, the motion having been resolved in the affirmative.

I regret to say, Sir, that since the adoption of this Report, the Ojomo Chieftaincy has not been restored. Instead, the Government of the Western Provinces has been alleged to refuse to do so. Thus, there appears to be a conflict of authority between the legislature and the executive. The issue resolves itself on the meaning of the expression contained in the Report of the Select Committee, namely : “Government should give earnest consideration to the restoration of the title of Ojomo Owo”

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Granted that the recommendation of the Legislative Council is optional and not necessarily mandatory, I respectfully submit that the words "earnest consideration" imply seriousness and enthusiasm, which have been lacking in the way the Government of the Western Provinces had tackled this job. The Select Committee, which was composed of those who number among the nation's eminent sons, did not make a recommendation for abolition of the Ojomo Chieftaincy because it had carefully considered both the historical background of the title of Ojomo Owo and the circumstances which led to the recent dispute, leading to its abolition, and it felt that in the interests of peace and tranquillity in Owo it was expedient to restore same. Now, for the Executive to virtually flout the will of the legislature by refusing to restore the Ojomo Chieftaincy is baffling. To me it smacks of high-handedness. The motion, Sir, seeks the co-operation of this House to the effect that the recommendations contained in the Report of the Select Committee should be implemented in accordance with spirit of harmony which animated its preparation.

Sir, I beg to move.

The Second Member for the Eastern Provinces (The Hon. H. Buowari Brown, O.B.E.)

Sir, I beg to second.

His Honour the Chief Commissioner, Western Provinces :

It is with a good deal of regret that I am obliged to oppose this motion, the regret being that I believe (as I am sure the mover of the motion believes) in the traditional title system in the Yoruba people and that only for very good and abundant reason would such title be abolished when in fact it becomes absolutely essential that it should be done. There are, as the Honourable Mover of the motion pointed out, two particular points which are raised in the recommendations of the Select Committee. One deals with peace and tranquillity and the other point deals with the position of the Ojomo when restored to his position, not excluding a point that was naturally raised—that of wearing a beaded crown. This title was first created by the Olowo about a hundred and twenty years ago and the title was given by him to his younger brother, at the same time giving him the headship of the newly-formed and very small quarter of Owo which is known as Ijebu Quarter and which is now one of the five quarters of the town of Owo. The title has had an extremely unfortunate history and it has been stated by historical authorities that during the hundred and twenty years in which that title has been in existence, the family has been in exile—banished from the area—for a matter of fifty years and a number of Ojomos have died in exile—a most unhappy history. Of the modern troubles out of the many troubles which have beset this unfortunate chieftaincy during the hundred and twenty years, the most modern started in 1937 when the then Ojomo arrived at Oyo wearing a beaded crown to which—I have on very good authority sitting not far from me—he never had been and never could be entitled. That started the trouble and I can assure this Honourable House that trouble has never really stopped since that moment. In fact in recent years the trouble has got steadily intensified. In despair eventually, to try and find some way out of this impossible position, I arranged for an enquiry to be held, the members of which were:—

The Oni of Ife,
The Oshemawe of Ondo,
The Ewi of Aḍo-Ekiti.

They made a recommendation, part of which reads as follows, if I may be allowed to quote :—

“The creation of the Ojomo title was a great political blunder on the part of the late Olowo and confusion cannot cease in Owo town so long as the Ojomo title is allowed to exist with all the privileges associated with the title of Ojomo. Since the creation of Ojomo title there has been no peace at all or at least between the Olowo and the Ojomo”.

At the time that that recommendation was made the Ojomo was alive. Only a short time after he died and the recommendation of the enquiry of the three Chiefs was implemented : that in the case of the death of the Ojomo the title should be abolished. That brings us up fairly well to the present day. In regard to the abolition of the title after the death of the Ojomo, I referred the matter to Your Excellency who stated that you were satisfied that the Olowo and Councillors acted within their rights in accordance with Custom and Tradition in abolishing the title of Ojomo and that this act was in the best interests of the area of which the Ijebu quarter forms an integral part and that the Olowo and Council would be well advised to accept the recommendations of the three Chiefs. The question of whether the Ojomo should be entitled to the traditionally recognised privileges of the title is a matter which is not before us in the present motion. That was written before the enquiry of the sub-Committee of this House. The sub-Committee of this House made recommendations with which, naturally, I voted in favour and I am in full agreement with them.

“The Committee having carefully considered both the historical background to the creation of the title of Ojomo Owo and the circumstances which led up to the recent dispute concerning this chieftaincy recommend that, in the interests of peace and tranquillity in Owo, Government should give earnest consideration to the restoration of the title of Ojomo Owo but that this restoration should be subject to a clear undertaking in writing being given by the recipient of the title that he will abandon all claims now and in the future to the right to wear a beaded crown”.

Now, the last hundred and twenty years history has proved that that title has brought nothing but chaos, disruption and bad government to the area known as Owo. The reason for this is not far to seek. This title was given to a younger brother of the Olowo and carried with it no beaded crown as indeed it could not, because the Olowo had no authority to give a beaded crown. Nevertheless the family have—and this is what started the whole trouble—claimed that the Ojomo holds a quasi-independent status and that he is entitled to wear the beaded crown of an Oba. Ijebu Quarter is just one quarter of a town and it is easy for any person with a knowledge of the place and knowledge of Yoruba land to know that you had there all the ingredients of trouble :—The family of a younger brother claiming that to which they are not entitled, claiming all sorts of privileges which everybody knows they have no right to. There you have a state in which peace, good government and tranquillity are impossible and that is why I did as I was instructed to do—I gave earnest consideration to this suggestion. It was perfectly obvious. Not only did I give earnest consideration to it but the responsible persons on the spot including the Native Authority and the Senior Chiefs other than those from the Ijebu Quarter, gave this also earnest consideration and I am assured and I can assure this House that peace and tranquillity will go from Owo if that chieftaincy is reinstated. I will go further and say that whatever may be done, whatever may be signed in the way of abandoning all claim in the future to the right of wearing a beaded

[C.C.W.P.]

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crown, whatever happens I am absolutely certain that if that title were re-introduced, within a very short time you would see the Ojomo wearing a beaded crown again and all the trouble would start all over again.

I oppose the motion most heartily.

His Excellency :

If no other Honourable Member wishes to speak, the mover has the right of reply.

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

Your Excellency, my task in replying to the rejoinder of His Honour is easy, because he has not adduced one valid point to justify what he had done as I was sure he couldn't. He agrees with me that the Ojomo Chieftaincy is an important title, but points out that because of certain actions on the part of the wearer or the holder of that title it had been a source of anxiety and the cause of tension in Owo. Granted. But my point, Sir, is that I referred the House to the recommendations of the Select Committee which made a condition for restoring that title, that the Ojomo was not to wear a beaded crown.

The reply of His Honour is purely hypothetical. He says that if the Chieftaincy is restored there would be trouble. No doubt he has grounds for holding such a view ; but I am suggesting, Sir, that the Report of the Select Committee had carefully gone over the historical background of this Chieftaincy and had made it definitely clear that whoever is elected Ojomo shall not have the right to wear a beaded crown. It is for His Honour to tell us that the Select Committee had erred in coming to that conclusion, which he has not done. He has also pointed out to us that the matter was referred to Your Excellency ; but from what he says, it is clear that Your Excellency's reply is in support of this motion, because Your Excellency favours restoration on condition the nominee should be the Ojomo Owo.

I expected His Honour to lead argument to show that the Ojomo Owo is not a fit and proper person or had given an indication that he would not live up to the recommendations contained in this Report, but none was forthcoming. I, therefore, submit with respect that His Honour has not satisfied me, and I am also submitting, Sir, that in my opinion, he has not adduced argument to satisfy this House that the action of the Executive in this respect was fully justified.

I want to call His Honour's attention to the fact that, we Members of the Legislative Council, are advisers to the Government. It is true that under the present political set-up, Government is not bound to accept our advice, but where we find a celebrated personage like His Highness the Oni of Ife who, I am glad to hear, served on the Commission of Enquiry originally appointed by His Honour to investigate this issue and also had distinction of serving on the Select Committee of this Honourable House—recommending the restoration of this Chieftaincy, it is evident that a case has been made against His Honour's regime.

The fact that His Honour referred the matter to you *ab initio* destroys his whole argument, in view of Your Excellency's reaction, and I may say here, Sir, that even when the Commission of Enquiry appointed by His Honour went into the matter, they found that the cause of the trouble was because the Ojomo had assumed certain prerogatives ; that was why the Select Committee made it one of the grounds for restoration that, the Ojomo should not wear a beaded crown and enjoy certain other privileges.

[N. Azikiwe]

[Motion : Ojomo Chieftaincy Dispute]

I am submitting with respect that, on the basis of the argument presented to this House, the motion stands favourably to gain the support of the Honourable Members and, in the absence of any other point to show that the Chieftaincy is not necessary, I am requesting the House to accept this motion, Sir.

His Excellency :

The question is in the terms of the motion. The Nos have it.

Resolved in the negative.

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

Your Excellency, I beg leave of the House to postpone my argument on the next motion on the Order Paper until to-morrow.

The Hon. the Chief Secretary to the Government :

With your Excellency's permission may I say a few words on the Honourable Member's request to postpone this motion. On the first day of our meeting I did lay before the House a programme of business which took into account the desire of Honourable Members to discuss their own private motions, as distinct from Government motions ; and we did set aside Friday as Private Members' day. Now Sir, this morning's debates have taken rather longer than we had estimated ; Wednesday's debates were shorter than estimated as Honourable Members will remember. Our estimates have been bad. Nevertheless, Sir, we are getting near the end of the week within which Honourable Members hope to get away. I would not for one moment wish to do anything more than point out to the Honourable Member that he has made it very difficult for the House if we are to get through our business in the time left to us. I am sure he will understand that we should have no objection to taking his motion to-morrow provided we can get at it ; and provided we can get through the rest of the Government business on the programme first. If necessary Sir, I should have to ask the House's permission to take Bills before Motions.

His Excellency :

Perhaps I may intervene at this stage because it is coming near the time for adjournment that being our custom on a Friday. It is the first time in my experience that we have not completed the business on our order paper. It may be that the Chief Secretary will move an adjournment because we have not finished the business on the order paper. There is not the same pressure on this House as there is on the House of Commons nor have we the same strict rules about the hours and the order in which business is taken. I am sure none of the Honourable Members of this House would do other than work long hours, or stay many days to carry out their duties to the people they represent and serve. All that we try to do is to arrange the business of the House, within such periods as may be available, so that we do complete all the business before us and then we can go home feeling we have done our duty. I suggest that at this stage there should be a motion for the adjournment by the Chief Secretary, which I hope will be acceptable to the House and that we should meet again to-morrow morning at a very early hour, say 9 o'clock. In that event the present motion would stand as part of the business and would be adjourned with the rest of the business. The suggestion would be that to-morrow we should suspend Standing Orders so that we can dispose of the remainder of the Bills. We should then take the Motions in order and hope to complete them to-morrow. If

[*H.E. the Governor*]

[*Business of the House*]

I can judge the temper of the House Honourable Members would be prepared to sit long hours to-morrow—morning, afternoon and through into the night. If I were to hazard a further guess regarding the wishes of the House, if it came to such a time as midnight on Saturday and the Sabbath was coming along and the only matter left over was a motion that had not been taken to-day because the motion was not ready then I think the Honourable Members might decide not to resume on Monday. I suggest that we have an adjournment now and start at 9 o'clock in the morning and go ahead with the Bills.

The Hon. the Chief Secretary to the Government :

We have four Government Motions to-morrow, Sir.

His Excellency :

We can go ahead with the motions then possibly I think letting this one lose its priority and see how far we get to-morrow. Would that be acceptable to Members? If so, perhaps the Chief Secretary would put it formally.

The Hon. the Chief Secretary to the Government :

Sir, I move the adjournment of the House.

The Hon. the Attorney-General :

Sir, I beg to second.

His Excellency :

The question is that the House be adjourned until 9 o'clock to-morrow morning.

The ayes have it.

ADJOURNMENT

Council adjourned at 1.35 p.m.

Debates in the Legislative Council of Nigeria

Saturday, 25th August, 1951

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9 a.m. on Saturday, the 25th of August, 1951.

PRESENT

OFFICIAL MEMBERS

- His Excellency the Governor,
Sir John S. Macpherson, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable A. E. T. Benson.
- The Chief Commissioner, Western Provinces,
His Honour Sir Chandos Hoskyns-Abrahall, C.M.G.
- The Chief Commissioner, Northern Provinces,
His Honour Captain Sir Eric Thompstone, K.B.E., C.M.G., M.C.
- The Chief Commissioner, Eastern Provinces,
His Honour Commander J. G. Pyke-Nott, C.M.G., R.N.
- The Attorney-General,
The Honourable A. McKisack.
- The Acting Financial Secretary,
The Honourable R. W. Baker-Beall, M.B.E.
- The Director of Medical Services,
Dr the Honourable S. L. A. Manuwa, O.B.E.
- The Acting Development Secretary,
The Honourable H. R. E. Browne, O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson, C.M.G.
- The Acting Director of Agriculture,
The Honourable D. H. Brown.
- The Director of Public Works,
The Honourable A. McDonald.
- The Commissioner of Labour,
The Honourable A. H. Couzens.
- The Acting Commissioner of the Colony,
The Honourable W. Fowler.
- The Senior Resident, Plateau Province,
The Honourable C. R. Niven, M.C.
- The Resident, Owerri Province,
The Honourable J. S. Smith.
- The Resident, Benin Province,
The Honourable R. J. M. Curwen.

UNOFFICIAL MEMBERS

- The Member for the Colony,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The First Member for the Western Provinces,
The Honourable A. Obisesan, O.B.E.
- The Second Member for the Western Provinces,
The Honourable T. A. Odutola, O.B.E.
- The Emir of Gwandu,
The Honourable Yahaya, C.M.G., C.B.E.
- The Emir of Katsina,
Alhaji the Honourable Usuman Nagogo, C.B.E.
- The Oni of Ife,
The Honourable Sir Adesoji Aderemi, K.B.E., C.M.G.
- The Oba of Benin,
The Honourable Akenzua II, C.M.G.
- The Atta of Igbirra,
Alhaji the Honourable Ibrahim.
- The Emir of Abuja,
The Honourable Sulemanu Barau.
- The First Member for the Northern Provinces,
The Honourable Bello Kano.
- The First Member for the Eastern Provinces,
The Honourable C. D. Onyeama.
- The Second Member for the Northern Provinces,
The Honourable Abubakar Tafawa Balewa.
- The Second Member for the Eastern Provinces,
The Honourable H. Buowari Brown, O.B.E.
- The Third Member for the Northern Provinces,
The Honourable Iro Katsina.
- The Third Member for the Eastern Provinces,
The Honourable A. Ikoku, O.B.E.
- The Fourth Member for the Northern Provinces,
The Honourable Aliyu, Makaman Bida.
- The Fourth Member for the Eastern Provinces,
The Honourable Sir Francis A. Ibiam, K.B.E.
- The Second Lagos Member,
Dr the Honourable N. Azikiwe.
- The First Nominated Member,
The Honourable P. J. Rogers.
- The Fifth Member for the Northern Provinces,
The Honourable Yahaya Ilorin.
- The Third Member for the Western Provinces,
The Honourable G. I. Obaseki, C.B.E.
- The Fifth Member for the Eastern Provinces,
The Honourable N. Essien.
- The Member for Calabar,
The Honourable E. E. E. Anwan.

The Second Nominated Member,
Major the Honourable J. West, M.C., E.D.

The Fourth Member for the Western Provinces,
The Honourable A. Soetan.

ABSENT

UNOFFICIAL MEMBERS

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

The Third Lagos Member,
The Honourable Adeleke Adedoyin.

The Third Nominated Member,
The Honourable N. B. Edwards.

PRAYERS

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

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 24th of August, 1951, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following paper:—

Annual Report and Accounts of the Western Regional Development Board 1950-51: Tabled in the Western House of Assembly, 17th July, 1951.

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to lay on the table the following paper:—

Report of the Standing Committee on Finance for the period March to August, 1951.

QUESTIONS

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

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

To supply the following information—

- (a) List of Secondary Schools and Teachers Training Institutions in Nigeria which have received any form of Government Grants (*i.e.* Grants-in-Aid, Building, Special, Development Scheme, etc.) during 1946-50, showing the total amount, during the five years as well, paid under each item of the Grants.
- (b) The Proprietors or the Denominations of the Schools and Institutions in (a) above.
- (c) In view of the present disadvantageous position of the Muslims in educational matters, what, in detail, Government proposes to do to help the existing Muslim Secondary Schools and Teachers Training Institutions and to encourage the Muslims in general in educational

[Adeleke Adedoyin]

[Question]

matters with a view to bridging the gap between the standard of education of the Christians on one part and the Muslims on the other part so that the Muslims who constitute a very large portion of the community may not continue to be a cog in the wheel of Nigerian progress.

- (d) The number of Government scholars, including scholars under any other schemes sponsored by Government, from 1946 to 1950, inclusive, who, on completion of their course, are, or are to be, employed in educational institutions belonging to Voluntary Agencies, giving the names of the Voluntary Agencies concerned and the number of scholars in each.
- (e) The number of scholars such as in (d) above who are or are to be attached to Muslim institutions.

Of the

206 Scholarships.

102 Training Courses.

335 { 268 Promotions from the Junior to the Senior Service.
67 Direct appointments to the Senior Service under Nigerianisation Programme, as published in Government Notice No. 328 in *Gazette* No. 12 of 8th March, 1951.

- (f) How many Muslims included in the awards and appointments stated in (e) above are in:—
- (i) The Northern Region.
- (ii) The Western Region.
- (iii) The Eastern Region.
- (g) How many members of the Central Scholarship Selection Board are Muslims?

Answer—

The Hon. the Director of Education :

(a) and (b) I regret that the full data sought in this question (notice of which was given only ten days before the meeting began) cannot be supplied to the Honourable Member during the present sitting of this Council. The overall picture, however, can be deduced from papers laid on the table in recent years and notably from the Chapters on Finance in the Departmental Annual Reports and from the Annual Reports on the General Progress of Development and Welfare Schemes. The Honourable Member's attention is also invited to the replies which have been given from time to time to ancillary questions as, for example, to Question No. 292 at the penultimate session of this Council.

(c) The present position of Muslims in educational matters derives from historical reasons with the nature of which this Council is fully conversant. The Honourable Member will also be aware of the steps taken to redress the balance in the Northern Region (where the inhabitants are predominantly Muslim) under the Ten Year Plan of Development and, still more recently, under the Revised Plan for that Region. More generally the Honourable Member is reminded that one of the conditions of a grant-in-aid is that "no pupil has been refused admission to the school on religious grounds". A recent survey in the Colony Area demonstrated that the percentage of

[Director of Education]

[Answer]

children of the Muslim Faith in Primary Schools is very close to the percentage of Muslims in the total population of the area surveyed. As was pointed out, however, in the reply which was given to Question No. 73, Government does not keep statistics showing the religious beliefs of the pupils under instruction.

The following figures apply to schools in the Lagos and Colony Area of which the proprietors are Voluntary Agencies with specifically Muslim titles, viz: Ansar-ud-Din, Ahmadiya, Zumnatul Islamiya:—

- (1) Aided Primary (1950) Boys 3,161 Girls 1,402 Total 4,563.
- (2) Special Purposes Grant towards cost of building Ansar-ud-Din Secondary School at Isolo: £2,500 (out of a total of £12,400 available in financial year 1950-51) being part of a total promised grant of £7,500.
- (3) The Secondary School owned by the Ahmadiya Movement is scheduled for aid under Section 26 of the Grant-in-Aid Regulations in 1952, provided that:—
 - (a) the staffing has by then reached the standard required by Table IIC of the Regulations;
 - (b) the physical conditions are those of other secondary schools already aided under the Regulations.

(d) Under Regulation 31 of Schedule "A" to the Education Ordinance (No. 39 of 1948), "A grant may be paid to an approved Voluntary Agency as a reimbursement of expenses incurred by the Voluntary Agency in meeting the cost of training teachers in the Secondary Schools or Teacher-Training Institutions of the Voluntary Agency, at any University or post-Secondary Colleges in West Africa or overseas". Since the promulgation of the Grant-in-Aid Regulations, 112 awards have been made under this Section for the training of teachers in Nigerian Secondary Schools, divided as follows: the Church Missionary Society 35; the Methodist Mission 16; the Roman Catholic Missions 18; African Church 3; Aionian Group of Schools 17; American Baptist Mission 9; Church of Scotland Mission 4; Qua Iboe Mission 3; Basel Mission 1; N.D.P. 1; Others 5. The preceding figures do not include students awarded scholarships or bursaries under the Government Scholarship and Further Training Scheme. It is regretted that in the time available it has not been possible to provide the information sought so far as scholars in this category who have completed their courses are concerned: and it would be impossible to give even a reasonably accurate forecast of the number of such scholars who, on completion of their courses of study, will be employed by Voluntary Agencies.

(e) The reply to this question is similar to that given in the last sentence under (d).

(f) The information sought could not be provided without reference to each Region and the majority of Departments and would involve the scrutiny by them of records of service on a scale which Government feels would be disproportionate to the value of the result.

(g) Panel Members of the Central Public Service Board were appointed by His Excellency, on the nomination of Chief Commissioners, to ensure adequate Regional representation and without regard to personal religious beliefs. It is understood, however, that of such Members six are Muslims.

MOTIONS

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the first motion standing in my name in the Order Paper of the Day, which reads as follows :—

“Be it resolved :

“That the Report of the Finance Committee which was laid on the “table today be adopted”.

This report, Sir, relates to meetings of the Standing Committee on Finance held in the months of March, May, June, July and August. The supplementary expenditure approved by the Committee and the other decisions taken by the Committee are set out in detail in the Report, and I do not think it is necessary for me to enlarge on its contents, save to assure Honourable Members that, as a result of our somewhat protracted sitting on Thursday the Committee has finally disposed of all pending business and left its house swept and garnished.

I should, however, like to add one small word in appreciation of the way in which Honourable Members of this Committee have met month after month, at no little personal inconvenience, to deal with the growing volume of our financial business. In the absence of the substantive Financial Secretary it has been my privilege to act as Chairman of the Committee on a number of occasions and, as this is the last occasion on which the Financial Secretary will be reporting to the Council on behalf of the Committee, I would wish to pay tribute to the keen sense of duty and public service which has animated the deliberations of the Committee, and to thank its Members for the way in which, by their generous consideration, they have made the task of their Chairman, which might have been such a difficult one, an easy and satisfying one.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Resolved in the affirmative.

The Hon. the Acting Financial Secretary :

I seek your Excellency's indulgence to reverse the order of the next two motions in the Order Paper. Owing to an oversight these have been shown in the Order Paper in the wrong order.

Your Excellency, I rise to move the resolution standing in my name in the Order Paper which reads as follows :—

NIGERIA

No. of 1951

RESOLUTION made under THE EXCISE ORDINANCE

(Cap. 65)

In exercise of the powers conferred by sub-section (3) of section 13 of the Excise Ordinance, it is hereby resolved by the Legislative Council as follows :—

Short title.

1. This resolution may be cited as the Excise Tariff (Cigarettes) Resolution, 1951.

[Ag. F.S.]

[Resolution : The Excise Tariff (Cigarettes)]

2. (1) The Excise Tariff (Cigarettes) Order in Council, 1951, is hereby confirmed and accordingly in lieu of the excise duties leviable on cigarettes before the coming into force of that Order in Council there shall be imposed, levied and paid for the service of Nigeria excise duty on all cigarettes manufactured in Nigeria as follows:—

Variation
of excise
duties on
cigarettes.

(a) where the weight of one thousand cigarettes does not exceed two and one-half pounds, a duty of forty *per centum* of the selling price; and

(b) where the weight of one thousand cigarettes exceeds two and one-half pounds, a duty of fifty *per centum* of the selling price.

(2) For the purpose of this resolution the expression "selling price" in relation to any cigarettes means—

(a) the price declared by the manufacturer to be the price, inclusive of excise duty, at which cigarettes of the same brand, weight, quality and description are ordinarily sold by him *ex factory*; or

(b) if it appears to the Comptroller that the price so declared is less than the cost of manufacture of the cigarettes together with the excise duty thereon and all profits taken or to be taken by the manufacturer in respect thereof, then a sum which, in the opinion of the Comptroller, is equal to such cost together with such excise duty and profits.

3. Part A of the First Schedule to the Excise Ordinance shall be amended accordingly.

Amendme
of Part A
of First
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Ordinanc

RESOLVED by the Legislative Council this day of 1951.

59582/S. 1

Clerk of the Legislative Council

The purpose of this resolution is to alter the basis on which excise duty is levied on cigarettes made in Nigeria. Under the present system, cigarettes which are sold from the factory at a price, exclusive of the duty, not exceeding £1 7s 6d a thousand pay excise duty of £1 5s a thousand. Cigarettes which are sold from the factory at a price, exclusive of duty, exceeding £1 7s 6d a thousand pay excise duty of £2 4s 6d. At present the only licensed manufacturer of cigarettes in Nigeria is the Nigerian Tobacco Company (the successor to the company popularly known as the "B.A.T.C.") It is, or may perhaps be, of interest to Honourable Members that an African gentleman in Lagos is now arranging to set up in business as a manufacturer. He has imported modern machinery for this purpose and is interesting himself in the local growing of tobacco. The Nigerian Tobacco Company manufactures two types of cigarette, the names of which are well known to Honourable Members. The "Bicycle" cigarette has hitherto sold *ex factory* for less than £1 7s 6d a thousand and has therefore paid the lower rate of excise duty. The more expensive "Pirate" cigarette has paid duty at the higher rate.

The Nigerian Tobacco Company has recently told the Government that the increased costs of imported tobacco and wrapping materials are such that the Company can no longer sell its "Bicycle" cigarettes at their present price. The last increase in the price to the consumer of "Bicycle" cigarettes sold loose was in November, 1947. During the last four years, prices of other commodities have risen but the Company has been able to carry on without increasing the price of "Bicycle". That happy state of affairs is no longer possible and the Government is satisfied that the price of "Bicycle" must rise. The difficulty is that if the price rises above £1 7s 6d a thousand, the cigarettes will immediately become liable to an additional duty of 19s 6d per thousand.

The Company would then have to increase its wholesale price inclusive of duty far beyond the price which consumers could reasonably be expected to pay for their cigarettes. This would be bad for the Company but it would be bad also for the revenue. If the sales of "Bicycle" fell away because of the great increase in duty, the Government would get less money rather than more.

I think, Sir, that it is appropriate for me to say at this point that locally manufactured cigarettes are the largest single source of income to the Government of Nigeria. It is estimated that at the rates of excise duty and import duty ruling last week, the Nigerian Tobacco Company would pay into the public revenues more than £2,800,000 during this calendar year in respect of its locally-manufactured cigarettes. Honourable Members will, I am sure, agree that a source of revenue which produces so much and which is, moreover, so easy and inexpensive to collect deserves at least the compliment of a fiscal system which has been carefully considered and is designed in the best interests of the industry as well as of the Treasury. The Government has therefore taken this opportunity of making a comprehensive examination of the system of import and excise duties on tobacco. The immediate request of the Company for a different dividing-line between the higher and lower excise groups could be met easily enough by a simple amendment of the figure £1 7s 6d per thousand for the lower group, but the time is ripe we feel, for a complete revision of the fiscal system. Proposals have therefore been worked out which, in the opinion of this Government, are in the best long-term interests of the tobacco industry and the public revenues. Those proposals are reflected in the resolution now before the Council and in the other resolution, relating to import duties, which also stands in my name in the Order of the Day. The revision is completed by the regulations amending the Customs Regulations in respect of drawback which were published in the *Extraordinary Gazette* last Monday.

One of the defects of the present system of charging excise is that it provides for only two classes of cigarette, distinguished as to price. The continuation of such a system would make it impossible for any manufacturer to produce a cigarette which would sell at a price as low as (say) a half-penny a cigarette. The excise duty alone would account for nearly two-thirds of this price. This has not been of any practical importance hitherto because the production of a really cheap cigarette has depended on the production of really large quantities of locally-grown Nigerian tobacco. In the past the Company has been unable to get enough locally-grown Nigerian tobacco to meet the demand for "Pirate" and "Bicycle" but now it seems as though the efforts made to increase the growing of tobacco by Nigerian farmers will be successful and that production will be sufficient in the next year or so not only to meet the demand for established brands but also to permit the introduction of new brands containing a greater proportion of locally-grown leaf. But use can only be made of this planned expansion of local tobacco growing if there is a system of excise duties which bears less heavily on the cheaper cigarettes than at present. The imposition of excise on a quantity basis or on a weight basis would mean that a cheaper cigarette would have to pay just the same duty as a more expensive cigarette. The only satisfactory basis is, therefore for the calculation of duty in proportion to selling price.

This, then is the reason why the resolution provides that excise duty shall be a fixed percentage of the selling price. The only complication, Sir, is the need to provide for a higher percentage to be applied to cigarettes weighing more than two and one-half pounds per thousand. These are

[*Ag. F.S.*][*Resolution : The Excise Tariff (Cigarettes)*]

what are termed "magnum" cigarettes. They are a wasteful cigarette—if for no other reason than that they have a bigger butt to throw away—and it is proper that if people wish to smoke these luxury cigarettes they should pay more for them and should make a larger contribution to the public revenue in respect of them.

It is necessary to say exactly what is meant by "selling price" and the resolution therefore contains a definition which is intended to ensure that the duty is related to the true price at which the manufacturer disposes of his cigarettes. Nigeria has been very fortunate in that the Company which has thus far been the sole manufacturer of cigarettes locally and the greatest single contributor to its revenues in recent years is a Company of such undoubted repute and integrity and a Company with which the Government has always had the happiest relations. I have no fear that we shall not be equally fortunate in all the concerns which may, in future years engage in the cigarette manufacturing industry. Nevertheless, the law must be drafted so as to be of general application; not designed to favour one party or to prejudice another. The definition is therefore drafted so as to prevent any evasion of duty by the declaration of a selling price below that actually charged by the manufacturer.

I turn now to the actual rate of duty proposed. This is for the cigarette or normal size, forty per cent of the selling price inclusive of excise duty. Lest anyone should have any doubts about how a duty can be calculated by taking a percentage of a larger sum which includes that duty, I hasten to explain that the purpose of this provision is to enable the duty to be assessed on the price at which the manufacturer will invoice his cigarettes to his distributor—this is obviously the most convenient figure on which to work. But it is universally true that an excise duty of forty per cent of a price which includes the excise duty is the same as two-thirds of the price excluding that duty.

What the percentage should be is clearly not a matter which can be determined by any precise or scientific method. The price which is paid by the actual smoker of a cigarette, the price at which he buys it loose in the street, must obviously be a price which gives to all who are concerned in its manufacture, distribution and sale, a reasonable margin of profit. It must also cover any taxation which the Government imposes on cigarettes. Finally, of course, the laws of supply and demand operate so that the price is no more than the smoker is willing to pay for his cigarettes having regard to his own economic circumstances, to the prices he has to pay for other articles which he uses and to the prices he has to pay for any other cigarette or any other form of tobacco which he cares to use. There is also one peculiarity of the cigarette trade which is of the greatest importance in the present connection. The final retail price of cigarettes must be such as will fit conveniently into the units of currency appropriate to the number of cigarettes being sold. For instance, Sir, the petty trader in the street in Lagos may sell a cigarette at one penny, or three half-pence, or two-pence, or at three for two-pence and so on; but the number of such prices is very limited where there is no coin in common use of a lower denomination than a half-penny. The manufacturer of cigarettes must therefore work out his price structure so that there is a convenient final price to the consumer as well as a reasonably profitable one to himself and the retailer. The Government must take the same factors into account in determining the amount of duty which it will impose. But the Government is, of course, in a much happier position than the manufacturer. The Government does not have to

consider its costs. Any taxation which the Government chooses to impose is pure profit—if one discounts the comparatively negligible cost of collection. And it should be remembered that this “profit” to the Government is very much greater than the profit taken by any other party to the manufacture, distribution and sale of the cigarette.

The Government has been supplied with the information it has sought about the price structure for locally manufactured cigarettes and has reached the conclusion that the proper percentage of selling price to be charged as duty on cigarettes of normal size is forty provided that there is collected in addition to this duty the import duty on the imported tobacco used in the manufacture of locally made cigarettes.

At present there are no cigarettes manufactured in Nigeria which do not contain a large proportion of imported tobacco. Even the cheaper cigarettes which the Nigerian Tobacco Company hopes to make will contain some admixture of imported leaf—although the Company plans ultimately to produce an all-Nigerian cigarette—made in Nigeria, by Nigerians from tobacco grown on Nigerian soil—as I have no doubt their competitors will do also. Any non-Nigerian tobacco used pays a duty of import. The rate of duty ruling until the changes made by Order-in-Council on Monday last was eight shillings per pound. Any licensed manufacturer of cigarettes was entitled to a “drawback” or refund of 4s per pound on imported tobacco which he used in making cigarettes. The net rate of duty paid by him was, therefore, 4s per pound. The proposal is that the rate of duty be increased to 10s per pound and that there should be no drawback. It is only if these changes are made that the percentage forty will be appropriate for use in calculating excise duty.

The changes in import duty which have been made by Order-in-Council will only remain effective if they are confirmed by resolution of this Council. It is for that reason that the second resolution stands in my name in the Order of the Day. I shall speak to that resolution, Sir, in due course but since the excise proposals are firmly linked with the import duty proposals, I must now explain briefly the import duty proposals resulting to unmanufactured tobacco.

As I explained a few minutes ago there are reasons for believing that there will be a very considerable planned expansion in the local growing of tobacco over the next few years. This is a development which the Government is anxious to encourage. The growing of tobacco is a field of agricultural activity additional to the “traditional” fields. It has the particular merit that it can be successful in areas not notably suitable for other agricultural activity. It can be carried on effectively without the use of “plantations” or large areas of land: it is an occupation for the peasant farmer. The Government would therefore be failing in its duty if it continued a fiscal system which might by its very nature deprive the farmer of a market for his tobacco when grown. There might well be such a result if the tariff structure permitted a manufacturer to make cigarettes with imported leaf and sell them at a lower price than that which was necessarily charged by a manufacturer relying wholly or in great part on Nigeria grown leaf. The Government’s view is that this possibility should be guarded against by removing the provision for drawback on unmanufactured tobacco and by adjusting the rate of excise duty accordingly.

Honourable Members will recall that the rate of duty on unmanufactured tobacco was increased from 5s 6d to 8s per pound as recently as last March and may question the need for a further increase of 2s per pound now.

[Ag. F.S.]

[Resolution : *The Excise Tariff (Cigarettes)*]

This is a matter of particular interest to Honourable Members from the Eastern Region, where the bulk of the tobacco other than that imported for use in the manufacture of cigarettes is consumed. The Government has three reasons for the proposal. The validity of these reasons depends upon the truth of the assumption that the rate of duty proposed is not such as will cause a reduction in the volume of trade and is not such as to bear more heavily on the user of unmanufactured tobacco than on the smoker of cigarettes. I think, or I hope, that I can satisfy the Council on these points.

The three reasons for the proposal are. Firstly, the natural desire of the Government to increase its ordinary revenue at a time when its recurrent expenditure is rising rapidly, and thereby to lessen its dependence on such possibly non-recurrent revenue as that from export duties. Secondly, the Government welcomes any revenue proposal which will, without undue hardship to the taxpayer, increase the contribution made by the Eastern Region to the common purse in a degree proportionately greater than the increase in that contribution made by the other Regions. I am sure that the people of the Eastern Region will be ready to accept an opportunity of showing that it is not the willingness, but merely the means, to finance their own public expenditure which they have lacked in the past. Thirdly, the Government considers that an import duty of 10s per pound is a proper duty to charge on imported tobacco for use in manufacturing cigarettes if the user of imported leaf and the user of local leaf are to share equally the burden of taxation.

As to the assumptions to which I have referred—the Government has no reason to suppose that the additional duty now proposed will cause a reduction in the trade in raw tobacco and the calculations which the Government has made show that the smoker of cigarettes is presently paying much more in taxation than the consumer of an equal amount of raw tobacco. I therefore commend this proposal for an increase in duty to the Council.

If effect is given to these proposals, there will be an increase in revenue of the order of half a million pounds from the local production of cigarettes at the 1951 production levels. A further increase may be expected if and when plans for increasing that production take effect. This is no small sum—but the Government's purpose is not primarily to increase the revenue. It is to devise a sound fiscal structure.

Honourable Members will wish to know whether, if these proposals are accepted, the price of cigarettes will go up. I must, with some sorrow as a substantial contributor to this form of revenue myself, admit at once that they will. But prices will rise whether or not the proposals are accepted. The Government is satisfied that the Nigerian Tobacco Company and its predecessor have acted with proper restraint in their price-fixing policy and that there has been no change in their price structure for "Bicycle" cigarettes which would have justified any increase during the last four years in the final retail price of those cigarettes sold loose. Their price structure for "Pirate" cigarettes has been such as should have preserved the final retail price of those cigarettes sold loose from any increase over the last eight years. Nevertheless, it is common knowledge that there have been increases in the final retail price of those cigarettes—doubtless because the petty traders selling cigarettes wished to share in the increased purchasing power of the consumer. That final profit is already too large. It is certain that if the manufacturer increases its prices, the final retail prices of "Pirate" will rise yet again. The price of "Bicycle" should remain at the present level, which

is higher than the Company's price structure justifies. It is only proper that Government should have for the common purse some share in the increased amount which the smoker has shown himself willing to pay. The changes in duty which the Government proposes are such that they will not of themselves increase the final retail prices. Those final prices would, whether or not duty were increased, be charged to the smoker because of the inevitability of final prices which fit conveniently into the currency units. The increases in duty which the Government proposes will, however, be such as to give the Government, along with the other parties to the trade in cigarettes, an equitable portion of the additional amount paid by the smoker.

I think, Sir, that if these proposals are adopted, we shall have a reasoned and reasonable fiscal system for tobacco which is in its nature flexible and responsible to changing economic circumstances. As such I comment it to the Council.

Sir, I beg to move.

The Honourable the Attorney-General :

Sir, I beg to second.

Resolved in the affirmative.

The Hon. the Acting Financial Secretary :

Sir, I beg to move the resolution standing in my name in the Order Paper, as follows :—

NIGERIA

No. of 1951

**RESOLUTION made under THE CUSTOMS ORDINANCE
(Cap. 48)**

In exercise of the powers conferred by section 11 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—

Short title.

1. This resolution may be cited as the Customs (Amendment of Duties—Tobacco) Resolution, 1951.

Replacement
of Item 29
of Part I of
the Schedule
to the
Customs
Ordinance.

2. The Customs (Amendment of Duties—Tobacco) Order in Council, 1951, is hereby confirmed and accordingly Part I of the Schedule to the Customs Ordinance shall be amended by the deletion of item 29 thereof and the substitution therefor of the following:—

				£	s	d
"29. TOBACCO:						
(1) Unmanufactured	...	...	the pound	0	10	0
(2) Manufactured:						
(a) Cigars	...	...	the hundred	1	0	0
(b) Cigarettes	...	...	the pound	1	10	0
(3) Other manufactured tobacco and snuff	...	...	the pound	0	16	6"

RESOLVED by the Legislative Council this day of 1951.

53582/S. 1

Clerk of the Legislative Council

[Ag. F.S.]

[Resolution : *The Customs (Amendment of Duties—Tobacco)*]

The purpose of this resolution is to confirm three changes made in the system of import duties on tobacco by an Order in Council which took effect on Monday last.

The first change is the change in the rate of duty on unmanufactured tobacco from 8s to 10s per lb which I explained to this Council when introducing the resolution relating to excise duties. I do not think that Honourable Members will wish me to say more on that point but the other changes do require some explanation. They are a change in the basis of assessing duty on imported cigarettes ; and a change in the effective rate of that duty.

I should say, Sir, at the outset that although many of us have been made familiar, through the arts of modern specialists in the technique of advertising, with a great variety of brands of cigarettes, we are here concerned only with what are called the "trade" brands. Hitherto, a cigarette called "Guinea Gold", which is a magnum cigarette, has been the largest-selling cigarette in this country. The total importations of that cigarette and of others of similar quality preferred by the generality of smokers of imported cigarettes in this country are now at the rate of over fifteen million each month. The high-grade cigarettes such as "Players", "Gold Flake", "Players No. 3", "Churchman", etc., which are naturally more expensive, are imported at the rate of only about one and a half million each month. The cigarettes which are important from the point of view of the trade and of the Government revenue are, then, the "trade" brands.

The largest importer of these cigarettes has recently volunteered the information to the Government that it is no longer able to cover its costs at the price which it obtains for its cigarettes in Nigeria. Apart from increases in price due to increases in import duty and an increase in January, 1950 to compensate for the devaluation of the pound sterling, the price of these cigarettes to the consumer has remained substantially the same since 1945, although during that period the prices of almost all other imported commodities have risen substantially. The Company proposes to increase its price for these cigarettes and the Government is satisfied that an increase is warranted.

As I explained to the Council in moving the previous resolution, the whole of the price and revenue structure of the cigarette trade is governed by the fact that the final retail price of cigarettes must be such as will fit conveniently into pence and half-pence. The Company's present price-structure is designed to secure that, after allowing a reasonable profit to the wholesaler and the retailer, the "Guinea Gold" cigarettes can be sold at five cigarettes for seven-pence. This is not a convenient price for petty trade and it is known that the cigarettes are, in fact, being sold at 1½d each, a price which gives the petty trader a profit of eight-pence per tin of fifty cigarettes more than the profit for which the price structure was designed. This is an unreasonably large profit. The increase in price to the distributors which the Company now finds it necessary to make is such that the petty trader must now fix another convenient price for the individual cigarette. This will undoubtedly be two-pence for each cigarette. This final price is such, however, that the importer, distributor, wholesaler and retailer could take reasonable profits and still leave a very substantial margin over. It is proper in these circumstances that the public revenue should have an increased share. In other words, if the price of cigarettes is to rise, it is proper that the import duty should also rise.

[*Ag. F.S.*][*Resolution : The Customs (Amendment of Duties—Tobacco)*]

The need for an increase in price and an increase in import duty makes it advisable to reconsider the basis of assessing duty. The present method is to impose a duty of seventy shillings per thousand so long as the weight of one thousand cigarettes does not exceed 3 lb and a duty of thirty shillings per lb on cigarettes which weigh more than 3 lb per thousand. The purpose of the special provision for cigarettes weighing more than 3 lb per thousand is to prevent the evasion of duty which would result from an unscrupulous importer bringing in cigarettes of, say, one hundred times the normal length and then cutting them up when duty had been paid. The assessment of the duty at so many shillings per thousand results in the same duty being paid on a magnum-sized cigarette as on a normal-sized cigarette. This has been a satisfactory arrangement until now because the greatest demand for imported cigarettes has been for these magnum-sized cigarettes. It is obvious that an importer must charge more for a magnum than for a normal cigarette made from the same tobacco even if the rate of duty is the same. The rising cost of imported tobacco and the rising costs of manufacture overseas have already brought the magnum cigarette to a price which does render itself less attractive to the local smoker. The further increase in price which the importer must now make is likely to intensify the swing away from the magnum towards a normal-sized cigarette of the same quality. This is a development which the Government welcomes. The magnum is a wasteful cigarette, and in addition it contains more tobacco and that means a larger dollar expenditure.

The present resolution, therefore, proposes that all imported cigarettes should pay duty according to weight.

The rate of duty which the Government proposes is thirty shillings per lb throughout. That is the rate presently applicable to cigarettes assessed to duty on a weight basis. It is estimated that the increase in revenue, which is not, of course, the primary purpose of the proposal, from import duty on cigarettes on this basis would be of the order of £100,000 over a twelve-month period at the rate of imports anticipated for the calendar year 1951.

Honourable Members will, I know, again want to know whether the increase in duty will of itself cause a rise in prices. So far as the smoker is concerned who buys his cigarettes loose (and, as I have said, these are the people who buy nine-tenths of the cigarettes imported into Nigeria), the increase in duty will cause no rise in price. Rising costs of manufacture will of themselves bring the price for the individual magnum to two-pence and the price of the individual "trade-brand" cigarette of the normal size to 1½d. The increase in duty will merely divert a fraction of the profit from the vendors to the Government—and very rightly so. The smoker with more expensive tastes—the smoker of the high-grade cigarettes—will be less fortunate. His tin of fifty is going to cost him nine-pence more; more even than this if he smokes a magnum. The duty will account for only one penny of this—the rest is the increased price which he must, in any event, pay for his pleasure because of costs in the United States and in the United Kingdom which are beyond our control.

Finally, Sir, may I express my gratitude to those behind the scenes—my colleagues in Finance Branch—by whose untiring efforts these complex proposals and calculations have, in a very short time, been reduced to the simple and orderly form which Honourable Members have before them—and, incidentally, have enabled me to explain them.

Sir, I beg to move.

[Ag. F.S.]

[Resolution : The Customs (Amendment of Export Duties)]

The Hon. the Attorney-General :

Sir, I beg to second.

*Resolved in the affirmative.***The Hon. the Acting Financial Secretary :**

Sir, I beg to move the following resolutions standing in my name which read as follows :—

NIGERIA**No. of 1951****RESOLUTION made under THE CUSTOMS ORDINANCE
(Cap. 48)****In exercise of the powers conferred by section 11 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—**1. This resolution may be cited as the Customs (Amendment of Export Short title.
Duties) Resolution, 1951.2. The Customs (Amendment of Export Duties) Order in Council, 1951, Amendment
is hereby confirmed and accordingly Part II of the Schedule to the Customs of export
Ordinance shall be amended by the deletion of items eight to thirty-three duties.
thereof and the substitution therefor of the following:—

- | | |
|--|---|
| <p>“8. Ground Nuts ...</p> <p>9. Ground Nut Oil ...</p> <p>10. Ground Nut Meal ...</p> <p>11. Ground Nut Cake ...</p> <p>12. Palm Kernels ...</p> <p>13. Palm Kernel Oil ...</p> <p>14. Palm Kernel Cake ...</p> <p>15. Palm Kernel Meal ...</p> <p>16. Palm Oil, Technical ...</p> <p>17. Palm Oil, Edible ...</p> <p>18. Bennisseed ...</p> <p>19. Cotton Seed ...</p> | <p>10 per cent <i>ad valorem</i> when the value, calculated in accordance with Regulation 103A of the Customs Regulations, does not exceed £65 per ton, with an additional one-tenth of 1 per cent for every £ or part of a £ by which the value, calculated as aforesaid, exceeds £65 per ton.</p> <p>10 per cent <i>ad valorem</i> on the value calculated in accordance with Regulation 103A of the Customs Regulations.</p> <p>10 per cent <i>ad valorem</i> when the value, calculated in accordance with Regulation 103A of the Customs Regulations, does not exceed £60 per ton, with an additional one-tenth of 1 per cent for every £ or part of a £ by which the value, calculated as aforesaid, exceeds £60 per ton.</p> <p>10 per cent <i>ad valorem</i> on the value calculated in accordance with Regulation 103A of the Customs Regulations.</p> <p>10 per cent <i>ad valorem</i> when the value, calculated in accordance with Regulation 103A of the Customs Regulations, does not exceed £85 per ton, with an additional one-tenth of 1 per cent for every £ or part of a £ by which the value, calculated as aforesaid, exceeds £85 per ton.</p> <p>10 per cent <i>ad valorem</i> on the value calculated in accordance with Regulation 103A of the Customs Regulations.</p> |
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Honourable Members will recall that at the Budget Session last March export duties on groundnuts, groundnut products, palm oil, palm kernels and palm products and benniseed were increased from the former rate of 6 per cent *ad valorem* to 10 per cent *ad valorem*. At the same time the duty on cocoa was revised from 6 per cent *ad valorem* to 10 per cent *ad valorem* when the world price does not exceed £150 per ton, with an additional one-tenth of 1 per cent in respect of every £ by which the world price is in excess of £150 per ton. Cotton and cotton seed were also added to the dutiable list, the duty being fixed at 10 per cent *ad valorem*.

It is now proposed to extend the system of a variable *ad valorem* duty which is at present levied on cocoa to groundnuts, palm kernels, palm oil which is described as technical and cotton lint. World prices for these commodities continue to run at very high levels. As has been repeatedly stated during the past few years, it is not possible in Nigerian conditions to use direct taxation as a means of securing for the community the maximum benefit from present high commodity prices. Government has accordingly pursued a policy of imposing comparatively high export duties, always, of course, on the understanding that these are regarded as special taxes that will be subject to review in the event of a drop in prices, and that the large amount of revenue accruing from them is to be treated as a windfall and not as a justification for a large increase in recurrent expenditure.

Any arrangement to skim off some of the proceeds accruing to Nigeria as a result of abnormally high selling prices has the dual effect of providing additional revenue, albeit of impermanent character, to Government, and of assisting Government to check inflation. The device of a graduated export duty is a most potent instrument to this end, and now that the Boards have built up such large reserves it is felt that its use should be explored to the utmost.

A scheme has accordingly been drawn up under which the past year's buying prices should form the base on which a 10 per cent duty should be levied and the graduation above that figure should take the form of 0.1 per cent increase for every additional £ increase in the Ministry of Food buying price above that base (the same differential as, in fact, has been adopted in the case of cocoa). On the latest available forecast of selling prices, the effect would be to impose a duty of 12 per cent on groundnuts and palm kernels, 14 per cent on palm oil and 15 per cent on cotton lint. These figures compare with the effective rate of 20 per cent that is reached in the case of cocoa when the price rises to £250. Given good crops and provided current prices are maintained, the additional revenue involved is of the order of £1,500,000 annually.

The proposals only relate to the main export crops, as it is considered that there would be no point in attempting to apply graduated duties to the minor Board crops (*i.e.*, benniseed and cotton seed), edible palm oil and the derived products such as groundnut oil, cake and meal. It is recommended that the fixed rate of 10 per cent should continue to apply to these exports.

These proposals are set out in detail in the resolution. Although they will not have any adverse effect on the finances of the Boards unless selling price forecasts are completely falsified by events, it is apparent that, bearing in mind the Boards costs and the allocations which they make from their sale proceeds for research and development, there is, with a rapidly rising increase in the effective rate of duty, a maximum to the basic producer price which can be paid without subsidy from the Boards' reserves. It is

therefore most desirable to keep the basis of the graduated duties under constant review in the light of world market price changes and Government proposes to inform the Boards that if further increases in export price bring the effective rate of duty to above 25 per cent, Government will examine the desirability of raising the "base" price on which the 10 per cent duty is levied so as to reduce the overall impact of the duty, as in such a situation too high a duty might well make it impossible for the Boards to pay an equitable price to the farmer.

Three other amendments to the existing law are also embodied in this resolution.

Representations have been received in the matter of crepe rubber that the present duty on all rubber exports of 10 per cent *ad valorem* on the average London spot price of No. 1 Ribbed Smoke Sheet is inequitable and likely to drive out of existence a small but valuable local export industry. The argument is based on the fact that crepe is manufactured from latex which has coagulated in the cup or on the cut, or which has dropped to the ground, and which would otherwise be wasted, since it can be used for no other purpose. While there would be less of such scrap on well managed estates and small holdings, it is not possible to prevent it altogether. It would clearly be wrong to reduce the duty on the lower grades of rubber exported in the raw form, since this would remove the present incentive to efficient production. Reduction of the duty on a product which is manufactured from scraps that would otherwise go to waste could not, however, in view of the low price of such waste, cause any diversion from the production of higher grade rubber.

It is proposed to reduce the export duty on crepe rubber to one half that on raw rubber.

Honourable Members will recall that the Select Committee on "Proposed New and Amended Export Duties of Customs" appointed at the last session of Legislative Council recommended that no duty should be imposed on plywood exported from Nigeria, on the ground that the imposition of such a duty might discourage the investment of capital in an industry of benefit to Nigeria. This recommendation was accepted by this Council, but my Honourable and Learned Friend the Attorney-General has advised that Resolution No. 4 of 1951 which was subsequently passed was so worded as in effect to make plywood dutiable. Your Excellency in Council accordingly authorised, on the 10th of July, refund of duty already collected on plywood and remission of duty until such time as the wording of the legislation could be corrected so as to give effect to the declared intention of this Council. The opportunity is, therefore, now taken to exempt plywood from export duty.

The last amendment is designed to extend to H.M. Forces and H.M. Navy in the matter of export duties the exemption at present accorded in regard to import duties. This question has hitherto been academic, but a recent export by the Military or a small quantity of palm oil has shown the need to add this formal exemption to the law, in accordance with the general principle that customs duties are not raised against H.M. Forces and Navy.

Sir, I beg to move.

The Hon. the Attorney-General :

Sir, I beg to second.

Resolved in the affirmative.

The Hon. the Chief Secretary to the Government :

Sir, in accordance with the notice I gave yesterday, I rise to move the suspension of Standing Orders to permit the House to proceed with the remainder of Government business that is on the Order Paper before the remaining motions are taken.

The Hon. the Attorney-General :

Sir, I beg to second.

His Excellency :

The question is that the Standing Rules and Orders be suspended for the purpose indicated.

The Ayes have it.

BILLS**(Second and Third Readings)****THE REGIONAL PRODUCTION DEVELOPMENT BOARDS
ORDINANCE, 1951****The Hon. the Acting Development Secretary :**

Sir, I rise to move the second reading of a Bill entitled :—

“An Ordinance to provide for the Reconstitution of the Northern, Eastern and Western Regional Production Development Boards, for the functions of the Boards, and for purposes connected with the matters aforesaid.”

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Development Secretary :

Sir, there are, I am afraid, a number of amendments with which I shall have to trouble the Council, and I shall explain them as briefly as possible. In clause 2 it is proposed to substitute for the definition of “Eastern Region” the following definition : “‘Eastern Region’ means the ‘Eastern Region of Nigeria as defined in the Nigeria (Constitution) Order in Council, 1951’”. For the definition of “Northern Region” substitute the following definition : “‘Northern Region’ means the ‘Northern Region of Nigeria as defined in the Nigeria (Constitution) Order in Council, 1951’”. For the definition of “Western Region” substitute the following definition : “‘Western Region’ means the ‘Western Region of Nigeria as defined in the Nigeria (Constitution) Order in Council, 1951’”. The reasons for these amendments, Sir, are that this Bill was drafted before the coming into force of that section of the Nigeria (Constitution) Order in Council, 1951 which defines the Regions.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 2 as amended.

Clause 3.

Clause 4.

The Hon. the Acting Development Secretary :

Clause 4 (c), Sir, I beg to move that the word "unofficial" should be inserted immediately after the words "at least half shall be". Clause 4 (d). I beg to move that the word "unofficial" should be inserted immediately after the words "at least half shall be". The purpose of this amendment, which has been suggested by the Western House of Assembly, is to ensure that the Members of the House of Assembly who are appointed to the Board should be Unofficial Members.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 4 as amended.

Clause 5.

The Hon. the Acting Development Secretary :

Clause 5 (c), Sir. I beg to move that the word "unofficial" should be inserted immediately after the words "at least half shall be".

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 5 as amended.

Clause 6.

The Hon. the Acting Development Secretary :

I beg to move that the word "fifteen" should be substituted for the word "thirteen". This is an amendment suggested by the Western House of Assembly.

Clause 6 (d) (i). I beg to move that the word "unofficial" should be inserted immediately after the words "at least half shall be".

Clause 6 (d) (ii). I beg to move that the word "eight" should be substituted for the word "six".

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 6 as amended.

Clauses 7-16.

Clause 17.

The Hon. the Acting Development Secretary :

Clause 17 (1) (a), Sir.

Sir, I beg to move that the word "or" should be inserted after the semicolon at the end of this sub-clause. The purpose, Sir, is to make it quite clear that each of the four purposes to which the Board can devote its funds are separate and distinct purposes.

Clause 17 (1) (c). I beg to move that this clause should be deleted and that there shall be substituted therefor :

"17 (1) (c) the economic benefit or prosperity of the areas of production, including the training of Nigerians in commerce and technical trades ; or"
The Western Regional House of Assembly has recommended that in addition to the four purposes for which the Board can formulate schemes there

should be added a further purpose—the training overseas in commerce and technical trades of Nigerians living within the Region concerned. It is thought that that amendment would be too wide in that it might permit the training of Nigerians for purposes outside the principles of the Bill. It would, however, be entirely proper for Nigerians to be trained overseas for purposes suitable to the purposes of the Bill and it is therefore proposed that this amended clause should be substituted.

Clause 17 (2). The last eighteen words of the proviso to be deleted and to be substituted therefor :—

“in proportion to the benefits which it is estimated will accrue from the scheme to each such industry, or to the producers in each such industry or to the areas of production of each such industry.”

This is purely a drafting amendment to make the meaning clearer.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 17 as amended.

Clause 18.

His Honour the Chief Commissioner, Western Provinces :

I have been advised that the capital “A” after “17” should be a small (*a*). But I have not had a chance of checking it myself. It is in line 368—“17 A” should be “17 (*a*)”.

The Hon. the Attorney-General :

In reply, I think it is correct as drafted. It refers to a new section that has been put in the Nigeria Cocoa Marketing Board Ordinance by the amending Ordinance at this meeting of the House and that is going in as “17 A” : it is a section that is not yet in the existing law.

His Excellency :

There is no amendment then ?

His Honour the Chief Commissioner, Western Provinces :

No amendment, Sir.

Clauses 19-23.

Clause 24.

The Hon. the Acting Development Secretary :

Sir, I beg to move that the words “with the approval of a Chief Commissioner” should be inserted after the word “may” in the third line of the clause. The purpose of this amendment, which has the approval of all the Regional Houses, is that the payment of fees or honoraria by the Board should be subject to the approval of the Chief Commissioner concerned.

Sir, I beg to move.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Clause 24 as amended.

Clauses 25-34.

First Schedule.

The Hon. the Acting Development Secretary :

Sir, I beg to move that the word “Board” be deleted from Item 2 in the First Schedule. This is a drafting error.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.
First Schedule as amended.
Second Schedule.
Title.
Council resumed.

The Hon. the Acting Development Secretary :

Sir, I beg to report this Bill from Committee with several amendments, and I move that the Bill be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.
Bill read a third time and passed.

THE NIGERIA COCOA MARKETING BOARD (AMENDMENT)
 ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the second reading of a Bill entitled :—
 “An Ordinance further to amend the Nigeria Cocoa Marketing Board Ordinance.”

The Hon. the Acting Financial Secretary :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-7.
Clause 8.

The Hon. the Acting Development Secretary :

It may perhaps save time if I explain before introducing these amendments that in this Bill and the three Bills which follow, the purpose of the amendments is exactly the same as the amendments which have just been made in the Regional Production Development Board's Ordinance.

I move that the word “or” should be added immediately after the word “Nigeria” in sub-clause (j) (1) clause 8 ; that sub-clause (j) (iii) should be deleted and that there should be substituted therefore

“The economic benefit or prosperity of the areas of production, including the training of Nigerians in commerce and technical trades, or”
 ; that a new sub-clause (j) (iv) should be added as follows :

“The preliminary investigation of any schemes within the provisions of paragraphs (i), (ii) and (iii) hereof ;”

Sir, I beg to move clause 8 as amended.

Clause 8 as amended.
Clauses 9-12.
Title.
Council resumed.

The Hon. the Acting Development Secretary :

Sir, I beg to report this Bill from Committee with several amendments and move that the Bill be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE PENSIONS ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the second reading of a Bill entitled :—

“An Ordinance for Regulating Pensions and Gratuities to be granted to Officers in respect of Offices held by them in His Majesty's Service in Nigeria”.

The Hon. The Attorney-General:

Sir, I beg to second.

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama):

Your Excellency, in rising to speak of this Bill I would like to state at the outset that I am in full agreement with the payment of pensions to officers who in every case have given the best years of their life to the service of Government. At the same time Sir, I have to point out that this is the first opportunity that this Council as at present constituted has had to deal with the whole question of pensions structure of the Government. The Honourable the Acting Financial Secretary said while moving this Bill for its first reading, that this Council accepted in principle the payment of pensions on expatriation allowance. When he gave the details it occurred at once that the Harragin recommendations were adopted by a Resolution of this House at a time when the Richards Constitution was not yet in force and when many of us—in fact I may say all of us—were not here in the capacity in which we now are. He went on further to say that the recommendations of the Select Committee were laid on the table of this House in March of 1947 but I would like to point out that in March of 1947 most of us were completely new to the procedure of this House—in fact, I did not understand what was meant by “laying on the table of papers” and for the Honourable the Acting Financial Secretary now to suggest that because I did not then protest I had accepted all the recommendations which had been laid on the table is not correct. Now Your Excellency, in the past three years, Sir, I think I have been a very consistent opponent of the principle of expatriation pay and in the last hour of my legislative activities I think I will maintain my position. It appears to me, Sir, that the term “expatriation” or “expatriate officer” can only have meaning when it refers to an officer who is serving outside his home. When that officer returns to his home it appears to me that he ceases to be an expatriate officer. Under the Harragin recommendations, it was made clear that the basic salary paid to officers is the real salary for the job and that the expatriation pay was an inducement to enable an officer to leave his home to come and serve in this country. Now, Sir, when this officer retires from the Service to my mind he ceases to be entitled to any further inducement to serve in this country because he is no longer serving in this country. It appears to me, Sir, on principle, that his pension must be calculated on

what his service was worth to this country and not on some imaginary allowance that was paid to him to come out. Secondly, Sir, on going through this Bill I have found evidence of discrimination. I would draw attention Sir, to clause 15 of the Bill which reads as follows :—

“If any person to whom a pension has been granted under this Ordinance otherwise than under section 17 or under any previous laws or regulations becomes either a director of any company the principal part of whose business is in any way directly concerned with Nigeria, or an officer or servant employed in Nigeria by any such company, without the prior permission of the Governor in writing, such pension shall cease if the Governor so directs :”

Now Your Excellency, the very first point which strikes me is this; that the majority of officers who would be employed as officers or servants of a company in Nigeria must of necessity be Nigerians or persons within the four sister Colonies of the West Coast. Now, if an expatriate officer were to retire and take up an appointment or become a Director of a company in England which has nothing to do with Nigeria, he does not lose his pension but if a Nigerian were employed as a clerk in the U.A.C. without the previous permission of the Governor, he would lose his pension. I think, Sir, that that is discrimination. It could certainly be argued that the wording of the clause makes it possible that anybody could be affected but in actualities it would be futile to deny that this clause of necessity affected Nigerians more than it would affect expatriate officers. The other point to which I should like to draw attention is clause 7. That provides, Your Excellency, for the granting of pensions in certain cases. The proviso to sub-clause 10 strikes me Sir, as a bit unnecessary if I may say so. It says :—

“Provided that a gratuity may be granted to a female officer, in accordance with the provisions of this Ordinance, who retires for the reason that she has married or is about to marry, notwithstanding that she is not otherwise eligible under this section for the grant of any pension or gratuity.”

Your Excellency, I would not agree to that. I will not say any more except that I disagree with it.

Now the point of principle to which I refer principally and that I am opposed to is the payment of pension on expatriation allowance and I am opposed to the discriminatory nature of portions of this Bill, these two points being in my view, the principal objections. I respectfully oppose a second reading of the Bill.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis A. Ibiam, K.B.E.) :

Your Excellency, I am also very much in favour of a pension for the Civil Servants of this Government and I believe, Sir, that early in our career in this House I did ask a question as to why there should be two pensions schemes—one for the European officer and one for the non-European officer—and I am glad now that a scheme has been brought to merge the two pension schemes together so that the Nigerians and the Europeans who are serving the Government of Nigeria would enjoy equal amenities so far as pension is concerned. But I feel there are many anomalies attached to this pension and I would like to point them out. There is a clear distinction between the rates of pay constant in the pension between the European officer and the Nigerian Civil Servant—who is an African. In one case the

[*Sir Francis A. Ibiyam*][*The Pensions Ordinance, 1951*]

European officer on retiring would have his pension calculated on a basis of 1/600th of his salary, whereas the African would have his calculated upon a constant which is 1/720th. I do not understand the reason for this difference. I take it, Sir, that a pension or gratuity is a means of saying "thank you" to servants who have given their services to any Government and thinking it out, I don't see the difference in saying "thank you". The African and the European have served the Nigerian Government in their time, faithfully and sincerely, and why now when they retire should one section of this staff be given a higher constant and the other one a lower constant. To start with, the Nigerian begins on a very long range of grade and except in very few cases, before he reaches say twenty to twenty five years in the service he will probably not rise up to 1st Class or higher than Assistant Chief Clerk grade. When he does retire he is even discouraged and given a lower constant in pension whereas the European officer when he arrives here begins on a very high salary and unless his competence is very low, in twenty years time he might be able to get to the top of his grade. When he retires he receives a higher pension. I think, Sir, that this is discrimination and I hope that this will be changed so that all officers retiring will get the same constant—the same rates of pension. Even now there are anomalies in salaries. I cannot understand, for instance, a Nigerian who is the Comptroller of Customs—and that is coming to pass—such a person on retiring gets a pension on a lower constant whereas a European who has also been a Comptroller of Customs when he retires, gets a higher constant although these two persons have given their services faithfully and sincerely. I cannot understand the discrimination at all. Your Excellency, this is the kind of thing that makes people in Nigeria feel that the Government is always thinking in terms of the benefit of the expatriate officer and not for the Nigerians themselves and I do not think it brings about goodwill at all. Right now, Sir, in our midst, there is an anomaly in salary where a non-expatriate officer gets pay lower than the expatriate officers who are under him. Then again there is that penalty attached to officers who are on retirement and on pension. If they committed any serious offence, or any offence at all—it does not mention the kind of offence—their pension would either be reduced or stopped. I do not see how that is equitable unless Government is prepared to define the type of offence which this Bill is seeking to define.

Like my Honourable Friend the First Member for the Eastern Provinces I have always argued against expatriation pay and although Government has always had its way in this matter I do not see again why this expatriation pay should be pensionable. This is a salary or allowance given to induce an expatriate officer to come to Nigeria to serve the Nigerian Government and I think, Sir, that when he retires this expatriation pay should not be pensionable.

If these differences are adjusted, I think that the Bill will be very acceptable to me.

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

Your Excellency, in introducing the Bill, the Honourable the Acting Financial Secretary pointed out that the Bill embodies no new principles, but even so, Sir, some African Members of the Service seem to exercise belief that the provisions in the Bill are merely to improve the pension conditions of the expatriate officers.

Now, an association of some African Civil Servants have asked me to raise three points; some of them were raised by the Honourable the Fourth

Member for the Eastern Provinces. One point, Sir, was that they are not against the provisions of the Bill as they stand, but they want the three points to be considered by the Government or by this House, and so they have asked us to press for amendments when we come to deal with the clauses in which these points come. The first point is they would like us to put a fresh recommendation or make a fresh provision in the Bill to allow for Civil Servants to retire after ten years of service on pension. The second, Sir, is they would like the provision in clause 14 to be only in relation to offences committed actually during one's period of service and thirdly, they would like to see the pension rate of the African Civil Servants in the Junior scale based on 1/600th constant for services before and after 1st January, 1946. My intention, Sir, is not to go into details of the three points which the Association of Nigerian Railway Civil Servants wanted me to bring to the notice of the House but I just want, to point out that it is most important now that the Government and this House should do everything possible to make it clear to all the African servants in the Service of Nigeria that discrimination does not exist. It is, Sir, up to the Government now to make a clear explanation. The provisions of the Bill are not merely to improve the pension conditions of the European servants alone, but also they are designed to improve the pension conditions of the African servants as well.

I would, Sir, like to comment on a point made by my Honourable Friend the First Member for the Eastern Provinces. He said, Sir, that in 1947 when the proposals were put before us, we were rather ignorant of what we were to do. I am very sorry because I take it that if through our ignorance we are invited to agree to something and through that ignorance we agree to it, we are bound I think, Sir, to stand by our word. Well, that might be a mistake on our part but I would warn the Members of the House that we should be very careful not to create the impression outside that Nigeria goes back on its word.

The Fourth Member for the Western Provinces (The Hon. A. Soetan) :

In supporting the objection to the reading of this Bill I wish to say, Sir, that most of the points on which I intended to speak have been covered and I agree with the Honourable the First Member for the Eastern Provinces. The objections to this Ordinance are (1) that it savours of discrimination and (2) that some of the terms are highly objectionable. To my mind, Sir, those who have borne the brunt of the day in Government service ought to be given sufficient encouragement to enjoy the fruits of their labour and, Your Excellency, I think that everything which will make the memories of their past services somewhat displeasing to them should be avoided. Section 14, Sir, is the point at issue where a pensioner suffers the loss of his pension for the mere fact that he was incarcerated or convicted for any offence whatsoever. It is highly unjustifiable, Sir, and the very fact that so many of these items are noted in certain sheets passed round in connection with the new Pensions Ordinance indicates to my mind that the Government realises that this Ordinance will not be acceptable, at any rate to the Unofficial Members, and I say, Sir, that this Ordinance should not be read a second time, and, if all the objections are not cleared, a fresh Ordinance should be drafted.

The Fifth Member for the Northern Provinces (The Hon. Yahaya Ilorin) :

Your Excellency, it is not the habit of this august House to oppose Government Bills unless where such Bills are not in the interests of the public. As your Excellency will have observed, many Bills have been passed in recent

[Yahaya Ilorin]

[*The Pensions Ordinance, 1951*]

years without opposition from this House. It is the policy of your Government, Your Excellency, to give great weight to public opinion. We are here to express public opinion and we are commending the criticisms raised on this Bill by previous speakers for careful consideration by Your Excellency. I personally will associate myself with the previous speakers and, in commending for Your Excellency's consideration the objectionable points already raised by previous speakers on this Bill, I oppose the second reading of the Bill unless these points are carefully considered.

The Hon. the Chief Secretary to the Government :

Sir, I had no intention at all of intervening on this Bill and I would not have done so, because it is (not) a subject with whose details I am not very familiar, except that some of the Honourable Members who have spoken have shown themselves to be under an entire misapprehension about one or two of the principles in the Bill. I think Sir, it was the Honourable the Third Member for the Eastern Provinces—a member of this Government in his capacity as a Member of Your Excellency's Executive Council—who suggested that one of the objects of this Bill was to introduce a discriminatory clause between Nigerians on the one hand and expatriates on the other as regard pension constant. Sir, this Bill seeks to do exactly the reverse. It seeks to make the pension constant for all officers 1/600th as distinct from the situation, which the Honourable Member from the North who spoke showed he clearly understood, that existed before 1946 when, I think, the constant for a local officer was 1/720th and the constant for an expatriate officer was variously, 1/600th or 1/480th. There was a difference then. The object of the clause referred to is to make the constant the same in accordance with Sir Walter Harragin's recommendations. I remember a passage from his Report where he said he could not see any justification for this distinction ; and the Government, and the Select Committee of the previous House, Sir, and this House as now constituted, have all accepted that report and fully endorsed it ; and the Government has taken this first opportunity open to it to introduce a Bill to remove that particular discrimination.

Government has not gone further Sir, as the First Honourable speaker from the North suggested, to make this retrospective to locally serving officers in respect of their period before 1946 and I think the Government is right not to do so for this reason ; that every serving officer of Government in fact enters into a contract with his employer ; he accepts certain terms and conditions of service when the appointment is offered to him. It is not simply a matter of there being no compulsion on the employer, which is Government, to go beyond the terms of the contract. As Honourable Members well know, this Government has a record to show that it is possibly the most fair employer in the world ; it pays more attention to the individual case than one could possibly expect any employer to do, and if it were simply a matter of sticking to the terms of the contract that would not be the normal practice of this Government or any other British Colonial Government under which I have had the honour to serve. No, Sir. The real points are these : firstly that the date taken for the whole of the Harragin recommendations was the 1st January, 1946, and all those recommendations must hang together ; if we went back before that date where would be stop ? And secondly it is a mere matter of pounds, shillings and pence : it has not thought it right to go beyond that, because if Honourable Members will just sit and think of the pension bill of this Government at the present moment and the enormous pension bill which would be created by taking the other step, it would saddle this territory with an enormous burden which it could not face

without a great deal of extra taxation. I am sure Honourable Members will agree that Government has taken the right step. As I say, the whole object of this Bill is to prevent any discrimination ; from now on the pension constant will be the same.

Now, Sir, if I may for a moment come to one other point which was raised. There is one other point in particular in respect of which the Honourable Members are under a misapprehension. The Honourable Member from the West who spoke said, amongst other things, that Government servants who retire ought to be given sufficient encouragement to sit back and enjoy the fruits of their labours. With that sentiment I, and I am sure every Member of this House is in entire agreement. The position is this : that an expatriate officer in these days who retires to the United Kingdom is going to have no chance whatsoever to sit back and enjoy the fruits of his labours if, by a resolution of this House, the pensionable element in the expatriation pay on which he has relied is to be removed. There is another point to make on that. The Honourable Member who first spoke in opposition to this second reading was not, I think, against expatriation pay in principle, but he was against the payment of pensions on expatriation pay after a man's retirement because, he said, expatriation pay was a matter of inducement. Well, Sir, inducement is not only, I am sure he will agree, what a man expects to get out of a job during the actual years when he is fit for work and giving his work to a territory and a climate which is not his own environment. The Honourable Member smiles. But he must give full weight to this : that if you wish to induce a man to come to this country, you must not think that you can pay him a salary here which will induce him to come for those twenty years and then throw him back to the United Kingdom knowing that he has got to get work again. A man does not look only fifteen to twenty years ahead, Sir ; he looks also beyond the twenty years to when he retires, and when he may say "I have given the best years of my life and (as the Honourable Member from the West said) I consider that I ought to be able to sit back and enjoy the fruits of my labours when I am too old to go out and do another job. Is what is left to me going to be enough ?" And if that man, Sir, is thinking of retiring to the United Kingdom, which is his home, he is going to look at his pension and work out what would be payable to him and say "No, it is not enough. Therefore I am not going to enter the Nigerian Service." Now, Sir, Honourable Members may say "Well and good ; let him not come." I do not think I want to say much on that, Sir. I do not think there is an Honourable Member in this House who would believe at the present moment that Nigeria can develop with the speed with which we want it to develop socially, economically and politically, unless it can obtain from overseas, in large numbers, for many years to come, those men who by their special training are alone equipped to help Nigerians themselves along the road they wish to walk. Let Honourable Members think of that very seriously and in all honesty. If they want those men, Sir, they have to pay them and I say quite firmly that the man who is embarking on a life's career does not look only twenty years ahead. One of the most important things he is thinking of is the position he is going to be in when his working days—his best days—are over.

Now, Sir, another point that was raised was the request that certain Government servants be allowed to retire on pension after ten years' service. I am sure the House will agree with me that there is a vast difference in principle between the purpose of a pension and the purpose of a gratuity. A pension, as Honourable Members have shown they agree, is to enable a man to sit back, to do some work possibly, but not work of the magnitude—the

strenuous work which he does during the best twenty years of his life. A pension is to enable a man to take it more easily during the declining years of his life. Now, Sir, it would be quite wrong to pay a man of thirty-four or thirty-five a pension. If a man is going to work for Government and give his life's work to Government, that man earns a pension, and he is justified in considering himself free from future worries. He will always know he has his pension until the day of his death. The man who comes to Government service for ten years only and leaves Government service at the age of thirty-four or thirty-five is still a young man. He must not be allowed to sit back; he must still work for his country; he is still fit and has got to go out into the heat and bustle of life and earn his pay. What do we do for him? We say "You have done magnificent work; you have worked for ten years and we are extremely grateful. We realise it is going to take you some time to get established in a new job". We say that even if, as seems most likely, the man who leaves after ten years, is going to some job where he can get more pay, thus benefitting from the experience he has got during his ten years with Government. Even so, we say "All right, thank you very much for your work. You are going to work for some commercial firm that can afford to pay more than Government. Here is a gratuity to keep you going until you get settled. This change will probably mean your leaving your house and moving about here and there, and here is a gratuity which will carry you over." Now, Sir, I think that is sound reasoning and utterly different from the principle which the Honourable Member suggested.

There is one final thing I want to speak about if I may have the indulgence of the House. Clause 15, Sir, of the Bill reads:—

"If any person to whom a pension has been granted under this Ordinance otherwise than under section 17 or under any previous laws or regulations becomes either a director of any company the principal part of whose business is in any way directly concerned with Nigeria, or an officer or servant employed in Nigeria by any such company, without the prior permission of the Governor in writing, such pension shall cease if the Governor so directs:—"

Now, Sir, this appears to be another sore point and I think again that a few Honourable Members are under a complete misapprehension. That clause, or a clause like it, has existed in Colonial legislation since the year dot. The object of the clause is quite clear. There is no discriminatory purpose about it whatever. That is proved, I think, by the fact that that clause or another clause very like it existed before any Nigerian was in a senior position in the Government service. That clause was designed, in fact, not against any officer, but with the European officer in view and its object is simply this: while I am working here, Sir, in this particular post, and many other Government officers working in other posts, we have access to certain information and secrets and discussion about general policy in Nigeria, to which the general public must not have access until the right time. For example—this may be a poor example, but I am sure it will be enough to illustrate my point to Honourable Members—if it was proposed to raise, as we raised today, the duties on tobacco, and the general public got to know about it six or seven months before hand, it is quite easy to see that a certain importer might import a fabulous quantity of the old duties, put it on the market with the new duties and thereby make an enormous profit which he had no right to make, and would not make if he had had no access to the information. No trader must be allowed get an unfair start. Honourable Members will be aware that this is just an example. A Government official may have access to all

kinds of information. Honourable Members know that there is an Order stating that all information which comes to any Government officer in the course of his duties is regarded as confidential; all Government officers are subject to the Official Secrets Act. Now when a man who has acquired certain information leaves Government service, goes into business, becomes the director of a company, uses that information, and puts his company into a position where they can get ahead of the others, there is a completely unfair advantage, acting not only to the benefit of his company, but to the detriment of other companies and to the people of Nigeria as a whole. That is the whole object of that clause. It applies to any officer. There is also, Sir, another reason, which applies mainly to expatriate officers. We all know that if there is a headmaster of a school who has done well as a headmaster, who then retires and is succeeded by a new headmaster, and the old headmaster continues to live in the school playing fields or near the school, an intolerably difficult situation is created for the new headmaster. All the assistant masters are saying "Under the last headmaster this course of action would never have been agreed. We were much better under the old headmaster" and so on—in fact the new man is hamstrung from the word "go", and cannot get on with his job. That principle applies very forcibly also to Government officers in certain cases.

Lastly, I would draw the attention of Honourable Members to the fact that the whole of this clause becomes inoperative if the prior permission of the Governor in writing is obtained. I do not need to tell Honourable Members that permission would never, save for good and solid reasons, be withheld. This is a safeguard clause; it is entirely non-discriminatory; and I think it is a sound clause.

I am most grateful to Honourable Members for listening to me for so long.

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

Your Excellency, I have preserved an open mind on this issue and I am indeed very grateful to the Honourable the Chief Secretary for clarifying certain misapprehensions, but I must confess that I am not convinced that discrimination of some sort has not been incorporated in this Bill. I must say that I do not dispute the good intentions of the framers of this Bill and I agree with him that there is need to make service conditions attractive and I also agree that no discrimination was intended when the Bill was prepared. However, I wish to associate myself with the views expressed by the previous speakers on this side of the House. I must make clear my position and that is that I do not disagree with the principle of pension in general, but I wish to say that I am opposed to the idea of expatriation allowance being added to pensions which are ordinarily based on emoluments if I am well informed on this point. Again one would think that expatriation allowance is paid on the ground that one has left one's home and has been compelled to keep two homes, but surely when one is pensioned such situations no longer exist to warrant the payment of an expatriation allowance. I am also opposed to the discriminatory measures implied in the Bill, particularly in respect of pensioners accepting certain appointments, such as directorships in limited liability companies; also the pension being computed on different constants and the granting of pensions to expatriate and not patriate officers when they retire on account of ill-health. There is no need for me to waste the time of the House in going into details over some of the objectionable clauses in this Bill, because my Honourable Colleagues have dealt with them, but I submit, Sir, that sub-clause (i) of clause 7 does not state whether or not the normal

[N. Azikiwe]

[The Pensions Ordinance, 1951]

retiring age of fifty-five still obtains unless it is implied in clause 8. I hope, Sir, this point will be cleared. On the principle that pension is granted for past services, it should not be disturbed by anything which has not occurred within the period of such service. I feel that there is need to amend clause 14 which provides for pension to cease on imprisonment for any offence.

In the First Schedule, regulation 4, Part II—I think that here is a clear case of discrimination. Subject to Your Excellency's permission may I just read the relevant part:—

“Subject to the provisions of the Ordinance and of these regulations every officer who holding a pensionable office in Nigeria, has been in the public service of Nigeria in a civil capacity for ten years or more may be granted on retirement a pension

- (a) in the case of an expatriate officer at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service ;
- (b) in the case of any other officer ;”

That is the point, Sir. Why that distinction between an expatriate officer and “in the case of any other officer.” I quite appreciate the official explanation but I submit, Sir, that it is not convincing to me.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Your Excellency, the Honourable the Acting Financial Secretary in introducing this Bill drew attention to the fact that it is in effect a seeking of legal validation to existing practices. I apologise if I have got it wrong there. But if that is so, then I fear that throwing the Bill out on second reading might just allow the existing practices to continue and in effect leave us just where we were ; therefore, I should beseech the House to press the various objectionable clauses to amendment, rather than throw the Bill out on second reading. I have always allowed the necessity for expatriation pay as based on the fact that we have not got enough native officers with the qualifications of the gentleman on my left for instance to carry on the services, and therefore if we have got to import friends to help us it is only fair and equitable that we should compensate them for the necessity to keep two homes. That, I think, is the official excuse for expatriation allowance. But when we want to compute pensions, presumably when the gentleman concerned has retired to his home, I fail to see any logical reason for computing pensions not only on basic salary, which is fair, but on expatriation pay at a moment the officer actually is not an expatriate. He has gone home as far as I know, or, if he chooses to be an expatriate in this country he is on his own. The Honourable the Chief Secretary to the Government in his exposition refers to hardship. I should like to know as a matter of fact whether the pay or rather, whether the pension that an expatriate officer who has retired and gone home to the United Kingdom would be drawing, would in fact be less than that of an officer of his grade who had served in the United Kingdom Government would be drawing. I think we want to arrive at an equitable solution and if I get a definite answer to that question it will help me, and I submit it will help other Members, to make up their minds. After that, I will continue, Your Excellency.

His Excellency :

I do not think the Honourable Member can just sit down and wait. The mover of the motion is bound to reply.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

If what we pay a retired expatriate officer is not less than he would have got in a comparable post in the United Kingdom Government, then I submit we have discharged our obligations by him. In other words, I oppose in principle the calculation of pension allowance on expatriation pay.

Coming to pension constants, I think I understood the Honourable the Chief Secretary to have tried to put across the idea of contract. Before 1st January, 1946, the pension constant for non-expatriates was 1/720th as against 1/600th for their expatriate colleagues. After that date, that is from 1st January, 1946, Sir Walter Harragin recommended that that anomaly should be abolished and the pension constant for expatriates and non-expatriate officers should be 1/600th. Now I think I understood the Honourable the Chief Secretary to say that the gentlemen had virtually contracted for 1/720th up to 31st December, 1945, and therefore they should stand by the terms of their contract and I think he went on to say that it would cost colossal sums of money to treat them more generously than the "contract" appeared to warrant. I agree as a matter of argument, but I think that as a matter of policy it might be worth buying the goodwill of the African civil servant by that extra expense. I think at this stage in our development no price should be regarded as too high to get white and black to agree. Believe it or not, Your Excellency, there is in the air an imaginary and often exaggerated notion, that the Europeans who are out here to do their best to help us are, a little too mindful of their own personal profits; we want to explode that myth once and for all. We know only too well that this is untrue of some of them. Mind you, I am not holding any brief for all. In every group—in every society—black and white, you have the man who is out for nothing but his own benefit but we know enough of the gentlemen with whom we work to say that it is a gross exaggeration to maintain that everybody is of this regrettable type, so I advise we should not dwell too much on contractual ideas, but do all we can to buy the goodwill of the Civil Servants, black and white, and cement the country together in the next march forward.

Finally, Your Excellency, I think at the back of all pension debates and at the back of all salary arguments is the idea that the African has a lower standard of living. I think we all deplore that idea very much. It has indeed not been stated explicitly this morning, but anybody with an eye to read between the lines will see it on every page and paragraph of this Bill we are debating, and I think we should not allow this idea to persist. I think the time has come for us to realise we must give up this idea. There is no civilized man in the world who would not like to have bacon and eggs for breakfast if he could afford it, and to proceed on the assumption of two different standards of life and living for two different races is only to court trouble and that trouble is bound to come, postpone it how we may. I do beseech this Council not to throw the Bill overboard, Sir, and not to accept every provision therein, but to have patience and go through it carefully and put things right on an equal footing for both races.

I understand I have not been called a good name for my doctrine of co-operation by some Honourable Members in the past and may not, even now, as I leave the Council.

Thank you, Your Excellency.

[N. Essien]

[The Pensions Ordinance, 1951]

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Your Excellency, I rise to support all that has already been said by my Honourable Colleagues in opposition to this Bill. I wish, Sir, to call Your Excellency's attention to Part 1 of this Bill on the first page on definitions. The first definition says, "Expatriate officer" means an officer who draws expatriation pay. The second one reads, "Expatriation pay" means such additions as may from time to time be attached to the salary of an office where the holder of such office for the time being has been declared by the Governor to be an expatriate officer".

Your Excellency, English language is a mysterious language and very flexible. I am not very learned in it but I think, Sir, this is a play with words. It is worth the while calling a spade a spade. I now give my own definition, Sir, to "expatriate officer". "Expatriate Officer", in accordance with the meaning of the word "expatriate", "means a person who leaves his own home and goes to another country and serves there. In that country he is a stranger or an alien". "Expatriation pay is payment made to the expatriate officer as an inducement to keep him in that country, without which he cannot remain there." Now, Sir, for the terms "Expatriate Officer", and "Expatriation pay", please, permit me to make a substitute therefor. It may be in complimentary; but for the purpose of argument, let me say that an expatriate officer is a prisoner, and expatriation pay is a shackle which ties him down in the country in which he works, without which he escapes from that country. When he leaves that country after his service, he is released and he goes back to his own home and enjoys freedom. Therefore, it is unreasonable and unlawful for him to run away with the chain which tied him down to the country in which he was jailed. If I am wrong I apologise. For that reason, Sir, let the prisoners be repatriated to the countries of their origin, and let the chains remain in Nigeria. Or, in other sense, there is discrimination in this Bill.

The next point, Sir, is one in section 14 about imprisonment.

His Excellency :

I hope the Honourable Members will stick to principles as far as possible. I have allowed latitude in the past. If this is a matter of detail perhaps the Honourable Member will just say he agrees with the previous speakers.

The Fifth Member for the Eastern Provinces (The Hon. N. Essien) :

Well, Sir, my views have already been aired by the previous speakers.

So far, Your Excellency, I beg leave to oppose the Bill.

His Excellency :

If no other Honourable Member wishes to speak I think the mover of the motion may reply.

The Hon. the Acting Financial Secretary :

Your Excellency, my Honourable friend the Chief Secretary has traversed the main issues of principle which have been raised by the Honourable Members of this Council who have opposed the second reading. He has done it far better than I could hope to have done and to my mind he has answered the issues which have been raised, conclusively. It only remains for me to advert on certain detailed points of principle which have been raised. On the main issue of the pensionability of expatriation pay I am unable to accept the contention of my Honourable and learned friend from

	<i>Ayes</i>	<i>Noes</i>
The Hon. the Fourth Member for the Western Provinces	—	1
The Hon. the Third Nominated Member	(Absent)	
The Hon. the Second Nominated Member	1	—
The Hon. the Member for Calabar	—	1
The Hon. the Third Lagos Member	(Absent)	
The Hon. the Fifth Member for the Eastern Provinces ..	—	1
The Hon. the Third Member for the Western Provinces ..	1	—
The Hon. the Fifth Member for the Northern Provinces ..	—	1
The Hon. the First Nominated Member	1	—
The Hon. the Second Lagos Member	—	1
The Hon. the Fourth Member for the Eastern Provinces ..	—	1
The Hon. the Fourth Member for the Northern Provinces	1	—
The Hon. the Third Member for the Eastern Provinces ..	—	1
The Hon. the Third Member for the Northern Provinces	1	—
The Hon. the Second Member for the Eastern Provinces ..	1	—
The Hon. the Second Member for the Northern Provinces	1	—
The Hon. the First Member for the Eastern Provinces ..	—	1
The Hon. the First Member for the Northern Provinces ..	1	—
The Hon. the Emir of Abuja	1	—
The Hon. the Attah of Igbirra	1	—
The Hon. the Oba of Benin	1	—
The Hon. the Oni of Ife	Abstained	
The Hon. the Emir of Katsina	1	—
The Hon. the Emir Gwandu	1	—
The Hon. the First Lagos Member	(Absent)	
The Hon. the Second Member for the Western Provinces	Abstained	
The Hon. the First Member for the Western Provinces ..	1	—
The Hon. the Member for the Colony	1	—
The Hon. the Resident, Benin Province	1	—
The Hon. the Resident, Owerri Province	1	—
The Hon. the Senior Resident, Plateau Province	1	—
The Hon. the Acting Commissioner of the Colony	1	—
The Hon. the Commissioner of Labour	1	—
The Hon. the Director of Public Works	1	—
The Hon. the Acting Director of Agriculture	1	—
The Hon. the Director of Education	1	—
The Hon. the Acting Development Secretary	1	—
The Hon. the Director of Medical Services	1	—
The Hon. the Acting Financial Secretary	1	—
The Hon. the Attorney-General	1	—
His Honour the Chief Commissioner, Western Provinces ..	1	—
His Honour the Chief Commissioner, Eastern Provinces ..	1	—
His Honour the Chief Commissioner, Northern Provinces	1	—
The Hon. the Chief Secretary to the Government	1	—
TOTAL	31	8
Ayes	31	
Noes	8	
Abstentions	2	

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

I respectfully move that the votes of the Official Members shall be disallowed under Rule 20 (6).

His Excellency :

I take it that the Honourable Member suggests that the Official Members' votes be disqualified on the grounds that they have a pecuniary interest ?

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Yes. They have a direct pecuniary interest in the enactment of this Bill.

His Excellency :

I am quite sure the Standing Rule was framed for use in quite different circumstances and that it was meant to apply to an individual who had a personal interest, not to a class of persons. I reject the request.

Bill read a second time.

His Excellency :

We might go into Committee after a short break ?

Council adjourned at 11.55 a.m.

Council resumed at 12.10 p.m.

His Excellency :

Council resolves itself into a Committee of the whole House to consider the Bill clause by clause.

Council in Committee.

Enactment

Clause 1.

Clause 2.

The Hon. the Acting Financial Secretary :

I beg to move the amendment of clause 2 in the following particulars. For the definition of "Expatriate Officer", the following shall be substituted : "Expatriate Officer means an officer who is declared to be such by the Governor". For the definition of "expatriation pay" the following shall be substituted : "expatriation pay" means such additions as may from time to time be attached to the salary of an office where the holder of such office is an expatriate officer. This is merely a transposition of the original definition for the purpose of clarification and in accordance with the model legislation which has been enacted in other territories.

Clause 2 as amended.

Clauses 3-6.

Clause 7.

The Hon. the Acting Financial Secretary :

I beg to move that clause 7 be amended by the insertion of the symbols and numeral "(1)" between the numeral "9" and the "," at the end of paragraph 2 of clause 7. The object of this, Sir, is to ensure that a pension is not payable to a female officer retiring in order to get married.

Clause 7 as amended.

Clauses 8-13.

Clause 14.

The Hon. the Acting Financial Secretary :

I beg to move that the side note to clause 14 be amended by the deletion of the words "Conviction to term" and the substitution therefor of the word "Sentence".

Clause 14 as amended.

Clause 15.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis Ibiām, K.B.E.) :

On a point of information, Sir, I would like to know whether an expatriate officer who is receiving pension from this Government, if he took a job in the United Kingdom or elsewhere not in Nigeria, would he be allowed or would he seek the permission of His Excellency the Governor.

The Hon. the Acting Financial Secretary :

The wording of it, Sir, is "becomes either the Director of any Company the principal point of whose business is in any not directly concerned with Nigeria".

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis Ibiām, K.B.E.) :

Therefore, if his business is not directly connected with Nigeria he could actually take a job in the United Kingdom and still receive pension from the Nigerian Government, and a Nigerian who is receiving a pension from the Nigerian Government could not do that in Nigeria unless he took such a job outside Nigeria.

The Hon. the Chief Secretary to the Government :

Unless he gets permission from the Governor—that is always a governing clause of the whole thing ; but if I may explain, Sir, the reason is this. Take first the man who takes a job in the United Kingdom : if the job he takes is directly concerned with Nigeria, that man has to get the Governor's permission before he can take it for the reasons given by me when speaking to the second reading of the Bill. Secondly the man who takes a job in Nigeria : because the job is in Nigeria it must be connected with Nigeria. That man also must therefore have the Governor's permission to take a job. The object, as I explained, is to ensure that a man should not be in a position unfairly to influence the job, or the affairs with which his job is connected, to the disadvantage of other people in Nigeria or to the detriment of Nigeria itself.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis Ibiām, K.B.E.) :

I am sorry to belabour this point, but I want to have it clear. Therefore, a Nigerian, if he were receiving pension from the Nigerian Government and he was domiciled in the United Kingdom or elsewhere apart from Nigeria, would he be allowed to take on a job there which is not connected with Nigeria at all ?

The Hon. the Chief Secretary to the Government :

Yes, Sir.

Clause 15 as amended.

Clause 16.

[*Ag. F.S.*][*The Pensions Ordinance, 1951*]**The Hon. the Acting Financial Secretary :**

I beg to move an amendment by the insertion of the word "the" between the words "for" and "purpose" appearing in the second line of clause 16 (2).

Clause 16 as amended.

Clauses 17-23.

Clause 24.

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis Ibiam, K.B.E.) :

Clause 24, Sir, on a point of information, I should like to know whether this particular clause is made to cater for officers who were in the Government of Palestine and does this also cover officers from any other area under His Majesty's Government ?

The Hon. the Attorney-General :

This is a special provision to cope with the situation which resulted from the large body of officers who formed the body of the Palestine Civil Service leaving Palestine—there was a large number at the same time—and, of course, there was a certain interval elapsing before those who did not retire were posted to other parts of the Commonwealth, and this is to prevent a break of service which would interfere with their pensionable rights and it does not apply to any other part of the Commonwealth except Palestine.

Clause 24 as amended.

Clause 25.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

I listened very carefully to the arguments of the Honourable the Acting Financial Secretary on the difficulties involved both by drawing the line and in cost, if we should attempt to apply the 1/600th constant to everybody, or at least to people still in Government service. I think, Sir, with due deference to the Honourable the Mover of this Bill that that was a purely financial and certainly not a moral argument.

His Excellency :

I hope the Honourable Member does not propose to discuss the principles of the Bill, which is not allowed. We are discussing clause 25.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

I was reading the schedule attached to clause 25.

Clause 25.

First Schedule.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

I was trying to say, Sir, that I am looking at it from the point of view of restitution, and I would like to move the following amendment if I may. In respect of Part II of section 4 (b) sub-section (i) which reads "in respect of public service prior to the 1st of January, 1946, at the rate of 1/720th", I would like to add, "except that any such officers as are by the date of the coming into operation of this Ordinance still in Government service shall

[A. Ikoku]

[The Pensions Ordinance, 1951]

receive pension at the rate set out in sub-section (2) of this Relation." In other words, I am seeking to extend the benefits of the 1/600th to all officers at present in the service.

His Excellency :

Have you got the amendment written down ?

The Hon. the Chief Secretary to the Government :

I wonder, Sir, if the Honourable Member would wish to proceed with this amendment if he realised that in order to avoid introducing a discriminatory clause into this Bill, he would also have to add some amendment to enable certain expatriate officers also still in the service to have a pension constant of 1/480th which they were on at that time ?

His Excellency :

I will read out the amendment to clause 4 (b) (i)—to add to the wording of that sub-clause : "except that any such officers as are by the date of the coming into operation of this Ordinance still in Government service shall receive pension at the rate set out in sub-section (2) of this Regulation."

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

If I may reply to what the Chief Secretary to the Government has just said.

His Excellency :

A Member is entitled to speak more than once in Committee.

The Third Member for the Eastern Provinces (The Hon. A. Ikoku, O.B.E.) :

Talking about 1/480th, Sir, it is again perpetrating a discrimination—opening the wound we are trying to heal—and we are trying to make it 1/600th for everybody, and the difficulty is, indeed I agree with the Honourable the Acting Financial Secretary, where to draw the line and to suggest where a line can conveniently be drawn for administrative purposes.

The Hon. the Acting Financial Secretary :

I must resist that amendment, Sir. In effect, as far as I can see it, it is merely introducing gross discrimination in order to obviate discrimination which does not in fact exist, and as I have said already the mechanics would be quite impossible. The officers on the 1/600th or 1/720th pension constant entered the service with their eyes open and it was part of the terms of service which they accepted.

His Excellency :

If no other Honourable Member wishes to speak the amendment is before the House. I shall put the question.

The "Noes" have it.

Regulation 25 of the Schedule.

The Hon. the Acting Financial Secretary :

I beg to move, Sir, that regulation 25 of the First Schedule be amended by the deletion of the word "expatriate" wherever it appears in the Regulation and in the side note thereto. It does, in fact, only appear in two places.

Regulation 25 as amended.

The Hon. the Chief Secretary to the Government :

Is it still open, Sir, to any Member to speak about earlier Regulations? We seem rather to have jumped. The whole schedule is before the Committee?

The Fourth Member for the Eastern Provinces (Dr the Hon. Sir Francis Ibiam, K.B.E.) :

May I ask a question as regards the proviso of No. 6 of the Regulation, Part II;—"provided that a member of the Queen Elizabeth Colonial Nursing Service who is an expatriate officer", and so on, what does that mean?

The Hon. the Acting Financial Secretary :

I think I can answer that, Sir, it is simply a question of the preservation of existing rights.

First Schedule as amended.

Second Schedule.

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move that regulation 4 in the Second Schedule be amended by the substitution of the figures and word "3 and 4" for the figures and word "2 and 3" appearing in the last line of regulation 4.

Second Schedule as amended.

Third Schedule.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to report this Bill from Committee with amendments and I move that it be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE NIGERIA OIL PALM PRODUCE MARKETING
(AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the second reading of a Bill entitled:—

"An Ordinance further to amend the Nigeria Oil Palm Produce Marketing Ordinance, 1949".

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

Clause 3.

The Hon. the Acting Development Secretary :

Sir, I beg to move that clause 3 be amended in the following respect. The word "or" to be added immediately after the word "Ordinance" in sub-clause (j) (i). Sub-clause (j) (iii) to be deleted and the following to be substituted therefor :

[*Ag. Dev. Sec.*][*The Nigeria Oil Palm Produce Marketing (Amendment) Ordinance, 1951*]

“(j) (iii) the economic benefit or prosperity of the areas of production including the training of Nigerians in commerce and technical trades ; or”
A new sub-clause (j) (iv) to be added as follows :

“the preliminary investigation of any schemes within the provisions of paragraphs (i) (ii) and (iii) hereof ;”

Clause 3 as amended.

Clauses 4 to 6.

Title.

Council resumed.

The Hon. the Acting Development Secretary :

Sir, I beg to report this Bill from Committee with amendment and I move that the Bill be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE NIGERIA GROUNDNUT MARKETING (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the second reading of the Bill entitled :—

“An Ordinance further to amend the Nigeria Groundnut Marketing Ordinance, 1949”.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Development Secretary :

Sir, I beg to move the following amendments : the substitution for the definition of “Eastern Region” of the following definition :

“ ‘Eastern Region’ means the ‘Eastern Region of Nigeria as defined in the Nigeria (Constitution) Order in Council 1951’ ; ”

Substitute for the definition of “Western Region” the following definition :

“ ‘Western Region’ means the ‘Western Region of Nigeria as defined in the Nigeria (Constitution) Order in Council 1951’ ; ”

There is no change in the definition of the Northern Region as that definition appears in the principle Ordinance.

Clause 2 as amended.

Clause 3.

The Hon. the Acting Development Secretary :

Sir, I beg to move that the expression “following” in line 2 be deleted and the word “following” be substituted therefor.

His Excellency :

Under the Standing Rules and Orders of the New House of Representatives, we will follow House of Commons procedure regarding such obvious errors.

Clause 3 as amended.

Clause 4.

The Hon. the Acting Development Secretary :

I beg to move that clause 4 should be amended in the following respects. Add the word "or" immediately after the word "Ordinance" in sub-clause (j) (i). Delete sub-clause (j) (iii) and substitute therefor :

"(j) (iii) the economic benefit or prosperity of the areas of production, including the training of Nigerians in commerce and technical trades ; or"

Add a new sub-clause (j) (iv) as follows :

"(j) (iv) the preliminary investigation of any schemes within the provisions of paragraphs (i) (ii) and (iii) hereof ;"

Clause 4 as amended.

Clauses 5 to 7.

Title.

Council resumed.

The Hon. the Acting Development Secretary :

Sir, I beg to report this Bill from Committee with several amendments, and I move that the Bill be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE NIGERIA COTTON MARKETING (AMENDMENT)
ORDINANCE, 1951

The Hon. the Acting Development Secretary :

Sir, I rise to move the second reading of a Bill entitled :—

"An Ordinance further to amend the Nigeria Cotton Marketing Ordinance, 1949".

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Title.

Council resumed.

The Hon. the Acting Development Secretary :

Sir, I beg to report this Bill from Committee without amendment, and I move that the Bill be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE GENERAL LOAN AND INSCRIBED STOCK
(AMENDMENT) ORDINANCE, 1951

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance to amend the General Loan and Inscribed Stock Ordinance”.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-9.

Clause 10.

Schedule.

The Hon. the Acting Financial Secretary :

Your Excellency, since the Bill was drafted the Legal Advisers to the Secretary of State have suggested certain further amendments which have been incorporated in the schedule in order to bring it into line with legislation elsewhere. I beg to move that the schedule be amended in the following particulars. I suggest that it would be most convenient to take the amendments in a block as it is to a schedule.

- (1) That the following words be inserted after the reference to section 3 :
“Section 4. For the word ‘London’ there shall be substituted the words ‘United Kingdom’.”
- (2) That for the full-stop at the end of the reference to section 24, there be substituted “;”, and the following words added : “and for the word ‘England’ there shall be substituted the words ‘United Kingdom’.”

His Excellency :

I hope the Honourable the Mover is disclaiming any responsibility from the Chair.

The Hon. the Acting Financial Secretary :

- (3) That in the fourth line of the reference to section 31 after the word “omitted”, there be inserted the words “in paragraph (a) for the word ‘date’ there should be substituted the word ‘dates’;”, and that in the last line of the reference the word “and” be omitted.
- (4) That after the reference to section 35 the following words be inserted :
“Section 38. For the word ‘England’ there shall be substituted the words ‘United Kingdom’.”

Schedule as amended.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report this Bill from Committee with amendment and move that it be now read a third time and passed.

The Hon. the Attorney-General :

I beg to second.

Bill read a third time and passed.

THE NATIVE AUTHORITY (AMENDMENT) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :—
 “An Ordinance further to amend the Native Authority Ordinance”.

His Honour the Chief Commissioner, Western Provinces :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-11.
Title.
Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment, and move that it be now read a third time and passed.

His Honour the Chief Commissioner, Western Provinces :

Sir, I beg to second.
Bill read a third time and passed.

THE TOWNSHIP SERVANTS (WITHDRAWAL FROM PROVIDENT FUND) ORDINANCE, 1951

The Hon. the Commissioner of Labour :

Sir, I beg to move the second reading of a Bill entitled :—
 “An Ordinance to prohibit Township Local Authority Servants from becoming Contributors to the Non-pensionable Township Local Authority Servants Provident Fund after the commencement of this Ordinance, to permit Depositors to withdraw from the Fund and to validate Withdrawals by Depositors already made”.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Clauses 1-2.
Clause 3.

The Hon. the Commissioner of Labour :

There is a small drafting error in the first line. I move that the word “Fund” be deleted and the word “Funds” be substituted therefor.

Clause 3 as amended.
Clauses 4-9.
Clause 10.

The Hon. the Commissioner of Labour :

In the third line, delete “shall be entitled to have” and substitute therefor, “to or shall be entitled to have”.

Clause 10 as amended.
Clauses 11-12.
Title.
Council resumed.

[Com. of Labour]

[The Townships Servants (Withdrawal from Provident Fund)
Ordinance, 1951]**The Hon. the Commissioner of Labour :**

Sir, I beg to report this Bill from Committee with amendments and move that it be now read a third time and passed.

The Hon. the Acting Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE LAND REGISTRATION (VALIDATION) ORDINANCE, 1951

The Hon. the Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :—

“An Ordinance to validate the registration of certain Instruments affecting land in Nigeria”.

His Honour the Chief Commissioner, Western Provinces :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Title.

Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report this Bill from Committee without amendment and move that it be now read a third time and passed.

His Honour the Chief Commissioner, Western Provinces :

Sir, I beg to second.

Bill read a third time and passed.

MOTIONS

The First Member for the Eastern Provinces (The Hon. C. D. Onyeama) :

Sir, I seek leave to withdraw the following motion standing in my name :—

“Be it resolved :

That this House having studied the text of the New Constitution as promulgated by His Majesty in Council humbly expresses regret at the deviations from the recommendations made at the Ibadan Conference and in Legislative Council”.

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

Your Excellency, I rise to move the motion standing in my name, but in view of the length of the preamble and since this motion has been printed and circulated to Honourable Members, may I be permitted to skip reading it *in extenso* and proceed to the Debate ?

In speaking to the motion, I desire to make it absolutely clear that it is not my intention to embarrass any person or institution : rather I am animated by a desire to spotlight certain undesirable features in our political life which are bound to vitiate the good intentions of those who, in introducing the new

[N. Azikiwe]

[Motion : Elections under the New Constitution to be free and fair]

Constitution for Nigeria, expressed the hope that during the initial stage, elections should be free and fair. In other words, my aim is to enlist the co-operation of the House in safeguarding civil liberties in connection with our elections.

When I make use of the expression "free and fair elections" I imply that civil liberties are not to be unduly infringed. These civil liberties include the right of free speech, peaceful assembly, procession and association. Consequently, if I can show you that in so far as the primary elections under the new Constitution are concerned, these rights have been restricted or denied His Majesty's subjects and proteges in this country, then the reason for this motion will be better appreciated. My point, Sir, is that in the Northern and Western Regions, within the last two months, certain people and organizations have been denied these basic rights and, moreover that, these infringements were featured by threats, intimidation and bodily assaults. The areas concerned are Benue, Sokoto, Kano, Oyo, Ibadan and Ijebu Provinces. At Oturkpo and Makurdi, taxpayers were not only denied the right of procession absolutely by the Police, but in granting a permit for a lawful assembly, the exercise of this right was unduly restricted.

With your permission, Sir, I shall read the letter of the Senior Assistant Superintendent of Police dated June 28th, 1951, granting permit to some taxpayers at Oturkpo to exercise the right of free speech and peaceful assembly :—

"In reply to your application dated June 27th, 1951, I have to inform you that there is no Police objection to the Oturkpo Community League and delegates of the NCNC holding a public meeting in the Native Authority Court house at Oturkpo on Saturday, June 30th, 1951, provided that :

A. The meeting shall be confined to the premises of the Native Court.

B. No procession shall take place either before, after or during the meeting.

C. No dancing, drumming, firing of guns or explosion of fireworks shall be permitted to take place in Oturkpo.

D. No breach of the peace or other offences against the law shall be permitted to take place within the premises of the meeting.

E. Messrs W. O. A. Onazi and Adepogiji Ikorgbeh shall be held personally responsible for any breach of these conditions.

2. You are reminded that neglect to comply with any of the above conditions will render the assembly unlawful and all persons taking part in it will on conviction be liable to imprisonment for one year *vide* section 38B of the Police Ordinance.

3. It is regretted that in the interest of public order, permission for a procession commencing from mile 2 on the Oturkpo road cannot be granted."

Almost a carbon copy of this letter was sent to the taxpayers of Makurdi under like situation. I submit, Sir, that in fairness to all concerned, the action of the Police at Oturkpo and Makurdi cannot be conducive to a free and fair election, in view of the veiled threats contained therein.

At Sokoto, taxpayers were not denied the right of peaceful assembly but were unduly restricted in its exercise by the Police. For example, the applicants sought for permit to hold their meeting at Ikejia, which place they thought was more central and convenient for their purpose. The Sokoto

[N. Azikiwe]

[Motion : Elections under the New Constitution to be free and fair]

That the Government is herein called upon to explain how the new Constitution will be worthy of the people of this great country as the Native Authority in Kano has refused to allow mass meetings to be held in Kano with the sole aim of educating the people on implications of the new Constitution.

The resolution, Sir, is self-explanatory. There has been no complaint against this particular political party for having been unconstitutional in its methods, or for having acted in any manner as to cause a breach of the peace. All it desired was permission to hold peaceful assemblies anywhere within the jurisdiction of Kano Province to enable it to impart political education to the voters of that Province, with reference to the new Constitution ; but its members were denied this basic right, and they were forced to resort to the unpleasant, but effective, means of press criticism and to appeal to Your Excellency for redress, before they were allowed on the intervention of the Senior Resident, to hold meetings *only* at Sabon Gari, and *not* at Birnin, where most of the taxpayers, who are potential voters, live.

Did the Police co-operate so that the rights of free speech and peaceful assembly may be exercised without unnecessary restriction, in accordance with the wishes of the Secretary of State and your good self? It is on record, Sir, that a public meeting held at Aggrey Square, Sabon Gari, Kano on Friday, 3rd August, 1951, ended in confusion, as the local Police terrorized the conveners and their audience. In order that I may not be unduly critical or be guilty of unfair accusation against the Police may I, again, with respect, be allowed to read excerpts from the newspaper account of this incident, as published on the front page of the *Daily Comet* of 7th August, 1951, printed at Kano :—

Last Friday, a mass meeting of the community held under the auspices of the local branch of the National Council of Nigeria and the Cameroons at Aggrey Square did not come to an end without some anxious moments created by Mr P. G. F. Sewell who came on the scene to order a close down of the meeting.

Long before the community met, Native Authority Policemen in steel helmets and armed with truncheons and locally-made shields were by the spot in a large number.

Among these Native Authority Police Constables, the atmosphere was tense as they paraded up and down the streets bounding Aggrey Square.

The mass meeting was held in connection with the working of the new Constitution and Mr R. D. Nyamsi, President of the local branch of the National Council of Nigeria and the Cameroons, chaired the occasion.

In his introductory speech he appealed to all qualified persons in the community to have their names registered within the specified time.

Voting rights, he declared, constitute one of the pillars of true democracy and the exercise of such rights, wisely and timely, was a freedom which no true citizen could look upon lightly.

With other words of advice and explanation, Mr Nyamsi called on all to benefit by what limited opportunities were offered by certain provisions of the new Constitution.

In his brief address, Mr E. A. Anwana, told the audience of their rights and duties, their sufferings and future hopes.

He gave the conditions under which electors could get registered and, like the first speaker, he appealed to all qualified persons to exercise their electoral rights.

[N. Azikiwe]

[Motion : Elections under the New Constitution to be free and fair]

If we failed, he warned, posterity shall not forgive us, but if we got to the job with faith and courage, ours would be a new era.

Mr J. O. Okeiyi spoke on the division of Sabon Gari into ten wards and took great pains to give the various boundaries of the wards.

He regretted that many taxable adults have been in the habit of evading payment of taxes in Sabon Gari and saw the situation as most discouraging.

We could not, he said, have efficient social services unless there were money, so he urged on all to pay their taxes annually and to time.

As he was appealing to the audience to register their names in time, Mr P. G. F. Sewell walked in to the centre of the gathering and ordered the close down of the meeting within five minutes.

That was before the scheduled time endorsed on the permit which was got from the Native Authority for the mass meeting.

All attempts to explain matters to Mr Sewell failed and to the dismay of all he thundered, "Mr Nyamsi, I am speaking to you as a Police Officer and if the meeting is not brought to a close within five minutes from now, I will take you to the Alkali" (Moslem judge).

At that point strong feelings were raised among the crowd but Mr Nyamsi appealed to Mr Sewell for co-operation—yet the iron hand remained.

There and then the National Council of Nigeria and the Cameroons Executive took a decision and Mr Nyamsi was asked to announce to the public that, in obedience to the police order, the meeting had come to a close and that all should go home peacefully.

I cannot find appropriate words to describe the scandalous act of this 28-year old Police Officer with five years' experience in Nigeria who had thus disgraced His Majesty's uniform by his tactlessness, as demonstrated in this press account. It is evident that the meeting was orderly and the speakers were constructive, educative and reasonable. Yet the Police, whose plain-clothes representatives must have been present, chose to employ Gestapo methods in order to intimidate His Majesty's subjects and proteges who were exercising their political rights within the law.

Viewed dispassionately, I cannot foresee for Kano Province a free and fair election at the primary stage, in view of the studied silence of the Senior Resident, and the discourtesy of the Northern Secretariat which did not think it wrong to ignore acknowledging receipt of the legitimate complaints lodged by the two political parties whose experiences I have just narrated, nor to mention the incivility of that office in refusing curtly to grant representatives of this party interview in order to state their case.

I come now to the Western Region and I will confine my remarks to recent events in Oyo, Ibadan and Ijebu Provinces which are calculated to hinder a free and fair election in the areas concerned.

At Ilesha, I am informed that of the groups allowed to exercise the right of vote, the fifteenth and last of which is called "Strangers' settlement", experienced some embarrassments, due to alleged acts of discrimination by the electoral authority. It is reported that whilst Northerners and Westerners were allowed to vote for the election of fourteen candidates. Easterners who lived there suffered wholesale disenfranchisement, notwithstanding many factors, among which are their continuous residence and payment of tax. The same town has made political history by the complaint that the Administrative Officer there, as electoral authority, allowed an

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organisation at Ibadan, which comprised of sons of the soil, to nominate two candidates for the primary election by correspondence, and whilst they were alleged not to have been voted for publicly, according to law, yet they were regarded as having been successful at the primary election ! Now, Sir, these two morsels of political intelligence may sound fantastic, but I submit that they call for serious attention in order not to transform primary elections into a farce.

At Ibadan, a political rally was held and one of those who attended was a Paramount Chief who was reported in the Lagos and Ibadan papers to have threatened punishment to any person under his jurisdiction who associated with any political party of which the Oba Alaiyeluwa is not a supporter. A few months later, a party opposed to that with which His Highness is associated, organised a political meeting at Oyo in order to discuss the new Constitution with the people of his domain. The Paramount Chief not only refused to grant permit for this meeting and the use of a public hall built with taxpayers' money, but caused his "Bell Man" to warn the populace not to attend any meeting convened by this political organisation or to participate therein, on pain of criminal prosecution. The co-operation of an Administrative Officer was sought and he granted the necessary protection to the conveners of the meeting which was held *alfresco*. But that was not the end, Sir. Because a member of the Oyo Native Authority Council, who was contesting the primary election on the ticket of the political party which was *persona non grata* with the Paramount Ruler, had attended and participated in the meeting of his party, succeeding subsequently at the primary election, he was served with a criminal writ for acting contrary to native law and custom. Presumably, an Administrative Officer or one of his counsellors used his good offices to advise the Oba Alaiyeluwa to withdraw the criminal prosecution and discharge the prisoner, which he did, but not until the Councillor concerned had been humiliated by experiencing the strong arm of the law. Sir, is this not an abuse of the judicial process so as to attempt unsuccessfully the denial of the right of association to one of His Majesty's humble proteges ? And could a free and fair election have been held, if this respected paramount Ruler had had his way, but for the timely intervention of the Administrative Officer ?

Lastly, at Ikenne, the head chief there was not only accused in an election tribunal by one of his subjects of intimidating him because he belonged to a political party opposed to that of the Oba, but in giving evidence on oath, during an enquiry into an election petition, the head chief admitted publicly his membership in a political party and expressed his ardent desire that his party should win the primary election held in his domain. Of course, a new election is reported to have been ordered by the Administrative Officer who presided over the petitions, but these alleged irregularities are sufficient to make one apprehensive whether a free and fair election can be possible in such an atmosphere, if the co-operation of the authorities concerned is not guaranteed.

Your Excellency, this motion is straightforward. The first five paragraphs of the preamble are factual and can admit no argument to the contrary. I have cited instances in certain parts of the country, brought to my notice, which warrant apprehension whether direct elections at the primary tier have been, and will be, fair. I now crave the support of the House, firstly to endorse the opinions expressed by the Secretary of State and His Excellency the Governor in this respect, and lastly to urge the authorities concerned to implement the same.

Sir, I beg to move.

The Fifth Member for the Eastern Provinces (Hon. N. Essien) :

Sir, I beg to second.

His Honour the Chief Commissioner, Northern Provinces :

Now that we know what this motion is about and we have heard that it refers largely to Administration in the Northern Provinces, I am going to ask Honourable Members to oppose that part of the motion which says that certain acts in the Northern Provinces warrant the Honourable Member's apprehension. The Honourable Member said he now has grave doubts whether the primary elections in the Northern Provinces are going to be free and fair. The responsibility of ensuring that those elections are free and fair rests quite clearly and firmly on the Administration of the Northern Provinces, that is to say the Provincial Administration and the Native Administration. That slur, therefore, is directed at us, and it implies, long before the elections have taken place—no elections have taken place yet, Sir—that they are not going to be properly run.

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

On a point of explanation, Sir. I regret if I gave impression of a slur on the Administration, and in view of His Honour's remarks, I beg to withdraw that part of my motion.

His Excellency :

Does the Honourable Member wish to withdraw part of his speech or the sixth preamble of the motion, "And Whereas there have been....."

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

The portion of the motion referred to by His Honour. In view of his construction, I said I was withdrawing the portion of my speech where I had apprehensions whether elections would be free and fair in the North. When His Honour expressed the position as he saw it, I thought that maybe I had been misunderstood and I wanted to do the right thing.

His Excellency :

The speech and not the motion ?

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

Yes, Sir, the speech.

His Honour the Chief Commissioner, Northern Provinces :

I just wanted to get the position in its right proportions and not the rather harrowing picture which I feel has been painted. I would like to explain what is involved in the elections in the Northern Provinces. We are about,—next month,—to undertake the preliminary stage and we are going to have 200,000 Primaries ; now we have got to ensure that the elections are fair and free in 20,000 Primary Elections spread over an area eight times the size of Ireland at a time when the dry season roads are closed and the rains are on. That may seem in itself a task in which we may fail ; but I would like to assure this House that, in spite of various examples quoted, I and my Administration have every confidence that in 20,000 elections next month, all will be fair and free. I myself have complete confidence that we are going to solve this problem, but we are without previous experience of elections—we have not had any before. Well, now, Sir, perhaps I could just refer—I do not propose to keep the House very long, Sir—to the points that were made.

First, on the question of permits for processions in Benue Province. A very heavy and unenviable task always rests upon those officers who are responsible for the maintenance of law and order and the safeguarding of life and property, and it rests absolutely firmly on them that they have got to assess any position and see that the action they take is the correct action for anything that they could reasonably have expected or been led to expect. Now, in the case of Benue Province, Sir, it may be said what grounds could there be of thinking that there might be a breach of the peace? A possible breach of the peace was the danger. A very few years ago, I think three, Makurdi was the scene of the worst inter-tribal riot we have ever had in a town in the Northern Provinces—a large part of the town was burnt down, there was very severe casualties, and there were deaths. Now, I am not suggesting for a moment that it was inevitable that this procession or anything else would have caused another tribal riot, but obviously to my mind the officer had every right to assess the position based on the past, because our whole object is that the elections shall be free and shall not be held in the atmosphere of the unhappy tension which would undoubtedly arise if there occurred a breach of the peace—or any such incidents. Anyone knowing this country knows that passion is hot and temper quick to rise and incidents such as these rankle.

Now, the next quoted, was also in Benue Province. Last year we had again in Benue Province, what was I think the worst inter-tribal riot which I can remember, it was between the Tiv and the Obudu. Now that, like the Makurdi incident, started just in a flash and it ran through the countryside. Murder, arson and every other crime followed in its wake. I am just simply painting a picture, Sir, to say that there were grounds for being extra careful in Benue Province, as if these elections are going to be, as the Honourable Mover and I both hope, free and fair, I can assure him that the officers responsible have got to take great care that we do not have breaches of the peace.

Now, he referred to the Kano incidents, incidents in Kano City. Nothing is perfect, Sir, and I do not for a moment deny that there was a certain amount of disturbance in Kano on that day and it did arise between certain elements in the outer suburbs of Fagge and elements in the City. Terrible pictures have been written in the press and painted. Actually it is quite true that there was a gang of hooligans that did cash in on a long-standing feud between the City and the suburb outside the walls and there was a certain amount of trouble: but no life was threatened. I do not wish to gloss this over in the slightest and the leader of one of those gangs has been sentenced to a term of imprisonment, and I can again assure the Honourable Member, in view of this experience, that we shall be particularly careful to see that we do not get a repetition of any of this in Kano. It may well be that the Native Authorities will be even more careful than before.

We have no experience of the elections of the type that are coming in the North. I think the main experience is based on Lagos. Certainly, here in Lagos, they have much experience, and I well remember that in this House last March we were treated to a description, and a most colourful description, by the Third Lagos Member of electioneering in his constituency in Lagos. And this is what he said, Sir:

“Cars are being smashed, houses are being stoned and human beings are being mercilessly assaulted with impunity and every cruelty possible.”

“All these are happening in Lagos—the Capital of Nigeria, the seat of the Government and the residency of Your Excellency”.

[C.C.N.P.]

[Motion : Elections under the New Constitution to be free and fair]

I have no idea at all of how fair a picture that paints of life at election time here in Lagos, but it occurs to me that it may be some such picture as that that has caused the anxiety in the Honourable Member's mind. Let me assure him that Kano is not, and will not be, a parallel if we can help it. I am under no illusions that in all large towns in this country or anywhere else there are hooligans, of course there are and probably always will be. We are all human.

In Kano City the responsibility for law and order rests absolutely firmly and squarely on the Native Authority, as it has done for hundreds of years past. They have the experience of hundreds of years of keeping that City peaceful, and certainly no experience of "cars being smashed, houses stoned....." Oh, well, I will not quote all that thrilling passage again. But we must realise the un wisdom of ignoring the wise advice of the Native Authority who has that practical knowledge and the experience, and whilst we will do our utmost to ensure that elections are free and fair, any action that may be taken is to ensure that they are free and fair in so far as we have no intention of allowing any breach that can possibly or reasonably be avoided, and I am sure that the Emir of Kano will, when the elections are over, stand well in the honour of this House, well in comparison with earlier elections in this country.

How, Sir, I will not keep the House much longer.

There was a mention of what sounded like "intimidation of His Majesty's subjects and lieges.....": that sounded most frightening. It is perfectly correct that the Police Officer did go up to the people holding the meeting and said, "The time for your meeting has expired." My information is that on the permit issued for the meeting it said that the meeting must end at "6.45 p.m., i.e., at dark." The Police Officer said, "The time is up, it is 6.45"—and the holders of the meeting said, "It is not dark"—a somewhat Chinese argument followed. To get that really quite into right perspective, the argument was this—this delightful Chinese one—where one has proof it was "6.45" and the other that it was "not dark" !

Well, Sir, I do ask Honourable Members not to support any suggestion that we are going to fail in carrying out this task in front of us, or that what has happened has really in any way been likely to impinge on the vast task ahead of us in carrying through the 20,000 Primaries which are going to be the base from which I trust will come those best fitted to serve the Northern Region and Nigeria.

Sir, I beg to oppose that part of the motion which says, "And Whereas there have been instances....."

His Honour the Chief Commissioner, Western Provinces :

I shall not keep the house more than one moment.

Unlike the Northern Provinces, our Primary Elections have already been held. Among the many thousands of Primary Elections there have been election petitions from eleven, and out of that eleven I think six were from Ijebu Province, to which reference was made by the author of this motion. It is very difficult for me to deal in any way with what really amounted to no more than an allegation. It has been suggested that something happened in one of the wards in Ilesha ; I cannot say that I know what did happen—I did hear some rumour that there was a bit of a shimozzle.

His Excellency :

I doubt if that word is parliamentary, but we will let it pass.

His Honour the Chief Commissioner, Western Provinces :

As regards Ibadan, there was one—one only, I think—election district in Ibadan where out of forty there was a very small amount of trouble and the result was an election petition which, I think, is being heard now. If anything goes wrong with Primary Elections, and I have said we have only had eleven petitions altogether, every candidate is fully aware that he can petition. If anything has gone wrong it is up to the unsuccessful candidate to prove his case and so to win his petition. Therefore, while I fully agree with the Motion, I maintain that, in so far as the Western Provinces is concerned that the elections have been carried out and finished in an admirable way and, generally, speaking, in an admirable spirit, except perhaps where rival political parties were inclined to get a little hot. We have every reason to congratulate ourselves and that it would be quite untrue to say that there is any reason for the apprehension which appears to be felt by the Honourable Member.

Therefore, while supporting the motion, I find myself opposed to the particular sixth preamble in the same way as my Honourable Friend the Chief Commissioner of the Northern Provinces.

The Hon. the Chief Secretary to the Government :

Sir, I have only one thing to suggest : the Honourable Member has, I think, done what he hoped to do, and succeeded in getting the opportunity that this House gives him for airing a matter for discussion. In view of the points which have been made by the two Honourable speakers in reply, he will, I am sure, appreciate that this side of the House could not accept the motion with the sixth "whereas" clause in it. That clause would, in fact, amount to a statement (which this House would, by retaining the clause, accept) that there have been instances which warrant apprehension. I therefore suggest to the Honourable the Mover, Sir, that, at this stage, or subject to a further speech by him at the end, he might wish to withdraw either the whole motion, or the sixth "whereas" in it. If the whole motion, all well and good ; we have given the subject an airing. If the sixth "whereas," there is obviously nothing left in the motion with which the whole House would not be in the fullest agreement.

I give way to the Honourable Member, Sir.

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

Your Excellency, my reply to this motion will be short.

In opposing the motion, His Honour the Chief Commissioner for the Northern Provinces referred to the incident at Makurdi and explained the relationship between the various tribes in the last five years. I concede to him that it is true that in the last five years there have been misunderstandings leading to riot, but I wish to inform this House, Sir, that when I visited Makurdi and interviewed the Resident of that Province, last June, I was able to establish the point that the mass meeting was called at the instance of the Tiv, Idoma, Hausa, Fulani, Yoruba, Ibo, Efik, and other members of the community at Makurdi. I pointed out to His Honour that, in view of the fact that these various members of the community were able to get together in order to summon this mass meeting, so as to understand the new Constitution,

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it would be discreet for him to advise the Police not to be in the way of the conveners of the meeting. As a matter of fact, there was no untoward event during or after the meeting and the assembly was peaceful and successful.

With reference to Kano Province, I am glad to learn from His Honour that the leader of the gang of hooligans that attacked the Northern Elements Progressive Union officials had been sentenced to imprisonment. If that information had been in my possession perhaps I would not have belaboured this point.

I am also grateful for the assurance that the Emir of Kano will play a true role when the elections begin in the North. There can be no doubt that the incidents cited by me did not give me that assurance before this motion, but I certainly would not agree with His Honour when he thought that I had painted the picture of intimidation more than I should. Surely, where there is a mass meeting of various members of the community at Kano, and you have the Police in their steel helmets, armed with truncheons and locally-made shields, I could not put any other interpretation on this but intimidation. However, I accept his explanation and hope that His Honour will use his good offices to advise Police Officers under his jurisdiction that although they may mean well in being eager in the discharge of their duties, yet the impression that they create might be to the contrary.

So far as the North is concerned, it is quite obvious that the incidents cited by me are based on facts which have been established and have not been denied. His Honour has confirmed the same and has offered explanation of the extenuating circumstances. He also was good enough to give an assurance that elections in the North would be free and fair.

His Honour the Chief Commissioner for the Western Provinces has not disputed any of the facts presented by me to the House, but I welcome his views that, other things being equal, the Primary Elections in the West had been free and fair, although I must submit that it would be helpful towards creating mutual confidence and goodwill if Government would investigate these incidents with a view to emendation.

With reference to the sixth preamble to this motion, to which the Honourable Chief Secretary referred and suggested either its withdrawal or the motion, I would submit, Sir, that there can be no doubt that there have been irregularities in the North and in the West ; but the main object of the motion, as I pointed out at the outset, was my desire to spotlight certain undesirable features, which I have done. Obviously, it could not be my intention to insist on this preamble being incorporated in the motion, in view of the statements made and assurances given by Their Honours the Chief Commissioners for the Northern and Western Provinces. Definitely, we all want to give this new Constitution a fair trial and that is why we are insisting that there should be a free and fair election. Naturally, all contending parties are expected to be good sports—to win nobly and to lose gracefully ; and like a true sport, I beg leave of the House to withdraw this particular preamble to the motion.

His Excellency :

Is it the wish of the House that preamble number 6 should go out ?

The Ayes have it.

Resolved in the affirmative after deletion of the sixth preamble.

[H.E. the Governor]

[Valedictory Speech]

His Excellency :

Honourable Members. That is the end of our formal business and of this meeting. It is virtually the end of the Session and of this Council. But I do not propose to pronounce the magic words "prorogue" or "dissolve". I propose to adjourn the House *sine die*, so that it may be convened again in case of emergency or should urgent and important legislation be necessary.

This morning the Honourable the Acting Financial Secretary paid a deserved tribute to the work of the Standing Committee on Finance. He referred to their "unfailing duty and public service." Not only have they dealt with all current business, but they have, I understand, done a good deal of anticipatory work by approving various proposals in principle. Nevertheless, the Standing Committee will be available for matters to be referred to it even if it should not be possible for their reports to come back to *this* Council. I have no desire to assume dictatorial powers in this—or in any other—field.

I should like to make a few valedictory remarks—but I do not want to be too "valedictory". My own term of office as Governor has still some eighteen months to go, and I shall be in the chair at the beginning of the new House of Representatives, at least. But we are certainly saying goodbye to Nominated official Members—including most of this phalanx of Official Members here on my right, other than the Honourable the Chief Secretary, the three Chief Commissioners, who will have a new title and style, the Attorney-General and the Financial Secretary. And my mind goes back to the swan-song of the Honourable the Director of Medical Services when as Regional Deputy Director in the Western Provinces he made a farewell speech to the Western House of Assembly as an Official Member. He said, as I recall, that the official looking after medical affairs would leave the deck and go down into the engine room of the ship, but would watch with interest the captain and crew on the deck dealing with irate passengers! I think, he said, might have a quiet chuckle now and again but that there would be no malice in it and that the Captain and his officers—or the Lieutenant-Governor and his Executive Council would receive the maximum service. I am absolutely confident that under the new Constitution, the Council of Ministers at the Centre, will receive the fullest co-operation and support of all Heads of Departments and all officials.

I had not meant to make any reference to personalities today but I think there are two names you would like me to mention. The first is the Reverend and Honourable Ogunbiyi. Though his heart is young he is full of years and I understand that he is not standing for election. That being so I think that as the "Grand Old Man" and "Father of the House" you would allow me to mention him especially, to say we are glad to have worked with him and to wish him good luck. I suggest he has got certain qualities which are not always very fashionable these days, but which remain nonetheless eternal: courtsey, sincerity, and complete loyalty.

The only other person I am going to embarrass is the Honourable P. J. Rogers. A very deserved tribute was paid this morning to the Company which he has done so much to build up in Nigeria. We now know that this Company wants to use him in higher fields: we do not want to stand in his way but we are very sorry he is leaving us and we shall miss him sorely—in this Council and in the Commercial world of Nigeria. He has identified himself most completely with the people of this country and has, I suggest,

[H.E. the Governor]

[Valedictory Speech]

given a great deal of help to the growing number of African business men and to Members of this Council. I venture to say that he has won the confidence, respect and affection of Unofficial Members in a manner that is remarkable, and indeed unique.

That still leaves quite a number of faces who might come back. I have to be very careful not to appear to dabble in politics, but perhaps I may be permitted to express the hope that there will be *some* faces that will be familiar to me when the new House of Representatives meets. There are two reasons for this. First to ease my task from the Chair in identifying Members amongst the large number—one hundred and forty-eight—of the new Council, and second because it is, I suggest, tremendously important that the traditions and the spirit of this Council should be carried forward into the next Council. This is not the time to speak about the new Council, but I should say of the present Council that it will go down in history primarily as the first Council of Nigeria that legislated for the whole country and included in its numbers representatives of the North. It will go down to history as having administered the finances of Nigeria with wisdom, prudence and courage at a very difficult time, because even expanding revenues bring their difficulties and problems, when there is so much to do and when recurrent expenditure increases so rapidly. And there is a great mass of useful legislation on the Statute Book, passed by this Council.

More important than any of these things, however, is the good spirit in which this Council has conducted its business. I have thoroughly enjoyed presiding over it and I am most appreciative of the constant co-operation I have had from the Members. When I was in London for the opening of the new House of Commons, I was asked by the Speaker and by members of the staff of the House of Commons how this Legislative Council conducted itself. I was glad to be able to say, as I said in Council at our last meeting, that with every succeeding meeting the Council had grown in maturity and gained in confidence. Hard knocks were exchanged but there was no loss of temper and no discourtesy, and differences were not carried outside the Chamber, I recall various occasions when the Government was "on the run": I particularly remember the debate on the Native Courts Ordinance. I think that Members will agree that when the Government was forced to retreat they did it with grace.

So the torch is handed on. I myself remember eloquent and able Members here before the war; the First Lagos Member was Dr C. C. Adeniyi-Jones, happily still with us, and the Second Lagos Member was the brilliant and lamented Eric Moore. I am quite sure that the new Constitution will be worked in a spirit of service and self-confidence. Governors have less occasion than politicians and statesmen to worry about what they have said in previous years. Certainly they have no electioneering speeches coming home to roost! I do not make more speeches than I need, but last evening, I did just glance through the public speeches I have made since I assumed office. I guessed wrongly about the trend of prices of export commodities—that was because of Korea. But there is nothing I take back, and I can say with absolute sincerity that I stand by everything I have said.

I reiterate my affection for and my confidence in this country and its people whom this Council has served well, and my fullest confidence that the new Constitution will be operated in the interests of the people.

I thank you very much, and say God be with you.

[T. A. J. Ogunbiyi]

[Motion : Expressing sympathy with Governor of Jamaica on
tornado damage to the territory]

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

Your Excellency, before I thank you for a special reference to me, I rise with your permission to move that the sympathy of this House be cabled to Sir Hugh Mackintosh Foot, at one time Chief Secretary of Nigeria, for the damage done by tornado in Jamaica, whose Governor he now is.

**The Third Member for the Eastern Provinces (The Hon. A. Ikoku,
O.B.E.) :**

I rise to second.

His Excellency :

It has been in my mind very much, and I am sure it is the will of the House that it shall be done.

Resolved in the affirmative.

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

Your Excellency, your remarks reminded me that I have been spared to finish ten years in the Legislative Council of Nigeria, and I do not want more. In fact I was thinking that if it were going on to the end of this year I would ask Your Excellency kindly to let me step down. I have had enough, and my health is going against me. In those good old days when I came to this Legislative Council Sir Bernard Bourdillon was the Governor. I call them good old days because we were working then without any Constitution and we were all happy together and could speak for hours and hours and sometimes a Member would continue his speech on the following day without interruption. But now things have changed completely, and I think for the better on account of the large number that we have now compared with those meetings in those days. In those days Legislative Council was a difficult place of getting into and only three candidates were elected from Lagos and one from Calabar, and the rest appointed or nominated by the Governor in Council.

Before Sir Bernard Bourdillon left our shores he promised a Constitution, therefore, after Sir Arthur Richards came and introduced his Constitution, and during my speech I remember asking him whether it was the document left by Sir Bernard Bourdillon that he got hold of and was introducing to us. He said "no". We were very glad when he introduced it by bringing our people from the North, and you will remember that during my speech I referred to the sheep and the lion lying down together in the same room.

We are thankful also to our people from the East. Well, we know each other by far better now. In those days of Sir Bernard Bourdillon as I said Commissioners were not sitting among the people from their Provinces—they sat very near the Governor.

But to-day, well, we are all glad at the arrangement of having our Commissioners sitting among us. I shall very much miss the sight, but I have got photographs which will keep my memory alive.

The new Constitution is coming soon. Well, I hope and I shall be praying for this Council, that the people who will come will not make it to prove a white elephant to Nigeria. And in due course, with Your Excellency on that throne to inaugurate it I am sure you will see to it to tone every body down and they will behave as we are now behaving well for the progress of Nigeria.

[T. A. J. Ogunbiyi]

[Valedictory Speech]

Your Excellency, I thank you very much indeed, and I say Good-bye to all my friends. When I came here in 1941, I came in new clothes, and to-day, coming for the last time, I have come in a new suit to say "good-bye".

The Oni of Ife (The Hon. Sir Adesoji Aderemi, K.B.E., C.M.G.) :

I rise to give a short reply from this section of the House to His Excellency's valedictory address.

Nearly five years ago when the first session of this Council was held, the intention of all of us including your predecessor, was that our new Constitution was going to have a normal life of nine years, to be reviewed only at the end of its third and sixth year. But Your Excellency came to the country and assumed the reins of Government after a little over a year of its existence and made an extensive tour of the whole country. With your eyes and ears wide open, and with a clean and clear mind, you sat down to work. Your Excellency surveyed and pondered over all that you had heard and seen and within a short time thereafter you came to the conclusion that this Constitution needed revision much earlier than was originally contemplated. So exactly three years ago, and little less than two years of the existence of the Constitution, Your Excellency presided over the second meeting of the second session. At that meeting you announced, of your own volition, that owing to very rapid progress that has been made under the Constitution, it was your intention to suggest to the House that it was unnecessary to delay the revision of the Constitution and you advised that it should be done at once. That announcement, Your Excellency, was warmly received by the whole House ; and soon after, we set ourselves the task of reviewing and revising the Constitution. Whatever may be the shortcomings of the new Constitution, there is no doubt that it is a big advance on the one which it will replace : on behalf of this House, therefore, and the people of this country, I thank Your Excellency from the bottom of my heart for your foresight, good sense and determination to do your best to accelerate the political progress of Nigeria. One would wish to refrain from speaking about your own personal qualities so as to save you from inevitable embarrassment. But one finds it somewhat difficult to restrain one's self from referring to you, if only briefly, as a man of great ability and wisdom, of very fine qualities and charming disposition and as a true gentleman. It is indeed pleasant that you are yet with us to assist us in working the new Constitution.

Your Excellency, much progress has taken place during the last five years. The Marketing Boards have been established and are yielding good results, or shall I say are showing good results ; each in its own sphere is doing good work. One of these Boards—I refer to the Cocoa Marketing Board of which I have the honour to be a Member—has given a very generous grant of one million pounds to the University College at Ibadan to endow the faculty of Agriculture. It was during the same period that the University College itself was established and it has also received very generous grants from this House in one form or another. Many important Bills have been passed for the advancement and progress of this country, and a good deal of attention has been given to the need for education as well as for the expansion of medical and sanitary services. In spite of acute shortage of labour and materials, tremendous efforts have been made to expedite many of our development works.

Your Excellency, I do not intend to continue to recount all of our achievements during the last five years, I can only pray and hope that the new

[P. J. Rogers]

[Valedictory Speech]

The First Nominated Member (The Hon. P. J. Rogers) :

Sir, I am deeply appreciative of the compliments paid to me today. When people have lived and worked together for as long as we in this Council have, a bond holds them together which is certainly never expressed, probably never even realised until the time comes to break it. This time has now come and as I look around these my friends, I know I shall carry away with me a little part of this country where I have lived for so many years and which I have come to love.

I will remember the lovable figure of the Senior Unofficial Member; his devotion to this House and the lofty aims it represents has been our constant inspiration.

I will remember the North, who are wondering to themselves how they can possibly cram into a short decade all the knowledge gained by them in a quarter century. They need have no fears. Let them remember that their farmers brought over a million acres under cultivation in the short space of twenty-five years—an achievement without parallel in the history of peasant husbandry. A people with so productive a genius cannot fail.

I will remember the West, with whom perhaps I may couple those I will affectionately refer to as my turbulent friends from Lagos. They have a burning sense of patriotism and an urgent voice for progress and still more progress. But they have brought to our Council a readiness to concede points to others that are in the finest tradition of parliamentary practice.

I will remember the East, those champions of the freedom of the individual. Their concessions regarding the Northern representation in the new House saved a situation which might well have wrecked our New Constitution. Surely a gesture of greatness indeed.

I will remember our friends on the Official Benches behind whom work the Government Officers whose service it is the privilege of Nigeria to enjoy. They have a proud record of high endeavour, of wisdom, of toleration and of unselfish integrity that is helping the peoples of this country towards that perfection of human happiness which is the right of all mankind.

May I end by paying tribute to a man to whom Nigeria owes a deep and lasting debt of gratitude for his undaunted leadership during the past three years, a period I am sure history will record as one of the most critical in our national existence. That man is our Governor, the President of this Council, Sir John Macpherson.

His Excellency :*Council is adjourned sine die***ADJOURNMENT***Council adjourned sine die at 2.25 p.m.*

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FIFTH SESSION

21st, 22nd, 24th and 25th August, 1951

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Ag. F.S.	= Acting Financial Secretary
Ag. Com. Col.	= Acting Commissioner of the Colony
Ag. Dev. Sec.	= Acting Development Secretary
Ag. Dir. of Agriculture	= Acting Director of Agriculture
Bills : Read first, second or third time	= 1R ; 2R ; 3R.
Com. S.	= Committee Stage
Dept.	= Department
D.M.S.	= Director of Medical Services
H.E.	= His Excellency
N.A.	= Native Authority(ies)
Ord.	= Ordinance
P. & T.	= Posts and Telegraphs
P.W.D.	= Public Works Department
S. Com.	= Select Committee
L.T.C.	= Lagos Town Council
T.A.R.P.	= Temporary addition to Rates of Pay
R.W.A.F.F.	= Royal West African Frontier Force

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