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C0583/252

ORDER NO. → FN/E659

CAMERA NO. → 15

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EMULSION NO. → 350010

DATE. → 11/7/73

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1940
Nigeria

No. 30396

SUBJECT.

Transport Problems
of Nigeria

Previous

1939

Subsequent

FILE C

WL 2587 519 10m 10/51 TCP/JR

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Recd letter
transport
30574/40

2.
3

Sir B. Bourdillon 5/6
Propose to call and discuss when on leave. Suggests
that further expert advice is needed. Suggests W.O. Mance.
To Sir B. Bourdillon 5/6 (2 copies) - 19.2.60
Sir J. Campbell.

2 9.2 60

Mr. Dawe.

Sir George Gater.

Please see attached correspondence between Sir B. Bourdillon and Sir G. Gater. I am sorry not to have sent this on before, but I have only to-day succeeded in getting hold of the papers about Sir Osborne Mance's East African Inquiry, which had unaccountably disappeared. It will be seen from (41) and (45) on 46572/36 that the terms on which Sir Osborne Mance undertook the inquiry was a consolidated fee of 2,000 guineas to include subsistence, free passages to and from East Africa either by aeroplane or steamer, and free transport on land in the Dependencies visited, and a refund of the actual cost if at any time he had to make his own arrangements for transport in East Africa. It was also promised that he would be provided with the services of a Secretary during his stay in East Africa. Sir Osborne Mance was absent from this country for just over three months, i.e. from 24th July to 30th October, 1936. (See his report in (110) on Part II of that file). I think it may safely be assumed that the Nigerian inquiry should not take nearly so long, and he might perhaps be prepared to go for a consolidated fee of 1,500 guineas with other conditions as in the case of East Africa. I suggest, however, that this might be left till we have ascertained whether Sir Osborne is able and willing to take on the job. I have not so far been able to find out anything about his existing commitments. According to Who's Who, he is still technical adviser to the Ottoman Bank, and

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and also Director, Army and Navy and Bankers Investment Trust, but it may well be that he has already got himself involved in various wartime jobs from which it may be difficult for him to free himself quickly, even for a short time.

I submit a tentative draft sounding letter.

I also attach a short note which I understand Sir George Gater would like to have giving some idea of the contents of Mr. Smith's report which, as appears from the Governor's letter of the 9th February, is now regarded as of little use.

O.G.R. Williams
29. 2. 40

In view of the terms of the correspondence, I have initialled the draft.

(Sir O Mance's direct contact with railway problems was—apart from construction work in 1908-1911—apparently, " war" experience, in S. Africa, and in the 1914-1918 war, and peace. He was ^{then} the British Director on the board of " German Railway Co", 1925-30; prepared a report on Austrian railways in 1933; and was employed for the E African report in 1936. I do not know him personally.)

2. I can express no opinion as to the " Smith" report. I have seen it to-day for the first time.

The 1st: March, 1940.

I would make it more tentative: and submit a revised draft. U.P.S. 4.3

5.3 at mee.

x opposite 4

5. To Sir O. Mance accs. To — 5.3.40.
DESTROYED UNDER STATUTE

Mr. Burns.

I think Sir G. Gater wishes to see the report by Mr. P. Smith. Attached herewith is 30396/1/39 below.

M. Smith

6 Sir O. Mance. 8/3. 8.3.40.
To Sir G. Gater regarding possible visit

DESTROYED UNDER STATUTE

Mr. Williams

Please see attached note of a discussion between Sir George Gater and Sir Osborne Mance. You will note that it was proposed to send a copy of No.2 on 30396/1/40 below (i.e. the Governor's comments on Mr. Frederick Smith's Report) to Sir Osborne Mance in confidence for study. The Registry have since informed me that, contrary to his usual practice, the Governor has not sent the duplicate of this despatch by air mail as he generally does in the case of confidential despatches. This may have been by an oversight or to save weight in view of the somewhat bulky character of the enclosures. They are too long, I think, to attempt to reproduce for Sir Osborne Mance and I think the only thing to do is to telegraph to the Governor to ask him to be sure to let us have a duplicate by the next air mail, though it is unlikely that this will get to us before Sir Bernard Bourdillon himself arrives. At the same time we should, I suggest, write to Sir Osborne Mance as

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as in draft (for signature by Mr. Burns) for conson. herewith. I do not think that we can possibly spare No.2 on 30396/1/40 to be sent to Sir Osborne in original for return, as it will be desirable that it should be studied here before Sir Bernard Bourdillon arrives, as I think he will almost certainly want to discuss it with the Department. I suggest that the papers should be recirculated early for this to be done. The Governor does not disguise his disagreement with Mr. Smith's Report, though I notice that on one of the most important things perhaps in it, viz. the abolition of the post of Director of Transport, he has bowed to the weight of general opinion and recommends the ^{creation} substitution of a Transport Advisory Board and the abolition of the post of Director of Transport. He has further asked for certain alterations in salaries etc., see para.5 of No.2 on 30396/1, to be approved by telegraph so that it is important to consider that despatch without undue delay.

J. A. Williams

12.3.1940

ORIGINALS

It will be noted - para 7 of 2 on 30396/1/40 that Gov. suggests what appears to be one of Sir O. Marce's own pet schemes!

? as proposed

*O. G. R. Williams
12.3.40*

Tel. for essence herewith. I am looking to Sir O. Marce & will send him the att. L. file.

A.M.

To Gov. Home Tel 240 Confid 12.3.40 A
 DESTROYED UNDER STATUTE *copy of duplicate sent 24.3.40 4 on 30396/1/40*
To Sir O. Marce 3/0 13.3.40
 DESTROYED UNDER STATUTE
To Sir O. Marce 3/0 22.3.40
 DESTROYED UNDER STATUTE *came to C.O. to read No.2 on 30396/1/40*
To Marce 5/0 10 covered. 28.3.40
 DESTROYED UNDER STATUTE

With ref. to A in 7 of Capt Vereloff's minute of 13.4 on above slip, I don't see letter to W.O. I see it to you & I am not sure exactly how the matter came up. I see question of Sir O. Marce's motion to Sir G. Gales. I am sure however that it is intended to go ahead with it if possible.

*O. G. R. Williams
16.4.40*

To W.O.
 DESTROYED UNDER STATUTE

(17/)

17.4.40

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I saw Sir Ralph Wedgwood last night and explained to him generally the position of the railway in Nigeria and the Governor's desire to appoint a commission to look into the general administration of the railway and at the same time to deal with the wider questions of transport in its three forms. I told him that Sir Osborne Mance had already been approached, that the idea was that he would deal specially with the general problems of transport and the question of railway rates and that it was intended to associate with him a practical railway man of the General Manager type. I asked Sir Ralph Wedgwood whether he could recommend anyone to fill this second requirement. He replied, as I expected, that it was not easy to spare good railway men from this country, and that railway men of the right type who have had experience both at home and abroad were rare. He was very ready to help as far as possible and he undertook to consider the available field and to let me have some suggestions. In the course of conversation he mentioned two names :-

1. Mr. Jenkin-Jones, at present Divisional General Manager of the North Eastern Area of the London and North Eastern Railway. Mr. Jenkin-Jones was responsible for making a report on the Palestine railways in 1937, and information as to his work can be found in the Office. Sir Ralph Wedgwood thought that Mr. Jenkin-Jones would be very suitable, but he was not sure whether the London and North Eastern Railway would be prepared to spare him.

2. Mr. Roger Gibb of Northern Rhodesia. Sir Ralph Wedgwood was rather vague about Mr. Roger Gibb and was not certain whether he would be suitable.

I think we must now await a letter from Sir Ralph Wedgwood.

(Initd) G.H.G.

19. 4. 40.

13. Sir R. Wedgwood 22.4.40.
Suggests that Messrs. G. R. Egan & G. Marshall might be considered for the Enquiry in collaboration with Sir O. Mance

Mr. Dawe.

Please see Sir Ralph Wedgwood's letter at (13). Mr. Marshall certainly looks on paper to be the more suitable of the two men. It will be necessary that whoever is selected should be medically examined before he goes out.

Presumably the first step will be to discuss with Sir Bernard, and this might be mentioned to him at the outset of the next meeting

80

so as to prevent it from being crowded out by other items.

I have no idea what inducement we should have to offer in order to obtain Mr. Marshall if he can be spared. Perhaps Sir G. Gater might be willing to speak to Sir R. Wedgwood ~~on the subject~~ on the subject to see if he can give us a hint.

O. G. R. Williams

25.4.40.

Sir G. Gater.

I think it would be a good thing if you could let Sir B. Bourdillon have a copy of this so that he can reflect on it and be ready with his views at the meeting.

Drafts submitted.

Recirculate to Mr. Williams.

A.J.D.

25.4.1940

[Handwritten signature]

27.4

~~137~~ To Sir R. Wedgwood (13 asked) 22.4.40
~~14~~ To Sir B. Bourdillon

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e 75

It see annex attached from
note of discussion. What to
we can now await a comm: from
Sir B Bourdillon, but Sir G. Gater
it perhaps see full.

O. G. R. Williams
1.5.40

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Mr. Burns.

Perhaps you would show the
extract of the notes of the recent meeting
where his bill was attached to Sir
G. Gater in case he has any comments.
Subject to that we may wait developments
as proposed I think.

[Signature]

2/5.

[Signature]

3-5.

~~DESTROYED UNDER STATUTE~~ 29. 4. 40.

14. Sir B. Bourdillon s/o 1. 5. 40.

Encls. etc from Mance re terms.

I have just spoken to Sir Ralph Wedgwood
and have told him that Sir Bernard Bourdillon and
Sir Osborne Mance both favour the suggestion that
the services of Mr. Geoffrey Marshall should be
secured for the Railway Commission. I succeeded in
persuading Sir Ralph Wedgwood first of all to talk
to the General Manager tomorrow about Geoffrey
Marshall and then to write an exploratory letter to
the Chairman of the L.N.E.R. If all goes well he
will let me know and an official letter can be sent
to the Chairman.

[Signature]

7.5.40.

~~DESTROYED UNDER STATUTE~~

See also letter attached to
the Chairman of the Ottoman Bank
as requested by Sir B. Bourdillon

seen. ^{wait} developments. *[Signature]*

[Signature]

7/5/40

At home
A.P.S.
8/5

Action in
30396/1/40 -
retain bundle
intact if possible
for reply to 18.

6

f. 19.

Chairman Ottoman Bank (s/o) 7. 5. 40.

Agrees to release Sir O. Mance.

Later
? Encl. to No. 17
to be returned.

I think the P.S. to Sir George Gater
should now let Sir O. Mance know that the Bank have
agreed to the period of his release and should also
so advise Sir Bernard Bourdillon. In writing
to both we should, I suggest, promise a further
letter when the proposals that Mr Geoffrey Marshall
should accompany Sir O. Mance have reached some
finality and we have been able to communicate
with the O.A.G. of Nigeria on the whole matter.
(To-day's events may perhaps make it impossible to
get hold of Mr. Geoffrey Marshall at present).

Sir G Gater will also wish to thank the Chairman
of the Ottoman Bank for his ready cooperation
[Signature]
10. 5. 1940.

It appears from (19) that Sir O. Mance's
services are of some use in this country at the
present moment; and presumably he is also of some
use as a soldier. It seems to me, therefore, quite
undefensible to take him away from this country to
send him out on this mission. The Nigerian Railways
can quite well wait; and if they are allowed to do
so I do not think that it will in any way impede our
war effort, which should be the sole criterion.

We cannot go on indefinitely refusing in
our Colonial administration to recognise the
existing war situation; and I suggest that the right
course here is to drop the whole thing until the
general outlook is clearer.

[Signature]

10.5.40.

Since the proposal to send out a Commission
was first mooted the general situation has
entirely changed. The events of the last few days
in particular force me to the conclusion that the
Commission must be postponed. Please draft letters
to cover to all concerned including Sir Bernard
Bourdillon and Sir Ralph Wedgwood saying that
in my view the Commission should not be appointed in
present circumstances. 11.5.40. *[Signature]*

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Mr. Dawe.

With reference to the foregoing minutes, I submit a draft conson. herewith to Sir Bernard Bourdillon. Sir George Gater's original instructions included drafts to Ralph Wedgwood, Sir Herbert Lawrence and Sir Osborne Mance, but his minute of 14/5. states that he wishes these to wait until a reply has been received from Sir Bernard Bourdillon. To save time I have not, therefore, considered these latter drafts and should be glad if the file may be recirculated to me for that purpose.

In the light of Sir Ralph Wedgwood's letter of the 11th of May, I have redrafted the original draft put up to Sir Bernard Bourdillon.

J.B. Bourdillon

14.5.1940.

Sir G. Gater

I would read off all the letters: give this its quietus.

A.J.S.
15.

Prof.

15.5.
at once.

~~W.O (16 Amos - Cas) - 18.5.40~~

24/5 Sir B. Bourdillon } 8
DESTROYED UNDER STATUTE
22/5 - Sir H. Lawrence } 5/0 - 15.5.40
DESTROYED UNDER STATUTE
23/5 - Sir R. Wedgwood }
DESTROYED UNDER STATUTE
24/5 - Sir O. Mance }
DESTROYED UNDER STATUTE
25/5 W.O. } 18.5.40
DESTROYED UNDER STATUTE
24/5 Sir B. Bourdillon } 5/0 - 17.5.40
DESTROYED UNDER STATUTE

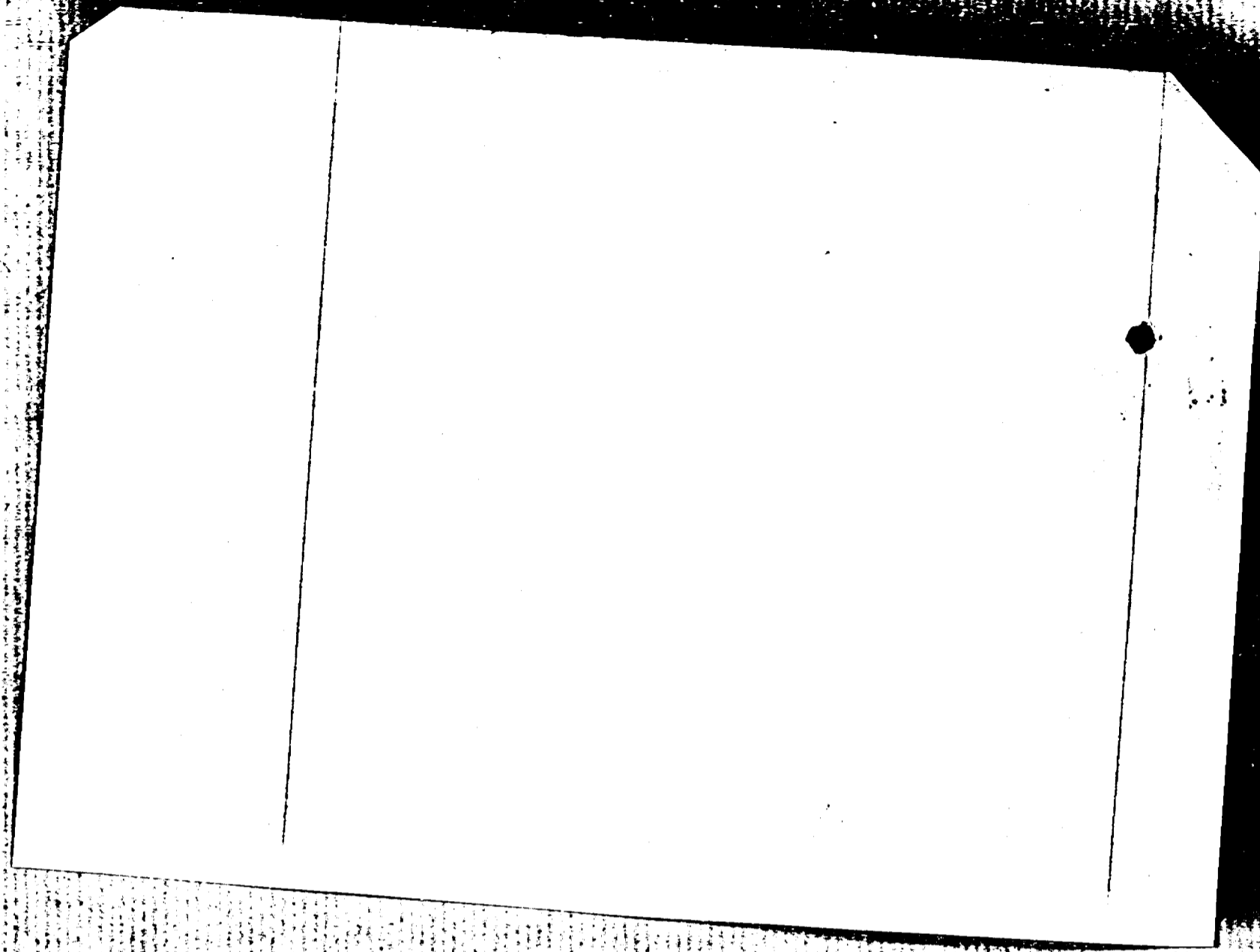
Recirculate Note of an interview between Sir G. Gater & Sir O. Mance on 22.5.40.
to consider Official Communications Nigeria (draft of 25)
In view of (26) I don't think there is any need to say anything officially to the Nigerian Govt about the dropping, for the time being, of the proposal to send a Railway Commission to Nigeria.
It does not seem that any further action is required on 27, which Mr Dawe has seen.
? Put by
Chamberley
28.5

As proposed.
You may care to see the recent copies.

J.B. Bourdillon
24/5

25/6 B.U. in a month
O.G.R. Wilson 25/5/40

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10
29

Hill Top,
Frith Hill,
Godalming,
Surrey.

23rd May 1940.

Sir George Gater, C.M.G., D.S.O.,
Colonial Office,
Downing St.,
S.W.1.

Dear Gater,

24 Thank you for your letter of the 15th. I must say I have always thought it would be more than likely that my proposed visit to Nigeria in July would not come off in war conditions.

As arranged when I called yesterday afternoon I return herewith the following confidential documents which were sent to me on the 10th April for study. I have done my best to clean off copious marginal notes and underlinings most of which were luckily in lead pencil. I am afraid a good many red pencil underlinings remain.

List of documents.

- Despatch from H.E. dated 1st March 1940 on Mr. Frederick Smith's Report.
- Minute by H.E. for consideration of the Transport Advisory Board re Mr. Smith's Report.
- Minutes of 11th Meeting of Transport Advisory Board.
- Comments of General Manager Nigerian Railways on Mr. Fred Smith's Report.

I am returning Mr. Rooke's Report on Rates direct to Bourdillon.

I gather from your letter and our conversation that you do not wish to close the door to the possibility of my undertaking this Enquiry in more settled times, but that till the

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[Faint, illegible text on a large sheet of paper]

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- 2 -

matter is raised a-fresh neither party is bound in any way.
I think this is the best arrangement; meanwhile I have quite
enjoyed my preliminary study of the problem.

Yours sincerely,

H. S. [unclear]

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will be prepared to release him from the Bank for the period of the mission you mention.

*Yours sincerely
H. Lawrence*

Sir George H. Gater, C.M.G., D.S.O.,
Permanent Under Secretary of State for the Colonies,
Colonial Office,
Downing Street,
S.W. 1.

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W. G. L. W. 1940
LONDON N.W. 1
S. B. U.

18

April 19th 1940

Dear Bourdillon,

I promised to write to you privately regarding the fee which I might expect if my mission to Nigeria comes off.

When I went to East Africa - for an absence of three months including time to write most of my report during the sea journey home - I received two thousand guineas to include cost of insurance, entertainment and all expenses except passages and cost of transport. Out of this I had also to pay a substantial sum for my release from my principal occupation.

If I received the same fee in the present circumstances I calculate that in view of higher cost of insurance and taxes, the net proceeds to myself would probably be under £500.

I think therefore that two thousand guineas would be a not unreasonable figure.

Yours sincerely,

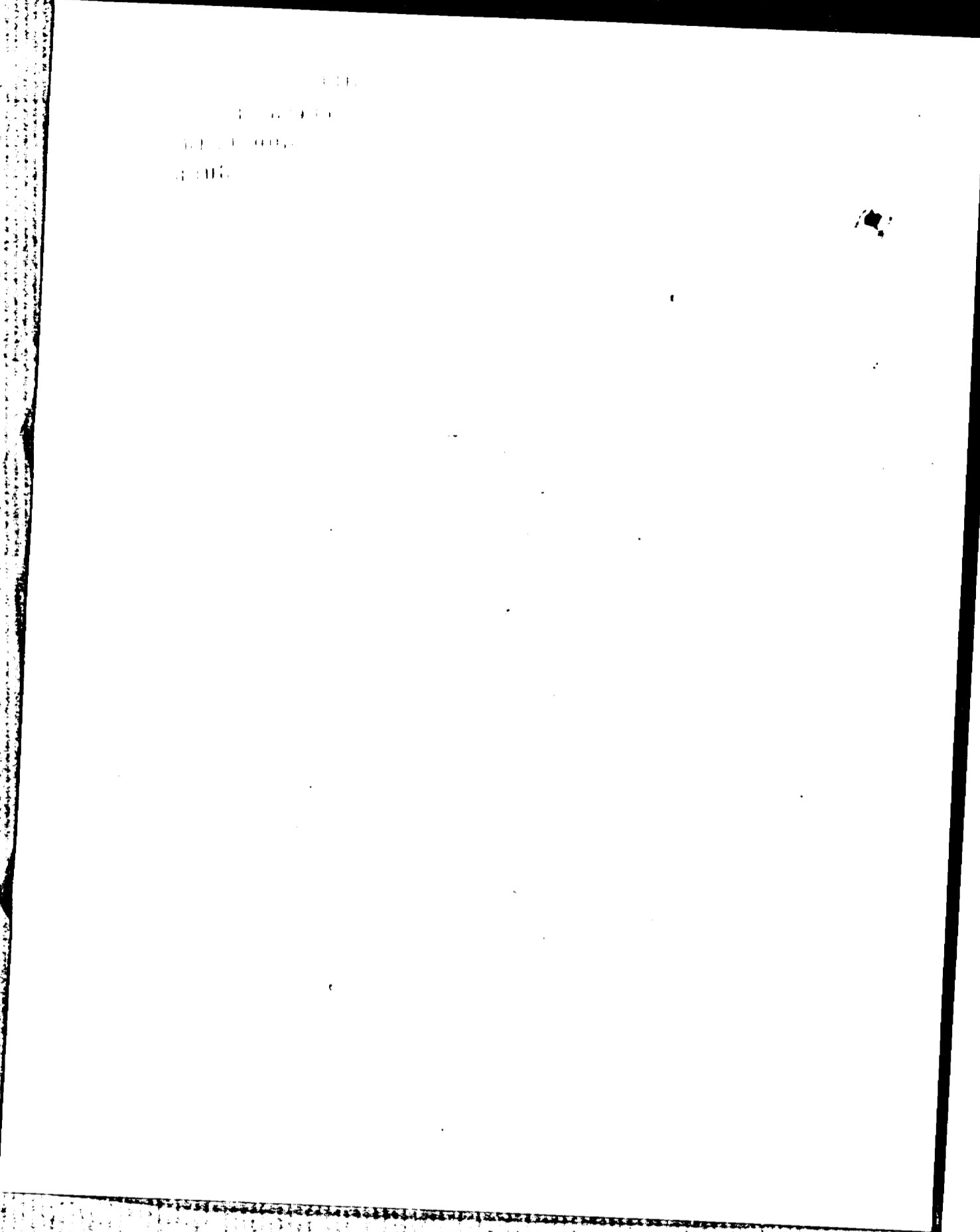
J. G. L. W.
I have digested the papers supplied to me as you and am preparing a questionnaire which will be sent out in due season - perhaps, before I am to go out on my next mission.

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10
15
Extract from notes of discussion with Sir Bernard Bourdillon in Sir George Gater's room on the 30th April, 1940.

* * *

Sir Bernard Bourdillon agreed with Sir George Gater that Mr. Marshall, who had been recommended by Sir Ralph Wedgwood, sounded quite suitable as a partner for Sir Osborne Mance in his proposed mission to Nigeria. In the first place, however, Sir Bernard said he would like to mention him to Sir Osborne and see what he had to say. Moreover, as it now appeared probable that the War Office would be willing to release Sir Osborne from his military obligations for the period of the proposed mission, although official confirmation of this had not yet been received, he would now ask Sir Osborne to prepare a questionnaire which could be sent out as soon as possible to Nigeria in order to save time in collecting information which Sir Osborne would require in the course of his mission.

As regards terms, Sir Bernard said that he gathered from Sir Osborne that he would be willing to go out for 2,000 guineas plus expenses for about three months, which ^{was} were similar to the terms accorded to him in the case of his East African mission, although at the present rate of taxation the net remuneration to Sir Osborne would be very much less. As regards Mr. Marshall, it seemed probable that he would require rather more, but Sir George Gater considered that in the first place it would be best if he were to ask Sir Ralph Wedgwood to approach Mr. Marshall himself. This, however, would have to wait until Sir Bernard had

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had spoken to Sir Osborne Mance. It was agreed that as soon as the way was clear to do so, a telegram should be sent to the O.A.G. to obtain the formal approval of the Nigeria Government in the expenditure involved in the mission.

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The Railway Executive Committee

21 / 3

Secretary:
G. COLE DEACON
Telephone:
Whitehall 6146
Telegrams:
Raezcom. London

YOUR REFERENCE

LONDON,
S.W.

CONFIDENTIAL.

22nd April, 1940.

Sir George Gater, C.M.G., B.S.O., J.P.
Colonial Office,
Downing Street, S.W.

My dear Gater,

I have been thinking over the subject of our conversation of last Thursday.

For the reason that I mentioned to you, it is not very easy to put forward any names of railwaymen who could be spared, and might be willing, to take on the Inquiry which you mentioned to me, in collaboration with Mance. Two names, however, have occurred to me which it may be worth your while to follow up a little further.

(1) C.R. BYROM. Retired about two years ago at the age of 60 from the position of Superintendent of the L.M.S. In that capacity he had charge of all their traffic operating work. He is a man of good education and great ability, and physically I should say he is still perfectly able to undertake the mission if he has an inclination that way. He is, I believe, entirely free. I am sure if he took on

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the job, he would do it very thoroughly and would make a valuable report.

(2) GEOFFREY MARSHALL. At present Goods Manager, Southern Area, L.N.E.R. Age between 55 and 60. He is a man of very good education and ability. His experience has been rather more on the commercial than on the operating side of railway work, but he has a good working knowledge of all sides. I am not sure that he could be spared by the L.N.E.R., though I think, with suitable approach, they might be willing to let him go for the period necessary to make the report. He could be relied upon to carry out any Inquiry entrusted to him with tact and judgment. He has been on Inquiries both in India, where he was associated with the Railway Board during the last war, and in America, where he was deputed by the British Railways to make an Inquiry as to systems of railway rates and rate control.

Of the two men I should be inclined to recommend Marshall as the first to be approached, partly on the ground that he is the younger man, partly also on the ground that of the two men I think he is likely to work in better as a partner with Mance.

As a retired Officer Byrom is free to take on the job if he wants to do so. If you decide to approach him, a letter addressed to him direct would be the best course

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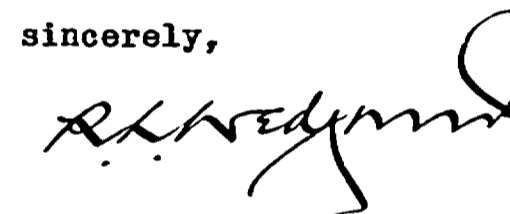
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and I can readily supply you with his address. On the other hand, if you think of trying for Marshall, I would suggest that the best approach would be to write to his Chairman (Sir Ronald Matthews, Aston Hall, near Sheffield.) He could then broach the question with the best chance of success.

There are other names which I could suggest, but the two given are on the whole the most promising. If, for one reason or another, they have to be discarded, I could perhaps suggest other names, but I should feel less certainty that they would meet your requirements. Please let me know if I can be of any further help to you.

Yours sincerely,



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A Sir George Gater saw Sir Osborne Mance this morning when Sir Osborne handed him No. 6 below and explained generally the difficulties which might come in the way of his undertaking any mission to Nigeria, including the possibility of his being called up for military duties in some important capacity. Sir Osborne Mance said that apart from these considerations he would be willing to undertake a mission of this kind. He had, of course, had earlier knowledge of the Nigerian Railways as he had been responsible for the commercial development of the Baro-Kano Line. He explained that he was fully acquainted with Mr. Smith's Report as Mr. Smith had sent a copy of it to him. Sir George told Sir Osborne that we had just received the Governor's comments on the Smith Report and that, on the understanding that the contents of the despatch and the enclosures were treated by Sir Osborne Mance as strictly confidential, since Mr. Smith had not been informed yet of any conclusions which had been reached in regard to his Report, Sir George thought that the best thing would be to let Sir Osborne have a copy of the Governor's despatch and enclosures for his perusal. Sir Osborne Mance mentioned that he was shortly publishing a book which he thought would be out towards the end of this month on the rail versus road question, a chapter of which was devoted to Mr. Smith's views. He mentioned that Mr. Rooke, the Assistant Traffic Manager on the Nigerian Railways, had called on him and asked him to let him know when the book was published so that he could obtain a copy.

Sir George Gater ^{explained} mentioned that Sir Bernard Bourdillon was arriving in this country very shortly and said

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said that he thought the best thing to do would be to put Sir Bernard Bourdillon into touch with Sir Osborne Mance so that they could discuss the matter together before a final decision was reached. Sir Osborne Mance was quite agreeable to this and it was left that in the meantime a copy of the Governor's confidential despatch of the 1st of March and enclosures would be sent in confidence to Sir Osborne Mance for study.

pro Sir Osborne Mance
11/3

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4. 26

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is in
30396/1/39

φ
Note on Report by Mr. Frederick Smith
on Transport Problems of Nigeria.

In the early part of 1939, the Government of Nigeria asked the Colonial Office to approach Unilevers with a view to Mr. Frederick Smith, the head of Unilevers' Transport Department, being invited to visit Nigeria to advise the Nigerian Government on the various transport problems of the Territory. Mr. Smith was personally known to the Nigerian Director of Transport, who presumably prompted the invitation of the Nigerian Government. Unilevers readily gave permission for Mr. Smith's visit and his Report, a lengthy document, was submitted direct to the Governor of Nigeria in July, 1939. This Report is not an easy document to summarise, especially as it contains no summary of its conclusions and recommendations. Put very briefly, it may be said that Mr. Smith's recommendations aim at so organising the various forms of transport, that roads, rails and waterways will each play their own appropriate part and co-operate with each other instead of competing. In the writer's opinion, some of the waterways are capable of playing an even more useful part in the life of the country than they do at present. He is in favour of cutting down Railway expenses by extensive closing down of Stations on the Eastern Line, which has always been a "white elephant". (See paragraph 50).

Another important proposal (paragraph 61) is a reduction in the number of trains by means of improved loading and an increase in the length of trains and a reduction in the number of engine hours due to increased speed of movement owing to elimination of

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of stoppages, etc.. This reorganisation Mr. Smith estimates roughly as possibly leading to an eventual saving of cost in the neighbourhood of £143,000 per annum.

A third proposal, which is of interest as ~~was~~ being "controversial and "unorthodox", is contained in paragraph 85, namely that for all crops subject to variations in price owing to World conditions (this means the major part of Nigeria's products), the Railway rates should be made "variable in price," i.e. should be a fixed percentage of the free-on-rail price upon the date of purchase from the primary producer.

Another point which may be mentioned (see paragraph 81) is the suggestion that the capital value of the permanent way and buildings of the Railway and the capital value of the highways of Nigeria should be merged in one common account, served by a levy on the tonnage carried by rail and road. It is claimed that, by such a merging of capital in a common fund, all questions of unfair competition between the different forms of transport would be removed. This suggestion Mr. Frederick Smith ~~owes~~ ^{reproduces} to Sir Osborne Mance and he ~~introduces~~ ^{introduces} as Appendix 10. to his Report, a reprint of an article by Sir Osborne Mance in which this suggestion is expounded. ~~and the same is done in the~~

Among subsidiary but important points, Mr. Smith deals at some length with the special problem of the Minna-Baro Railway Line (see paragraphs 32 - 43) and the question of the means of general transport ^{coordination &} control. Mr. Smith arrives at the conclusion that the post of Director of Transport

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(see paragraph 114) should be abolished, that the Port-working should be placed under the Railway and that the Nigeria Marine should be made responsible direct to the Government and not to any intermediate transport authority. He recommends that there should be a central co-ordinating authority for all forms of transport, which should consist of an Executive Committee, composed of the General Manager of the Railway, the Director of Public Works, the Director of Agriculture, the Director of the Nigeria Marine, and representatives of shipping interests, trade interests, public road hauliers and river transport interests, with a Government Secretary, who would also be charged with certain administrative functions. A remarkable feature of this recommendation (see paragraphs 114-118) is that this Committee, with its large unofficial representation, is to be charged with executive functions and the expenditure of public money.

O.G.R.V.

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7
29

19th February, 1940.

My dear Bourdillon,

Thank you very much for your letter. I am delighted to hear that you are due to arrive home on March 18th, and I shall much look forward to seeing you as soon as possible after that date. There are many matters which I shall hope to have an opportunity of discussing with you. At present I am afraid that the Smith Transport report is merely a name to me. I hope, however, that by the time of your return I shall be in a position to discuss its recommendations with you. In the meanwhile I will have preliminary inquiries put in hand with reference to the provision of expert advice on the subject of railway rating and rail and road competition, and will ascertain whether Mance is likely

Sir Bernard Bourdillon, G.C.M.G., K.B.E.

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likely to be available to come out and advise you.
The White Paper on the subject of Colonial
Development and Welfare will be made public tomorrow,
and I much hope that you will be satisfied with
its contents. I don't think that it was possible
in present circumstances to secure a larger amount
of financial assistance.

J.H. Fater

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2.
GOVERNMENT HOUSE,
LAGOS, NIGERIA. 31
Feb 9th
G.O.

My dear Gater,

I am due to arrive home by Aeromaritime and Air France, on March 18th, but air travel seems a bit uncertain these days, so I may not come and worry you until after the Easter week-end; but I shall do so at the first possible moment!

2. I hope to get off a despatch on the Smith Transport report before I leave. It is a most disappointing production; it read very well the first time, but every time I read it the more superficial and biased does it appear, and I am afraid that we shall get practically nothing out of it. It is quite clear to me that we need expert advice, beyond what is available out here, on the subject of railway rating and rail and road competition, and the chief purpose of this letter is to ask if you would make preliminary enquiries, before I come home, as to the possibility of Mance being available to come out and advise us. I do not want Hammond.

3. I have been anxiously awaiting a pronouncement in respect of colonial development. Hailey tells me that though there have been difficulties the prospects of something being done are still good. I hope that Nigeria will be able to get in on the ground floor. I thought that there could be no harm, at this stage, in letting Hailey see a copy of my despatch of April 5th last, and he admitted that even he had not fully realised until he read it how poor we are. *Do not write to answer this.*

B. H. Hailey

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CF
Transport
Nomenclature

2

Mr. O.G.R. Williams. *away*

As I told you towards the end of last week, Mr. Frederick Smith rang me up the other day to enquire whether a decision had been reached on the question whether his report on transport in Nigeria was to be printed and published. The file is in action with Mr. Melville, but he was good enough to bring it up to me this morning and I have ascertained that we have not yet received information on this point from the Governor.

I submit a draft s.o. letter to Mr. Woolley for conson:

M. Woolley
13/2

M. Smith
14/2

1. To Woolley. s.o. cons. ^{15th} 15 FEB 1940

2. Gov. Conf. _____ 1.3.40.
Documents in Fred. Smith's report and the minutes of a meeting of the Transport Advisory Board and a memo by the Manager. Requests a reply by tel. to relay proposals. Suggests a discussion when at home.

See minute on 30396/40. Draft tele. for conson. herewith. Recirc. early for conson. of No.2.

J. B. Smith
12.3.1940

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It is extremely difficult, I think, to summarise briefly Mr. Frederick Smith's Report or to pick out salient points on which to comment. Mr. Smith himself in the course of his Report, insists that the Report must be read as a whole and the various transport problems in Nigeria as he sees them are also closely interconnected, that with one or two possible exceptions, to give separate consideration to any particular problem is to run the risk of reaching a conclusion which would be unjustified, had not its bearing on and inter-relation with other problems been fully considered. To facilitate a perusal of the Report, therefore, I have prepared a digest, of which copies are attached and the index of chapters gives an indication of the main points which are considered in it.

The General Manager's printed comments (the third enclosure to No. 2 on this file) take the Report paragraph by paragraph. After receiving those comments, the Governor wrote a minute of his own on the subject of Railway policy, which he referred to the Transport Advisory Board inviting their specific recommendations on three points only amongst the many dealt with in Mr. Smith's Report. In the minute the Governor emphasises the fact that he has always regarded the Railway as an instrument for the development of Nigeria and not as a commercial concern attempting to run on a profit basis. In general, the Governor considers that Mr. Smith's Report, though original and striking, is superficial and based on inadequate knowledge of local conditions. He points out that Mr. Smith spent only ten days in Nigeria.

2A
more copies
taken in
Library
J. Lee

3
2B
Nigeria. In an attempt to focus attention on what are perhaps the more important of Mr. Smith's recommendations, I have in a separate note ^{marked B} summarised in tabular form, chapter by chapter, the principle points raised, with the General Manager's conclusion, the Transport Board's conclusion and the Governor's conclusion in each case. Such a summary cannot, in the nature of things, be at all adequate, nor can, I think, the Report, by its very nature, be fully appreciated without being fully studied. As to the proposals in the Governor's despatch, I am inclined to think that we can accept those in paragraph 3 for the constitution of an Economic and Transport Advisory Board, on which shipping and inland water transport's interests are to be represented. It is not quite clear to me, however, who is to represent the road haulage interests, i.e. the third partner - as they should be in the transport structure of Nigeria. Are the elected African member of Leg. Co. and the We can ask the Governor to elucidate this when we see independent African member to do so? / We can him.
also, I think, accept without hesitation, the proposal in paragraph 4 for the abolition of the post of Director of Transport. The recommendations in paragraph 5 seem to me to be reasonable. The abolition of the post of Director of Transport throws more responsibility back on to the General Manager of the Railway and the Director of Marine. I am not, however, altogether happy about the decision ~~to recreate at present the~~ not to recreate at present the post of Deputy General Manager. The Governor says, however, that he has not made up his mind finally about this and it is no doubt a point which he will wish

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U.B.

wish to discuss. I would, therefore, accept the proposal to increase the salary of the Traffic Superintendent, Mr. Rook, as a temporary measure, subject to review as to the need for recreating the post of Deputy General Manager by the Commissioner, whose appointment the Governor desires. I take it that, though a reply to these points is desired by telegram, action should wait until we have discussed the Report generally with the Governor, who will be here in a few days time. I attach a number of copies of "West Africa" containing the resumé referred to in paragraph 14 of the despatch.

U.B.

[Much more could be written on this despatch and its enclosures and I have deliberately made my minute as brief as possible, as discussion is proposed. I have had spare copies of the digest of the Report made with a view to such discussion.]

J.B. Sidebotham

16.3.1940.

As I think you will wish to study this before Sir B. Brindley's arrival I do not delay this for detours examination

Mr. Sidebotham has put in a lot of hard work on this troublesome subject & the result is that it is possible to form an idea of the problem which as others have been quite impossible without hours of reading.

O.G.P. Williams
16.3.40

4

Sir G. Gater

I pass this on as promised so that you can see it before the Governor arrives. Mr. Sidebotham's digest and tabular statement are most helpful.

I am glad to see that the Governor has at last yielded to the weight of opinion and agreed to the abolition of the post of Director of Transport. This was a pet scheme of his which he clung to for a long time, although we and others felt that it was an unsound conception. We took the opportunity to delay filling the post when it recently fell vacant: so that all that we have now to do is to abolish an office and not an official. This bone of contention having been removed, I cannot see that there is much here on which there is likely to be any divergence of view between this Office and the Governor.

The next step is to fix up a discussion with the Governor.

A.J.M.

18.3.40.

Mr. Sidebotham's digest and tabular statement have been most useful to me. We must now fix a discussion with the Governor.

20-3-40.

[Signature]
at once

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Mr. Williams.

Mr. Durr told me this morning that he thought we could go ahead.

and approve on the basis suggested in my minute. I submit a diff.

let comm. ^{para} after despatch. ~~Para~~ 4 of his 2 had better be extracted for comm on a separate file other file need ^{to me} ~~not~~ for further

discussion with Sir G. Gutter on Thursday next. before Friday's discussion with Sir B. Bondillon.

J. Bondillon

I see the thing 21/3.
It looks as if we are going to
sely propose (see para 5 of 2)

Dir. R. Williams

21. 3. 40

We are concerned, at this stage, only with the proposed increase of salary. The G.M. is to get £2000 + quarters whereas his similar offices in the K.M. & M.S. Alps (the only two ex. by diploma of comparable size) get £2500 + quarters & £2240 - £2650 respectively. The Chief Traffic Sup. is to get £1500 + quarters: his similar men on the two other Alps get £1500 + quarters and £1500 p.a. The Director of Marine in Nigeria has no exact equivalent

Extract reworded on 30051/40.
A.H. Holder
29.3

absence and the increase of his salary by £1000 p.a. is justified by addl. responsibilities. His salary will still be below that of the heads of the more important Nigerian dept. So his proposals can, I think, be accepted.

They had been asked later on P.F.'s of Mr. McEwen, Mr. Roche & Mr. Wey: Para 4 also read with and CA. had been told.

A.H. Holder
28. 3. 40

B. J. J. 27/3

I had some preliminary talk with Sir B. Bondillon about this and told him that we would send this telegram.

Do 20: 2 recirc. to Mr. Sidebottom.

Allen
A.J.S.
27/3

3 To O.A.G. Tel 260 (2 copies) 28. 3. 40

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4. My Conf. 4.3.40
3 add'l. duplicates of (2)

We have already written officially to Unilevers in No.5 on the 1939 file below, thanking them on behalf of the Governor and of the Secretary of State for making Mr. Smith's services available and expressing appreciation of his valuable report.

It was agreed yesterday when the report was mentioned in discussion between Sir George Gater and Sir Bernard Bourdillon that we should get a draft letter 'on the stocks' to Mr. Smith, telling him of the outcome of his report. I submit a tentative draft with this object. I understand the letter will not go off until some conclusion has been reached about Sir Osborne Mance's proposed visit to Nigeria. The bulk of the correspondence with Mr. Smith appears to have been conducted semi-officially as between him and Mr. Williams, and I have therefore drafted semi-officially for Mr. Williams' signature on this account. *It was suggested I think that this draft should go to Sir B. Bourdillon for concurrence before dep. J.P. Williams*

10.4.40.

As will be seen from the Com. n 14 on 1939 file the Nigeria Govt has been almost fulsome to Mr. Smith, so that Sir B. Bourdillon by now thinks about his report, we must nevertheless do our best to be appreciative or it is useless writing to him at all. Incidentally I have been unable to trace the Com. letter, he checks Sir B. Bourdillon referred at the meeting.

396 pces w/ work for this of modified or seen

indicating that Mr. Smith has found to submit his report to Unilevers' Board. Personally to the one states in a letter sent by Mr. Smith direct to Sir B. Bourdillon. I have not by now a direct touch. Neither Mr. Williams nor I had any recollection of this or I feel pretty sure that with my tendency to remember anything ~~unofficially~~ about Unilevers or U.A.C. I am unlikely to have forgotten it!

~~O.G.R. London~~
H.4.40

At the meeting on Tuesday it was also proposed to explain take steps to find a man of the general manager type to look into the general administration of the railway. Leaving Sir O. Mance to deal with the wider questions of transport in its 3 forms. I think the first step contemplates us to consult Sir R. Williams, Chairman of the Executive Com. I assume that Mr. Burns will take the necessary action on Sir G. Gater's behalf.

O.G.R. London
11.4.40

See now minute & Com. n 30346 (main file) done 25/4/40

A.P.S. 11.4

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5 To Sir B. Barendse (draft letter to Smith)
cont. - - 26. 4. 40.

Hi Dear.

5 A M now see Sir B Barendse's reply to 5.
The view of his content in para 2 ?
Suggest let Sir Sff ~~to~~ to Mr Smith
to go with the omission of the words
stem in brackets.

O.G.R. Williams
26. 4. 40

I agree. I think it
would be a good thing if
Mr Williams would send a
copy of the letter to Mr Smith
to Mr Woolley explaining that
Sir B. Barendse concurred
in its terms: that we are discussing
the question of a visit by Sir O.
Mance with Sir B. Barendse

and shall communicate with
him further on that in due
course.

W
UJPS
26. 4.
29. 4. 40.

6 to Fredk. Smith
Cuba 28. 4. 40
5 Requests

Para 2 of the
attached letter
to be copied &
placed in the
file of the
minutes of the
Committee

~~Extract from the file Sir B. Barendse
to Mr. Barendse dated 26. 4. 40.~~

William T.
send copy of 6
to Woolley 7/0

7. Sig. Secretariat of _____ 27. 3. 40.
Ref. 1. Re publication of report.

I don't know why this file has now
recirculates for action on 7 & on previous
mails - but it doesn't matter now. See in
the connection of Barendse's minute of
30/3/40. In any case there is no reason for
Nigeria for which can be offered to print

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a report which it largely disagrees
Putby alone
O.G. Richards 4.7.40

Q11
In the afternoon
PP & ...
...
...

8 To Woolley (5/10) 5/7/40

To C.A. 8-AUG 1940
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10 Nigerian Secretariat (35981/573) 30.8.40
DESTROYED UNDER STATUTE

11 to J Smith 7c comm. or draft 14.10.40
DESTROYED UNDER STATUTE

12 C. O's. G/409. Rly. 9231/1. 30.11.40.
DESTROYED UNDER STATUTE

John has been in circulation
but I have now been in touch with
Mr Smith at Unilever House and
the attached minute to C. Aguel;
Explains the position

J.D. Smith
13/12 abner

24/12

13 to C.A. 12 hrs 13.12.40
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Mr Smith has now sent me the 28
extra copies promised, of his report.
(in some paper covered files)
Send these to C. Aguel for transmission
to G. M. Kenya Uganda Railway.
[I have thanked Mr Smith by telephone]

J.D. Smith
23/12 abner

14 To C.A. (w/2cs of report) 27.12.40
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15 C.O's. 4.1.41.
DESTROYED UNDER STATUTE

Put by
J.D. Smith
7/1 abner

16 C.A. (min) 9.5.41
DESTROYED UNDER STATUTE

17 to J Smith 19.5.41
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18 to Lavelle (w/ file) E. Davis 22.11.41

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~~Whether~~ It is possible that Smith
 has already ~~found~~ gained some
 impression of the nature of the
 criticism ~~of~~ of his report from
 Mace who can then copy
 of his Remon's Conf days of 1 March
 & its enclosure. Would there be
 any objection to sending Smith for his
 personal & conf. info: a copy of
 McEwen's printed Comment?
 We would not of course send him
 the minutes of the Principal Advisory
 Board, or the Governor's memorandum,
 or a reading McEwen's Comment
 we could explain that it need
 represent to General Murgoy's personal
 views & must not be taken as in all respects
 necessarily embodying the views of the
 Nigeria govt.
 If you see no objection to this being done
 perhaps you would kindly let me have a spare
 print of the Comment. yours sincerely O. G. R. WILLIAMS

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- Chapter II. Transport Structure.
- Chapter III. Rivers and Waterways.
- Chapter IV. Rail and River Route and Minna-Baro Line.
- Chapter V. Future of River and Railway Systems.
- Chapter VI. Reorganisation of Railway Operating.
- Chapter VII. Road Transport Policy.
- Chapter VIII. Railway and Trade.
- Chapter IX. Ports.
- Chapter X. Transport Administration.
- Chapter XI. Conclusion.

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A DIGEST OF MR. FREDERICK SMITH'S REPORT
ON TRANSPORT IN NIGERIA.

CHAPTER I.

Mr. Smith deals generally with the background of the problem as he sees it. He contrasts the position in Nigeria in transport matters with that of industrialised countries. He emphasizes that the true criterion of the efficiency of the Railway in a country like Nigeria is the extent to which it contributes to the economic development of the country and the welfare of its people. Thus he argues that at a time when it may be sustaining heavy losses, it may also be making its best contribution to the above objects. Transport services must benefit the whole people, not only direct users, and losses should be borne by the whole people rather than thrown on to the primary producer. A good railway balance-sheet at the expense of the primary producer is to be condemned. Railway rates must be such as are not injurious to production.

CHAPTER II.

Mr. Smith discusses the structure of the transport services - rail, road and river. There is a conflict of interest owing to the river services being privately operated, and, owing to the differential regulating railway rates between the North and Lagos and the North and Baro, the river service in effect dominates the railway economy in respect of a large volume of traffic. But this traffic, he points out, is natural to the river route and any diversion would be artificial. A similar conflict of interest obtains in respect of Nigeria's ports. He suggests that the development of warehouses at

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at Apapa (Lagos) and Port Harcourt has been influenced by the Government Railway's desire to draw traffic away from the rivers, and that an obsession for building railways and ports has blocked river development. Why the Eastern Railway was ever built at all he does not understand. Owing to the slowness of the Railway to recognise the importance of motor transport, the latter has become a keen competitor instead of an active partner and its influence on the Railway will increase as time goes on - more than that of river transport because of the greater flexibility of road transport. He emphasizes that, although all three forms of transport are at present in conflict, each is essential, and he would deplore any policy of restriction of road transport such as has been adopted in Great Britain. There is no legitimate commercial reason, he considers, why road transport should be restricted merely to maintain the railway system; nor is there any logical reason why a state-owned railway should not be stimulated by competition, provided that this adds to the transport efficiency of the country as a whole.

CHAPTER III.

Rivers and Waterways.

These are the natural means of transport and it is desirable to utilize man power on the rivers when this is most economical. In Nigeria, the development of mechanical power on the rivers has not been accompanied by a diminution in the use of man power, but rather the contrary. Mr. Smith suggests that

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that the dredging of the Niger so as to provide deep-water facilities up to Baro or Jebba should again be considered and also the possibility of riverine irrigation works should be examined. The development of river transport on the Niger and the Benue should be considered with a view to the demand for the more equitable world distribution of raw materials and natural products. The steady growth of tonnage moved by river has been made possible by the combined river-rail route from the North and the development of the Benue area. Feeder road systems should be planned to serve river transport, in view of the essential part which such transport must play in the general transport structure.

CHAPTER IV.

Rail and River Route and Minna-Baro Line.

Mr. Smith contends that Baro should be regarded as an inland port and that the journey thence should be treated as part of the ocean service, and he advocates through bills of lading from river or coastal ports. As regards the differential, comparison should properly be drawn between the rates from the North to Lagos and the North to Baro. Accordingly, as regards the differential, the existing rate from the North to Baro is a good profitable rate. Mr. Smith refers to U.S.A. legislation on methods of making up through rail and water rates in comparison to through rail rates, but admits that there is no exact analogy between the U.S.A. and Nigeria in this matter. However, on U.S.A. principles, the Nigeria differential would not be less than it is at present. He contends that the profit-earning

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earning capacity and development in the past of the river services has been largely dependent on the existence of the Minna-Baro link. That link must be maintained if the river services are to be maintained as they clearly ought to be. The Minna-Baro Line could not be closed without compensation to the river companies. If there had been any question of closing that line, that should have been envisaged when the Nigerian Government handed over river transport to the Niger Company. Apart from possible capital expenditure, there would be little saving in out-of-pocket expenses in closing the Line and transferring traffic to the main line to Lagos. The effect of the closure of the Line on trading business as well as on carrying losses to the river companies would also have to be taken into account. Mr. Smith suggests that possible future developments at the end of the present tenure of the period for which it has been agreed that the Line should be kept open may make the question of closure then comparatively unimportant. He emphasizes that his report must be read as a whole and that the several problems cannot be considered in isolation.

CHAPTER V.

Future of River and Railway Systems.

(a) River Services.

He recommends a complete investigation of the possibilities of improving river facilities and linking them up with both rail and road services on a properly co-ordinated plan. He urges that the assistance of the trading companies should be sought and emphasizes that, without

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without expenditure, development is impossible. The exchange of commodities must not, he says, be at the mercy of the transport factor.

(b) Rail Services.

Railway layout and operation requires revision in the light of road transport development. Technical efficiency on the railways is good, and he was impressed by the work of the African staff. There is no reason why the African should not look forward to appointment to higher ranks in the Railway Service. In general, railway management should, he considers, be given a freer hand in administration (this point is developed later on in the report).

CHAPTER VI.

Reorganization of Railway Operating.

(a) Eastern Line.

Traffic on the Eastern Line, apart from the coal traffic from Emugu, is very poor. It should be considered whether maintenance of the Line beyond Enugu is necessary. He suggests the elimination of small stations and the concentration of traffic at a few stations carrying larger tonnages, so as to reduce the number of trains and enable traffic to be speeded up. He considers that African methods of transport (head, donkey or bicycle) should not be replaced except where, owing to distance, road services ought to be developed under contract to feed the railways, and not in competition with them. At present, the railway line has to be maintained with a road almost alongside of it, but without sufficient traffic for either. If, as he thinks, the Eastern Line should be closed except for coal

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coal traffic, the cost of coal to the Railways should be put at a rather higher figure, and it might be cheaper to get it from the U.K. To evacuate Benue crops by rail via Makurdi would be too costly, apart from technical difficulties - the river is the natural route. The capacity of the North-Lagos line has not yet been reached, and any attempt to divide traffic between it and the Eastern Line is not therefore justified, especially as Lagos is a more convenient port than Port Harcourt. There is no need for the latter, in his view, to be more than a coaling port.

(b) Main Line.

Similar considerations as to the elimination of small tonnage stations and the development of road feeder systems to a few larger stations apply here also. He envisages a possible saving of £143,000 per annum and further savings would be realised on station expenses. He suggests that Mr. Rook, the present Traffic Manager, should be detailed to carry out such reorganization. In undeveloped areas, a decision is needed whether ultimate development should be by road or rail. If rail extensions in the North-East are not contemplated, he advocates the building of special motor roads by Government and suggests the use of native vegetable oils as fuel for motor transport should be considered. Motor haulage operators should contract to feed the Railways under an inducement, e.g. a rebate on licences. In general, he considers it unlikely that further railway extensions will be necessary in Nigeria. Much traffic is more suitable for road transport as consignments are small and expensive to handle by rail, especially in the case of short distance traffic.

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(c) Railway Development.

The provision of refrigerator traffic for meat from the North to South is desirable. Traffic and operation research should be undertaken, and he recommends that a specialist officer should be appointed to the Traffic Department with English railway experience for this work. He also suggests that, if his proposals for speeding up traffic are adopted, fewer engine types will be found to be necessary.

CHAPTER VII.

Road Transport Policy.

The principal cause of complaint against road hauliers arises from their competition with the railways. Mr. Smith strongly objects to the licensing system adopted in this country and regrets its establishment in Nigeria. Free development should, in his view, be permitted to all forms of transport and legislation confined to the removal of abuses and such matters as

- (a) the settlement of fair wages and conditions of service;
- (b) the care and maintenance of vehicles in the public interest; and
- (c) proper conduct on the roads.

Co-operation between road and railway transport should be encouraged by a system of special rebates or allowances to transport undertakings in consideration of their agreement to act as feeder services; also, he suggests, by a feeder system to one end with a complementary feeder at the other, the road operators in such cases paying for rail services out of earnings. This, he suggests, would check uneconomic rates. He also makes a suggestion that the capital value of rail, permanent way and buildings might be merged with that of highways in a common account served by a levy on tonnage carried by rail, road and river services if a substantial

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substantial allowance for the community value of transport services has been made. This possibility he discussed with Sir Osborne Mance, from whom the idea originated. Mr. Smith is not altogether in agreement with the view that traffic carried on the railways ought to be self-supporting. It is unfair, he thinks, to expect the Nigerian Railway to operate on a commercial basis, in view of its interest burden and the fact that it is not free so far as commercial policy is concerned.

CHAPTER VIII.

Railway and Trade.

The theory of basing a railway rates policy on the principle of charging what traffic will bear does not, Mr. Smith considers, work in Nigeria. Where main crops are subject to wide fluctuation in price, any such rates are not related to price and are more or less inflexible. As an alternative he suggests the adoption of ad valorem rates, subject to a system of reasonable checks. This should, he considers, help traffic in both directions, and he advocates a special system of low rates to encourage the movement of commodities for use within Nigeria and not for export.

CHAPTER IX.

Ports.

As regards the public ports, Port Harcourt and Apapa (Lagos) the former should, he considers, be confined to the coal trade (see Chapter VI above), the latter should be the railway port for Nigeria. The development of Apapa by reclamation should proceed on the south side, and trading companies should be encouraged to settle there both in the interests of the Railway and of the general amenities of Lagos. The development of private wharves at Apapa should not, in his view, be discouraged. Shipment of groundnuts, etc., in bulk from Apapa should be encouraged,
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and the layout of additional storage accommodation should be designed for bulk shipment by conveyor-belt or hoppers direct to the ship's hold. The freight rate shipping charge at Apapa, for which no service is performed, is not justified. It gives an advantage to road transport serving Lagos against rail transport serving Apapa. This charge should be abolished and a charge based on real costs at Lagos substituted. (N.B. We have recently taken this up with the Ministry of Shipping.)

CHAPTER X.

Transport Administration.

The post of Director of Transport was originally created to co-ordinate railway working, port working and marine services. Mr. Smith contends that the Nigerian Marine is not a transport service really at all, but a technical department with functions corresponding to Trinity House and the Admiralty in this country, and co-ordination of transport should not have involved the Nigerian Marine. The Director of Marine should, he considers, be directly responsible to Government. He emphasizes that the traffic working of the ports should be entirely in the hands of the Railways and that separation of railway and port working has been a mistake. The old system of co-ordination under the General Manager of the Railway achieved much more real co-ordination. Port control, he points out, in this country has always remained under the Railways. There was no real case for setting up the transport directorate, with limited functions also, not including control of road transport and river transport as they should have done; and the establishment of the post of Director of Transport created a feeling that its aim was to consolidate the position of the Nigerian Railways vis-à-vis other forms of transport. Such a situation was regrettable and, once the idea gained ground,

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ground, the reaction of the country to restriction of road transport would inevitably be that that issue was being judged by parties partial to the rail interests alone. He regards the post as at present constituted as unworkable, and recommends its abolition and reversion to the former arrangement. As the essential co-ordinating authority, he recommends the establishment of an Executive Committee composed of the General Manager of the Railways, the Directors of Marine, Public Works and Agriculture, with representatives of the shipping trade and road haulage, and a secretary appointed by Government who would also be in charge of trade development. Each official member should serve in rotation as Chairman for three or five years, or each member of the Committee should do so in turn, unofficials being paid a fee for their services as Chairman. The Committee would be concerned with major questions of transport policy only, except that capital expenditure above a certain sum would be reviewed by them. They would be responsible for road and river policy and would administer the permanent way, highways and river fund recommended in Chapter VII. He suggests that the present Traffic Manager should be appointed Deputy General Manager with special duties in relation to trade development, and a new post of an officer charged with responsibility for traffic rates and trade development research under the General Manager and Chief Traffic Superintendent should be filled by an appointment from one of the English railways, if possible (see Chapter VI). Railway ports should revert to the control of the Railways, except that shipping companies should be responsible for providing and supervising stevedore labour.

CHAPTER XI.

He reaches the conclusion that further regulation of transport does not supply a solution of Nigeria's transport problems but would merely raise the level of transport costs.

If

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If the Railways are prepared to surrender the hope of a return to a monopoly position and entirely reorganize their methods of operating, traffic costs can, he considers, be reduced to an extent which will make voluntary co-ordination with other forms of transport successful.

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Chapter.	Mr. Smith.	General Manager.	Transport Board.	Governor.
II	Building of Eastern line unnecessary	Does not agree. It is wanted for coal traffic.	No comment.	It should become remunerative
III	Possibility of improving & dredging River Niger to provide deep water facilities to Baro etc.	Provisions for canalisation are utopian.	Suggestions impracticable	Capital expense would add enormously to fixed charges already born by transport system.
IV	Baro to be regarded as a river port. Minna-Baro link must be maintained.	No advantage Does not commit himself.	No comment	No comment.
V	Rail layout and operation requires revision. General Manager should have wider powers.	Cannot accept charge that methods are obsolete. Agrees.	No comment	He has agreed - see file on Revision of General Manager's powers.
VI	Eastern line unnecessary. Speeding up could be effected with consequent savings. Elimination of small stations.	Does not agree Not possible Under constant consideration.	Board noted Mr. Smith's proposals were under consideration by General Manager.	Does not agree. Unlikely savings can be effected, but proposal receiving active consideration.

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Chapter.	Mr. Smith.	General Manager.	Transport Board.	Governor.
VII	<p>Restriction on road transport development undesirable.</p> <p>Co-operation should be encouraged by special rebates.</p> <p>Proposal to pool fixed charges on all forms of transport.</p>	<p>Agrees in broad outline but expediency has to be considered.</p> <p>Agrees when there are sufficient reliable road operators.</p> <p>Sees practical difficulties.</p>	<p>Undesirable to express definite view for or against restriction.</p> <p>War time restrictions likely to affect levelling of rates between rail and motor transport</p> <p>Proposal does not offer sufficient prospect of success to justify expensive investigations.</p>	<p>Cannot accept Mr. Smith's view.</p> <p>Proposes question should be further examined by expert commissioner.</p> <p>Agrees with Board but it might be considered by commissioner.</p>
VIII	<p>Principle of basing rates on what traffic will bear does not work in Nigeria. Recommends ad valorem rates.</p>	<p>Agrees on broad lines with Mr. Smith and in principle with ad valorem rate system subject to decision on development policy.</p>	<p>Noted a general review of rating structure was being made.</p>	<p>Requires services of independent expert, to review whole position in light of examination now being carried out.</p>
IX	<p>Port Harcourt to be confined to coal trade. Apapa to be general railway port. Development of latter to take place on south side. Shipment in bulk to be encouraged and future development to be planned accordingly.</p>	<p>Agrees with Mr. Smith's views on most points.</p>	<p>No comment.</p>	<p>No comment.</p>

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Chapter.	Mr. Smith.	General Manager.	Transport Board.	Governor.
X	Director of Transport to be abolished. Co-ordination under General Manager to be revived. Executive Committee to be set up as co-ordinating authority on which shipping trade and road hauliers would be represented.	Agrees except as to Executive Committee. Considers that a Transport Advisory Council would suit Nigeria's needs.	Agrees but cannot accept Executive Committee and favours continuance of Transport Advisory Board. (This includes 3 Unofficials)	Accepts recommendations of Transport Advisory Board but is not at present convinced that post of Deputy General Manager must be re-created.

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AIR MAIL.

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NIGERIA.

Government House,
Nigeria.
1 March, 1940.

CONFIDENTIAL.

RECEIVED
11 MAR 1940
C. O. RECY

Sir,

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no dup. a complete set of
dupes retained by
R.H.H. 26.6*

4 in 30396/1/27.

I have the honour to invite your attention to the correspondence ending with my Confidential despatch of the 2nd of August, 1939, on the subject of Mr. Frederick Smith's report on Transport questions, and to enclose herewith the minutes of a meeting of the Transport Advisory Board at which Mr. Smith's report was considered, together with copies of the printed comments on the report by the General Manager of the Railway and of a memorandum written by myself for the guidance of the Transport Advisory Board.

2. I will not burden this despatch with a recapitulation of the criticisms, general and specific, of Mr. Smith's report which are contained in my memorandum. I must, however, point out that when I first suggested that Mr. Smith should visit this country I had not in mind that he should produce a report anything like so comprehensive in scope as that which he finally produced. My original desire was that he should advise as to the manner in which the transport-owning firms could best co-operate with the Government in working out a properly co-ordinated transport policy. Mr. Bulkeley was anxious to obtain his advice on certain other questions, and, with my permission, handed to Mr. Smith the

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
etc., etc., etc.

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the specific questions which appear as appendix 1 to the report. I also saw Mr. Smith on the day of his arrival and told him that I should be very glad to have his advice on any aspects of our transport problems which he might find time to study during his stay. Mr. Smith only spent ten days in Nigeria, and although he spent some time afterwards in England studying documents which he took home with him, and had some conversation with Mr. Rooke, the Chief Traffic Superintendent of the Nigerian Railway, I cannot consider that he was properly equipped to deal satisfactorily with the whole of Nigeria's transport problems. His report, though in many ways original and striking, bears many traces of superficiality and of inadequate knowledge of local facts and conditions.

3. Transport Directorate. For the reasons given in my memorandum I am prepared to accept the recommendations of the Transport Advisory Board, with certain minor amendments, and the following arrangements have been made or will be made immediately.

- (i) A re-arrangement of the domestic economy of the Secretariat, so as to allow one schedule to deal exclusively with Economic and Transport matters.
- (ii) The constitution of an Economic and Transport Advisory Board "to advise the Government upon such major questions of Economic and Transport Policy as may be referred to them by the Governor."

The Board will be constituted as follows:-

Chairman	The Chief Secretary
Members	The three Chief Commissioners The Deputy Financial Secretary The Director of Agriculture The General Manager of the Railway The Director of Public Works A Principal Assistant Secretary A representative of the Shipping Companies A representative of the inland water transport interests

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- Members A representative of the Lagos Chamber of Commerce
An elected African member of the Legislative Council
An independent African member.
- Secretary An Assistant Secretary to Government.

The Board will meet at least four times a year, or more often if summoned by the Chairman, and may co-opt additional members for the discussion of particular subjects. It will also make a full use of sub-committees, with co-opted members if necessary, to deal with particular questions.

- (iii) The continuance of the Local Area Transport Committees, to deal with transport questions only. They will deal with questions referred to them either by the Government or by the Economic and Transport Advisory Committee.
- (iv) The abolition of the post of Director of Transport.
- (v) The Principal Assistant Secretary, who will preside over the Board in the absence of the Chief Secretary, will be given extensive facilities for travelling, in order to study the local aspect of economic and transport problems. I regard it as not improbable that the prospect of accelerated economic development opened up by the recently published White Paper may necessitate an early strengthening of this organization.

4. The abolition of the post of Director of Transport will involve the amendment of the Additional Royal Instructions of April 20th 1937, and I should be grateful if the necessary steps could be taken as soon as may be convenient.

5. It also involves a re-consideration of the salaries of the General Manager of the Railway and of the Director of Marine, and of the necessity for the post of Deputy General Manager. Before the appointment of a Director of Transport the salaries of the General Manager of the Railway and the Director of Marine respectively were £2,000 plus £400 duty pay and £1,400 plus £280 duty pay. They are now £1,800 and £1,400 respectively. I propose that they be fixed at £2,000 and £1,500 respectively with effect from April 1st next, and should be glad if your sanction to these changes

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may be conveyed to me by telegram. I am not yet convinced of the necessity for the appointment of a Deputy General Manager, but, in recognition of the fact that the Chief Traffic Superintendent has to take charge of the duties of the General Manager of the Railway when the latter is on tour, and must to some extent understudy him in order to be prepared to act for him when he is on leave, I propose that his pay should be increased from £1,400 to £1,500 with effect from the same date. This increase would, however, be personal to the present holder, the substantive salary of the post of Chief Traffic Superintendent remaining at £1,400 and the whole matter being subject to review on the occurrence of a vacancy. I should be glad to receive your approval of this proposal also by telegram. I am satisfied that the salaries proposed are fully justified in present circumstances but I propose that the headquarters organisation of the Railway, and the pay of the headquarters staff, should be reviewed by the Commissioner to whose appointment I refer in a later paragraph of this despatch.

6. Restriction of Road Transport. For the reasons given in my memorandum I am unable to accept Mr. Smith's recommendations in this regard. The effect of the restrictions inherent in the war-time measures for restricting the use of petrol will be carefully watched, and I propose that this whole question should be further examined by the Commissioner referred to above.

7. Pooling of Fixed Charges. I agree with the Transport Advisory Board that, in so far as Nigeria is concerned, the proposal does not offer sufficient prospect of success to warrant or justify a lengthy and expensive investigation. I would not however rule out its further consideration by the proposed Commissioner.

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8. Colliery. The future management of the Colliery will be considered in connection with Major Orde-Browne's report when that report is received.

9. Railway Operation. Mr. Smith's proposals for improving railway operation have been dealt with in the General Manager's comments, and it appears unlikely that the large savings envisaged by Mr. Smith can in fact be attained. The proposals will however continue to receive active consideration.

10. Port Management. The Port Engineer has submitted his recommendations, and I am still awaiting the comments of the other Heads of Departments concerned. It will be necessary to consult the Port Advisory Board and the Economic and Transport Advisory Board before I frame my final recommendations.

11. Improvement of waterways. You will observe that the Transport Advisory Board were unanimously of opinion that Mr. Smith's somewhat ambitious projects for rendering the Niger more navigable are impracticable. From the engineering point of view a large scheme for converting the Niger into a highway for ocean-going vessels may be practicable. But the colossal expense involved would add enormously to the very high burden of fixed charges which Nigerian transport systems already have to bear. These fixed charges would obviously have to be borne by the river traffic, which could not possibly bear it unless its volume were greatly increased, which could only be done at the expense of the Railway. Mr. Smith envisages a combined navigation and irrigation scheme. The two are not always compatible, and in any case the lower reaches of the Niger already have an ample and well distributed rain-fall.

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12. The Eastern Line. It is now generally acknowledged that the building of the Benue bridge was premature, and that this considerable expenditure might well have been postponed for twenty years or so, but, for the reasons given by the General Manager, I am not prepared to agree that the line should never have been built. I see no reason whatever why it should not become remunerative in course of time, and the idea of abandoning it appears to me quite impracticable.

13. A comprehensive review of the Railway rating system has been in progress for some time, and has nearly been completed. When it has been completed I propose to review the whole of the relations between the Railway and the Government, and to consider how the policy of using the railway as an instrument for the development of the country, in proper co-operation with the other means of transport, can best be implemented. For this review I shall require the services of an independent expert or experts, and I should be glad if I could be given the opportunity, as soon as possible after my arrival in England on leave, of discussing with your Department the appointment of a Commission to advise me on the whole question. Subject to such modifications as may appear desirable after discussion, I suggest that the terms of reference should be somewhat as follows:-

"To examine the operation of the Nigerian Railway and the financial relations between the Railway and the Government and to advise the Government thereon, with particular reference to

- (i) The Railway Headquarters organisation.
- (ii) Possible economies in operation.
- (iii) The railway rating system.
- (iv) The regulation of competition between the railway and other methods of

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of transport with a view to ensuring proper coordination between rail, road, and waterways transport systems.

- (v) The extent to which, and the manner in which, the railway should be subsidised by the Government in order that it may play its proper part in the economic development of the country."

14. I expect to arrive in England about March 19th, and should be glad to be given an opportunity of discussing the contents of this despatch as soon as it has been studied by your Department. In particular I should be glad to discuss the somewhat delicate question as to the publication, or at any rate the communication to Mr. Smith, of the Government's decisions upon his report. The report has not been published in this country, and, although a resume of it has appeared in "West Africa", it appears to have aroused no interest locally.

I have the honour to be,
 Sir,
 Your most obedient, humble Servant.

B. H. ...

GOVERNOR.

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MINUTES OF THE ELEVENTH MEETING

of the

TRANSPORT ADVISORY BOARD

held in Lagos at 10 a.m. on Friday, 29th December 1939.

PRESENT.

- The Honourable C.C. Woolley, C.M.G., O.B.E., M.C.
Chief Secretary to the Government (Chairman).
- His Honour Mr. T. S. Adams, C.M.G.,
Chief Commissioner, Northern Provinces.
- His Honour Mr. G.C. Whiteley, C.M.G.,
Chief Commissioner, Western Provinces.
- His Honour Mr. G.G. Shute, C.M.G.,
Chief Commissioner Eastern Provinces.
- The Honourable Commander A.V.P. Ivey, R.D., R.N.R.,
Director of Marine.
- The Honourable J. H. McEwen,
General Manager of the Railway.
- The Honourable S.J.W. Gooch,
Director of Public Works,
- The Honourable Captain J. R. Mackie,
Director of Agriculture.
- E. C. Crewe, Esquire,
Postmaster-General.
- The Honourable D. D. Gibb,
Banking Member of the Legislative Council.
- The Honourable G. H. Avezathe,
- The Honourable R. M. Williams,
W. Adams, Esquire.

IN ATTENDANCE:

- S. R. Merlow, Esquire, Deputy Financial Secretary,
- J. J. Emberton, Esquire, Acting Director of Transport.
- J. H. Evans, Esquire, Secretary.

ABSENT:

A telegram had been received from Mr. J. F. Winter expressing regret at his inability to be present.

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80. MINUTES OF PREVIOUS MEETING: The Minutes of the meeting held on the 11th of April, 1939, having been circulated, were taken as read and confirmed.

Before confirmation of the Minutes Mr. Williams remarked that those of the previous meeting (at which he was not himself present) implied that the Board had finally decided to recommend a definite system for the restriction of motor transport, whereas he thought that such was not the intention of the Board.

THE CHAIRMAN replied that the present concern of the Board was merely to confirm that the Minutes correctly represented what took place at the meeting. THE SECRETARY stated that the Minutes had been circulated and comment invited, but that no amendment had been recommended.

81. MR. FREDERICK SMITH'S REPORT ON 'TRANSPORT IN NIGERIA': Copies of this Report had been in the hands of members for a considerable time, and more recently they had been supplied with copies of comments from the following :-

- The Chief Commissioner, Northern Provinces,
- The Chief Commissioner, Western Provinces,
- The Chief Commissioner, Eastern Provinces,
- The Financial Secretary,
- The Ex-Director of Transport (Mr. G.V.O. Bulkeley),
- The Acting Director of Marine (Comdr. G.W. Trinick),
- The Director of Public Works,
- The Acting Director of Agriculture (Dr. Bryce),
- The Postmaster-General,
- Mr. R. M. Williams,
- Mr. J. F. Winter, D.C.M.

A Minute by His Excellency the Governor had also been in the possession of the Board for some days.

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In opening the meeting THE CHAIRMAN said that this was a special meeting of the Board convened at the request of His Excellency to consider Mr. Frederick Smith's report on transport problems in Nigeria. His Excellency had asked for advice on three specific questions raised in the report, namely :-

- (a) restriction of road transport,
- (b) pooling of fixed charges,
- (c) future of the Transport Directorate.

His Excellency had also intimated that he would be glad to receive the views of the Board on any of the more general questions referred to in the report. THE CHAIRMAN informed the members of the Board that although most of them had already recorded their opinions in writing, they would be given an opportunity of explaining or of modifying such views. THE CHAIRMAN explained his invitation to the Deputy Financial Secretary to attend the meeting on the grounds that financial aspects of certain questions might call for discussion in which he felt sure Mr. Marlow would be of assistance to the Board. THE CHAIRMAN advocated that discussion should at first be confined to the three specific matters referred to by His Excellency, and it was generally agreed that the future of the Transport Directorate might conveniently be dealt with first.

A. THE TRANSPORT DIRECTORATE: In opening the discussion, THE CHAIRMAN referred to the agreement among members generally as to the unsatisfactory nature of the existing arrangement whereby a Director exercises executive control over certain departments of Government. Judging by their written comments on the question whether the post of Director should be retained, the Board were almost unanimous in recommending its abolition at least

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in its present form. There was general agreement that the Transport Advisory Board should be retained, but Mr. Smith's recommendation that it should exercise executive powers found no favour. Nor was his proposal for a rotary chairman considered either feasible or desirable. THE CHAIRMAN said that the recommendations of the Board regarding its future constitution should be recorded at this meeting, and thereupon invited members to express their views both in regard to the post of Director and the constitution and functions of the Board.

MR. W. ADAMS (B.C.G.A.) regretted not having had as much time as he could have wished for the study of the report and comments of other members, but he felt that Government had real need of an expert adviser of some kind on transport problems, though he was not convinced that the post should survive in its existing form.

THE CHAIRMAN remarked that Mr. Winter, who was unfortunately unable to be present, had also expressed the view that the post of Director should be retained. Otherwise, it appeared from the written memoranda that members shared the views of Mr. Smith. It was now for the Board to record its considered opinion in the light of all that had been said and written on the subject.

MR. R. H. WILLIAMS recognised the need for some officer whose duties should be concerned with transport and considered that provided he had no executive control over departments but acted as the Boards' adviser his title was a matter of terms.

Apropos of Mr. Adams's (B.C.G.A.) remarks, THE CHAIRMAN said that it was noteworthy that even Mr. Smith, himself the only transport expert who had visited Nigeria, did not recommend the appointment of an expert for Nigeria, nor

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nor did he seem to require that the Secretary to the Board should be an expert.

Referring to the position in the Federated Malay States, the CHIEF COMMISSIONER, Northern Provinces, described the function of the expert sent from England (Mr. Nelson) to advise the Government on transport problems. After making his recommendations for legislation, he was asked to remain for a time to give effect to his proposals. The CHIEF COMMISSIONER thought that a similar plan might be adopted in Nigeria, where the permanent services of an expert were in his opinion unnecessary. He also expressed the view that the functions of the Board should be restricted to broad questions of policy, though such had not, he feared, been the case in the past. The danger of usurping natural functions of Government should also, he thought, be borne in mind.

THE GENERAL MANAGER OF THE RAILWAYS considered it unnecessary for the Secretary to the Board to be a transport expert. Material put forward by the local Transport Committees could be co-ordinated by the Secretary for reference to the Board. He stressed the desirability of confining the Board's activities to broad questions of policy.

THE CHIEF COMMISSIONER, WESTERN PROVINCES, shared the view that a Director of Transport was not necessary. As regards the introduction of an expert to discover 'problems' he thought that they would come to the notice of Government through the ordinary administrative channels. Where a question of policy was involved, reference would be made to the Board.

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the

THE DIRECTOR OF PUBLIC WORKS mentioned that in/ present
Deputy Director of Public Works we had an officer with un-
rivalled knowledge of communications in Nigeria whose ser-
vices might be utilised. The general opinion however was
that where specialised advice was required it could be
called in.

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THE DIRECTOR OF AGRICULTURE said that since transport
represented only one aspect of general development, it should
not be given isolated treatment. He therefore recommended
that the scope of the Board should be extended to include all
economic development, on the lines of a similar organization
which had proved necessary in India and might also be of
value in Nigeria in helping to solve problems arising out of
war conditions. He suggested the desirability of appointing
an adviser for Economic Development whose duties would include
transport problems.

THE CHAIRMAN thought that there was a good deal to be
said in favour of the Director of Agriculture's suggestion
for extending the functions of the Board so as to include
economic development. He instanced as an example, and one
of vital importance, the need and scope for development
internal trade, more particularly exchange of produce for
local consumption between the north and south, and taking
steps to meet the timber requirements of the north, which
could only be met from southern forests. The chief
objection to such development was the lack of cheap transport
which he felt the railway should supply, irrespective
whether, from the railway point of view, freight rates
ensure a free flow of produce etc. were economic. It
appeared here to be a strong case for regarding the railway
purely as developmental service. Captain Mackie had
suggested

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suggested the appointment of an economic adviser. The Board might be in a better position to consider the desirability of such an appointment if and when its functions had been extended as Captain Mackie had proposed.

THE CHIEF COMMISSIONER, Northern Provinces, commented that the need for such an organisation in India had arisen on account of the numerous separate Legislatures, each possessed of wide powers, thus necessitating some central co-ordinating authority. It was hardly a parallel case.

THE CHIEF COMMISSIONER, Eastern Provinces, suggested the appointment of a Secretariat officer with the rank of Principal Assistant Secretary to be Secretary to the Board. Such an officer, while remaining in close touch with Government, would be able to collect information on any subject upon which Government desired the Board's advice. He thought the Chief Secretary should be permanent Chairman of the Board.

MR. R. WILLIAMS stated that the Board already viewed transport problems from the economic aspect and pointed to the possible danger of too wide a term of reference. He agreed that the Secretary should be a senior Secretariat officer. The Board should be empowered to appoint or to recommend to Government the appointment of a particular officer to investigate any special problems that may arise from time to time.

THE DIRECTOR OF AGRICULTURE stated that in spite of what had been said he still thought that a special officer to advise on and co-ordinate economic development should be appointed. He also considered that if the functions of the Board were to be extended to include questions of economic development the Board should be as representative as possible even if
this

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this meant that there was a risk of it being too big, in order that more use could be made of sub-committees.

There was general agreement that the Board should be reconstituted with a more restricted membership. Since it had been admitted that the Marine Department was not a transport department it was thought that there was no need for the Director of Marine to remain a member of the Board. On the other hand it was suggested that since most questions had a financial aspect it might be useful to have a member of the finance side of the Secretariat as a permanent member.

After further general discussion the Board agreed to recommend that :-

- (i) The post of Director of Transport be abolished.
- (ii) The Advisory Board, with its subordinate local committees, be continued.
- (iii) The functions of the Board be extended to include consideration of questions of economic development, (adopting a new title to describe its wider sphere: e.g. Economic and Transport Advisory Board).
- (iv) The Chief Secretary to the Government be permanent Chairman of the Board;
- (v) The membership of the Board be restricted to nine or ten, with power to co-opt members when necessary;
- (vi) A Secretariat officer of the rank of Principal Assistant Secretary be Secretary to the Board.
- (vii) The Secretary to the Board be in charge of a new Transport and Economic branch of the Secretariat and relieved of all other duties.
- (viii) The Secretary be afforded facilities for extensive travelling in order to study problems on the spot.

B. RESTRICTION OF ROAD TRANSPORT: The Chairman read the following extract from His Excellency's minute :

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"I should like the advice of the Transport Advisory Board as to whether Mr. Smith's views on this important question should be accepted or not. If they are not accepted, it still remains for consideration whether the method of regulating road transport should be the rather elaborate one already approved by the Transport Advisory Board, or the more simple zoning method suggested by the General Manager of Railways on page 8 of his comments. I suggest, for the consideration of the Transport Advisory Board, that the war-time control which we are now exercising over road transport is in itself sufficient for the moment, and that experience of the working of this control should give us valuable material to enable us to judge which of the two systems referred to above should be adopted when we return to normal conditions."

At the invitation of the Chairman MR. EMBERTON explained that under the Defence Regulations any commercial vehicle could be restricted to a particular route. The necessity for conserving petrol supplies had called for some restriction of road transport, and a considerable reduction in consumption had been effected since the outbreak of war. A recent review of the stock position however, shows it to be more satisfactory than had been hoped for, and orders have therefore been given to relax control measures to permit of a 25% increase in consumption. At the present rate of consumption, Nigeria has about ten months' supply. MR. EMBERTON thought that so long as the present satisfactory position was maintained, there could be no justification for restricting road transport on the grounds of conserving petrol supplies.

THE GENERAL M.A.N.A.G.E.R OF THE RAILWAYS thought that the price of petrol would have to rise considerably higher before motor transport owners would be forced to raise their rates to the level of economic railway rates. He considered that although the present method of restriction would provide valuable experience it was none the less necessary to impose restrictions in addition to those mentioned by Mr. Emberton. In any case, the setting up of

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of an elaborate and costly organization for the regulation of the road transport industry should be guarded against.

Broadly speaking, road-rail competition only exists in the South-Western Provinces. Since it is uneconomical for the railway to attempt to compete with road transport for short hauls (which the General Manager defined as approximately 50-60 miles) the question of restriction for the purpose of protecting the railway only arises in the area between Abeokuta and Jebba, The Board, however, recognised the tendency of road transport to travel increasingly greater distances, and the area in which restriction might be considered necessary would probably be further extended. They also agreed with Mr. Smith in considering that any project for road construction should take into account whether a particular route was already adequately served by rail or river. The question of whether restriction was desirable to protect the road transport industry from uneconomic internal competition was one which required careful investigation. The Board agreed that steps should be taken without delay to regulate further the conditions under which motor transport now operated. The General Manager of the Railway thought that any enquiries should embrace road transport interests. Finally, the Board thought it undesirable in the present circumstances to pronounce definitely on the question of restriction or non-restriction. Restriction was already in force on account of the need for conserving petrol, and a continued state of war, involving increased running expenses for motor vehicles, would very probably result in an automatic levelling of rates as between road and rail transport. In the opinion of the Board it also seemed

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seemed likely that as the war progresses it may become increasingly difficult to replace worn-out road transport vehicles. It was therefore considered unnecessary at present to adopt artificial means of restriction, and the effect of the existing restrictive measures was meanwhile to be watched. (As regards the definition of short hauls given above the General Manager subsequent to the meeting requested that the figure of 50-60 miles given by him to the Board should be amended to 30 miles, thus substituting Ifaw Junction for Abeokuta).

C. POOLING OF FIXED CHARGES: At the invitation of the Chairman the Deputy Financial Secretary commented on the proposal made by Sir Osborne Mance to ensure fairer terms of competition between road and rail transport. In the written comments submitted everyone seemed to agree, he said, that its application to Nigeria would be impracticable, since the great diversity of road vehicles, distances run, and produce and other merchandise carried, made it impossible to assess the toll to be charged on road transport. If it were desired to apply Sir Osborne Mance's proposal, however, it might be possible to assess the toll by different means: i.e. by levying a fixed charge on all imports and exports. A levy of 1/- a ton on 1,000,000 tons annually (a very rough estimate) on both imports and exports would, for instance, produce revenue amounting to £100,000 per annum, which would enable assistance to be given to the Railway towards its interest commitments. Such a levy would however amount to a form of additional taxation and would have to be examined as such.

In one respect, Mr. Marlow considered Sir Osborne Mance's proposal open to criticism in principle, for the policy of pooling fixed charges would seem to carry with it the corollary that both the highway and the railway should

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should be open to all comers subject to licence, and this certainly was not intended, or practicable.

Mr. Marlow suggested, and the Board agreed unanimously, that so far as Nigeria was concerned, Sir Osborne Mance's proposal did not offer sufficient prospect of success to justify a lengthy and expensive investigation.

D. AVIATION: It will be necessary to transfer the executive duties formerly discharged by the Director of Transport in connection with aviation to the head of another department, possibly the Director of Public Works or the Director of Marine.

E. COLLIERY: The Board considered that the Colliery Manager should in future be directly responsible to Government and that the Railway should continue to act as Sales Agent. It was further considered that the Chief Commissioner, Eastern Provinces, should exercise a general administrative supervision over the working of the colliery, and that the Chief Inspector of Mines should be responsible for technical supervision.

F. RAILWAY: In their written comments members had cordially supported the definition of railway policy outlined in His Excellency's minute. The General Manager stated however that he had discussed the question of railway policy with His Excellency to whom he had expressed the view that a true transport developmental policy could not be fully effective until Government had regulated and controlled all forms of transport so as to produce equality of transport charges. He referred to the procedure adopted in Kenya and drew the Board's attention to the excellent results which were of advantage not only to the railway but to the country generally.

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THE CHAIRMAN informed the Board that the General Manager had under active consideration the various recommendations made by Mr. Smith for improving the operation of the railway. A general review of the rating structure was also being made. The Board noted with satisfaction the steps being taken.

G. PORT MANAGEMENT: THE CHAIRMAN informed the Board that the working of the Apapa and Port Harcourt wharves had been temporarily placed under Railway control without prejudice to the general question of future port management. Meanwhile Mr. Carter had been requested to submit a report on the matter, and the Board's comments on this Report would no doubt be sought. Whatever the final decision, the Port Advisory Board would be retained.

H. WATERWAYS AND RIVER FACILITIES: Having unanimously agreed that Mr. Smith's suggestion for improving the navigability of the River Niger was impracticable, the Board were opposed to any extensive investigations in this direction.

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Minute by His Excellency the Governor,
for consideration by the Transport
Advisory Board in connection with
Mr. Frederick Smith's Report on transport
in Nigeria.

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1. Certain of the matters dealt with in Mr. Smith's report concern the railway only. I should be glad to receive the views of the Transport Advisory Board on any of the more general questions raised in the report, and in particular I want definite recommendations on the following three important questions:

- (i) Restriction of road transport;
- (ii) Pooling of fixed charges;
- (iii) The Transport Directorate.

2. Before recording brief notes on these three points, I should like to make some general observations on the report and on an important matter arising out of it. The report is a stimulating document, but it suffers from certain defects. In the first place it was considered by Mr. Smith's Board of Directors, and was presumably revised as the result of their instructions. It cannot possibly, therefore, be regarded as an entirely impartial review of the situation. Mr. Smith, as he himself admits, completely changed his mind about the Minna-Baro line after leaving the country. The reasons he gave for having done so do not appear to me entirely adequate, and it is, I think, quite clear that his views were unpalatable and that he changed them under direction. In the second place, Mr. Smith spent only a very short time in the country and obtained a very incomplete acquaintance with local conditions. His ignorance of these is displayed, for example, by paragraph 26, which looks upon the irrigation of areas which already have an adequate rainfall as a paying proposition, and regards as practicable extensive dredging and canalising work on the Niger. This ignorance of local conditions is further exemplified

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exemplified by his statement that the unsatisfactory features of road transport can easily be eliminated by the ordinary processes of the law. He entirely fails to appreciate that in more highly developed countries the law obtained a measure of assistance from Trades Unions and public opinion which is entirely lacking in Nigeria. Thirdly, Mr. Smith has failed entirely to appreciate the extent to which financial considerations limit the scope of action of a Colonial Government, particularly a poor Government like that of Nigeria. This is shown by the airy way in which he assumes on more than one occasion that if something ought to be done, it is unthinkable that lack of money should prevent its being done.

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3. Mr. Smith has also failed to grasp fully the ideas underlying the present policy of the Government in regard to the railway. I thought that I had made that policy sufficiently clear in my address to the Legislative Council of March 2nd 1936, to which I invited Mr. Smith's attention. I am, however, rather horrified to find that the General Manager of the Railways himself appears to harbour doubts on the subject. At the bottom of page 35 of his printed comments on Mr. Smith's report, he says "if developmental policy is decided upon"; at the bottom of the next page he talks about certain investigations with which he proposes to proceed "as soon as a railway policy has been fixed". It appears, therefore, that for the last three and a half years I have been suffering from the delusion that I had succeeded in making the Government policy in regard to the railway as clear to others as it is to myself. I must therefore try again.

4. A Colonial Government railway can be regarded either as a commercial concern (profit-making, or at any rate entirely self-supporting) or as an instrument for Colonial development. I do not think I am wrong in saying that the Nigerian Railway has always been regarded in

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in the latter light. It has certainly always been so regarded by me. Now if a railway is really to be an instrument in the development of the country, it is obvious that it must frequently be called upon to assume responsibility for undertakings which are not directly remunerative. The railway itself cannot finance these undertakings, and it remains for the tax payer to do so. In other words, the railway must be subsidised. This object can be achieved in either of two ways: the first is to treat the railway as a Government Department with no reserve of its own, but dependent on the Government reserves, the Government taking any profits or making good any losses. This is the procedure that obtained in Nigeria until 1936. I regard it as wholly pernicious. It is, as I said in the Legislative Council, good for neither party. It is embarrassing to the Government, as it introduces a very considerable element of uncertainty in regard to the amount of money available for other expenditure, and it is disheartening for the railway management, who have no fixed goal to aim at. It is obvious that, with the very best will in the world, a management which does not directly benefit by its own efficiency cannot have the same incentive to be efficient as one which does so benefit, and the lack of that incentive imposes the necessity for a degree of Secretariat control which must seriously hamper railway initiative. The alternative is for the Government to fix the amount of the subsidy which the Government is prepared to pay the railway and for the railway then to be responsible for balancing its budget and building up a reserve. This is the policy that was adopted by me in 1936, and I would emphasize that this "semi-commercialization" of the railway, as the General Manager has not unfairly described it, did not mean any change in the policy of the Government, which remained to regard the railway as an instrument of Colonial development and not as a money-making concern

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concern. The object of this semi-commercialization was to enable the railway and the government respectively to obtain far clearer pictures of their own financial position, and to provide a greater inducement to efficient management of the railway. The policy of the Government is therefore perfectly clear, and no further declaration on this subject is needed. 53

5. What has to be settled from time to time, is the amount of the subsidy. This is not a question of policy, but of ways and means. The subsidy was fixed in 1936 at an amount which the railway management themselves considered would be sufficient. Whether it is sufficient now is open to grave doubt, though it certainly would have been so had the international situation, and consequently commerce generally, remained normal. The General Manager states at the bottom of page 35, that his opinion that the position merits review remains unchanged. No one has ever challenged that opinion. But a review which will enable us to fix a long-term developmental policy (and so to avoid that fluctuating financial policy which the General Manager deprecates) must, I maintain, be preceded by a comprehensive review of the railway rating system. Mr. McEwen, at the bottom of page 36, says that the whole position of railway economics and charges "will be investigated as soon as a railway policy is fixed". Railway policy was fixed nearly four years ago. It has not been altered since, and I have no intention of altering it. What is not fixed is merely the size and form of the subsidy necessary to implement that policy, and that cannot be fixed on any but a temporary basis until the "whole position of railway economics and charges" has been investigated.

6. Mr. Smith suggests that the railway have been unduly hampered by what he evidently regards as rather finicking Government control. If there is justice in this criticism, it is at least partly due to the fact that

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that the Government is still awaiting the preparation of a comprehensive rating scheme. In any case, it must be remembered that the Government owns the railway and is in the position of a Board of Directors exercising a control over policy and a general supervision of the execution of that policy.

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7. Restriction on Road Transport: Mr. Smith's views on this subject, which are expressed in several places in his report, are summed up in para. 123, where he says, "I hold most firmly to the view that further regulation of transport offers no satisfactory solution of the problem. Such regulation can have as its purpose merely the raising of the general level of transport costs". I assume that when Mr. Smith says "purpose" he means "result". Even so, I disagree with him. Transport in any country, and particularly in a non-industrial, producing country like Nigeria, is a purely subsidiary industry. The really important person in the country is the producer, and transport is of little importance except in so far as it helps him. If the whole cost of transport were to be borne from the beginning by the producer, there would be no development, and it is essential, if development is to be encouraged that a considerable portion of the total cost of transport should not be paid by the producer only but should be distributed over the general body of tax payers. In Nigeria the taxpayer is subsidising both rail and road transport. An apparent raising of the general level of transport costs (which Mr. Smith assumes can be the only result of further regulation of transport) may merely mean a redistribution of the burden of the cost of transport as between the producer and the general tax payer.

8. In general I agree with Mr. McEwen's comments on Mr. Smith's thesis that road transport should be allowed a free hand and that the object of inducing it to cooperate with the railway, should be obtained by cajolery and bribery and

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and not by regulation.

9. Mr. Smith is by no means consistent. He admits in para. 69 that it is necessary to exercise the greatest caution in road development so as to avoid injury to the existing railway in that sphere in which it is the most suitable form of transport. He agrees, therefore, that it is legitimate to eliminate road transport in some places altogether by refusing to build roads. It seems to me entirely inconsistent with this view to refuse to regulate road traffic once a road has been built. A road may be necessary for purely administrative purposes, or it may be necessary for purposes of local traffic only. For the purposes of long distance traffic the same road may be wholly undesirable, as Mr. Smith himself agrees, and yet if it has been considered necessary to build it either for administrative purposes or for the purposes of local traffic, Mr. Smith would say that we must allow it to be used freely for long-distance traffic. Surely this is entirely illogical.

10. Further, in para. 70, Mr. Smith lays down, in my opinion quite correctly, that it should be a feature of railway policy to relinquish that traffic which can most suitably be carried by other means. The Government can force the railway to adopt that policy, because it is a Government railway. Mr. Smith apparently does not agree with the obvious corollary that it should also be a feature of road policy to relinquish to the railway that traffic which can most suitably be carried by the railway. Road transport will not surrender such traffic voluntarily; in my opinion, means must be devised of compelling it to do so. There might be something to be said for free competition between the road and the railway if it were competition on equal terms, but it is not. The road has two great advantages over the railway. In the first place it has to pay no capital charges on its permanent way. In the second place, as Sir Osborne Mance points out in Appendix 10 to Mr. Smith's report, a quite unfair competition arises out

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out of the difference in the system of charging by road and rail, whereby road transport can always undercut the rail-⁵⁶ ways and carry high-rated goods. Mr. Smith advocates a policy of strictly ad valorem rates for the railway, which would further increase the advantage which road transport has in this respect. I should like the advice of the Transport Advisory Board as to whether Mr. Smith's views on this important question should be accepted or not. If they are not accepted, it still remains for consideration whether the method of regulating road transport should be the rather elaborate one already approved by the Transport Advisory Board, or the more simple zoning method suggested by the General Manager of Railway on page 8 of his comments. I suggest, for the consideration of the Transport Advisory Board, that the war-time control which we are now exercising over road transport is in itself sufficient for the moment, and that experience of the working of this control should give us valuable material to enable us to judge which of the two systems referred to above should be adopted when we return to normal conditions.

11. Pooling of fixed charges: Sir Osborne Mance's contribution, which forms Appendix 10 to Mr. Smith's report, leaves me with the impression that this rather attractive suggestion for reducing competition between road and railway to a fairer basis would only be possible in a country where road transport is much more highly organised than it is in Nigeria. Prima facie, it appears that if the contribution to the fixed charges were based strictly on the nature and volume of the commodities carried, the relief to the railway and the corresponding extra burden thrown upon road transport would in the case of Nigeria be excessive. If this suggestion of pooling fixed charges is to be considered at all, it would

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would involve an enormous amount of work and the collection of a volume of statistics, many of which would not be readily obtainable. I should like the opinion of the Transport Advisory Board as to whether the suggestion appears sufficiently attractive to warrant the labour that full consideration of it would involve.

12. Transport Directorate. There appears to be a general consensus of opinion that the creation of the post of Director of Transport was a mistake. My own opinion is that the Transport Directorate has done a lot of very useful work, but I must admit that it has fallen a long way short of my expectations.

13. The need for a greater measure of co-ordination of transport than is usually to be found in the Colonies was brought very prominently to my notice in East Africa, and I believe that the post of Transport Adviser for the three territories of Kenya, Tanganyika and Uganda, a post for the creation of which I continually pressed during my Governorship of Uganda, has now been created. Before I came to Nigeria, I attended a meeting of the Colonial Office, at which the question of the Minna-Baro railway was discussed, and studied the available papers. It was clear to me that the question had been looked at from a railway point of view only, and I formed the impression that Nigeria, as well as East Africa, was badly in need of a more co-ordinated transport policy. That impression was fully confirmed on my arrival in this country. Unfortunately, as I now believe, I found to my hand a practically complete scheme for combining the Railway, the Marine, and the ports under one executive control. Instead of examining the whole question again mainly from the point of view of the co-ordination of transport policy, I adopted this scheme and grafted my own onto it. I am now convinced that this was a mistake, for it is abundantly clear that the rock upon which the Transport Directorate has split has been the

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the executive control exercised by the Director over these ⁵⁸ three departments. If that executive control were to be really effective it should have been much more complete. It might have been possible to have a Director of Railways, Marine, and Ports, but if so, he would have to have been really executive head of those three Departments and not merely a super-head over three fully-fledged Heads of Departments; and in that event he would not have been, in my opinion, the proper person to advise the Government of transport policy. My own opinion is that the three Departments concerned should remain separate, corresponding direct with the Government in departmental matters; but that does not remove the necessity, in my opinion the very urgent necessity, for providing some machinery for co-ordinating transport policy.

14. Mr. McEwan has represented me as stating that what I consider to be necessary is an officer in the Secretariat with a comprehensive knowledge of transport who could criticise proposals in regard thereto in the light of experience. Mr. McEwan goes on to suggest that it would be equally logical to have in the Secretariat a specialist critic of the work of other large and important Government departments. There is no analogy whatsoever between these two ideas. I do not want a specialist critic of the work of the Railway, the Marine and Port Departments. I never suggested that the Secretariat officer should have engineering qualifications. I want somebody whose sole duty will be to advise the Government in regard to transport problems generally. Obviously he will have to deal very largely with these three Departments and will have to advise the Government very often as to the direction and manner in which they should exercise their function; but it would not be his duty to criticize or to control their technical operation, or even their finances.

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15. Mr. Smith's suggestion of a Committee with executive functions is, of course, quite unworkable, and I am glad to see that it finds no support anywhere. Personally, I am convinced that no Committee, however able and competent its members, could possibly carry out the duties that I require. ~~X~~ That there should be a committee is obvious, but there must be one single officer whose duty it is not only to consider problems, but to discover them. There is a mass of information the acquisition of which is necessary for the proper consideration of the all-important problem of the development and co-ordination of communications. At present, it is no one person's duty to acquire and co-ordinate that information, and, while a certain amount of it is being accumulated by separate agencies, a great deal of it remains unacquired altogether because it is no one's specific duty to acquire it. That we must have one officer charged with these duties, I am entirely convinced. If he has some previous experience of transport problems, all the better. But it is unnecessary for him to have technical knowledge. It has been suggested to me that it might be sufficient to have a Transport Secretary. I am not quite satisfied that this would be enough. It might be possible to have a Transport Advisory Board, presided over by the Chief Secretary, or by the Governor himself with a secretary, an officer of some seniority, whose sole duty in the Secretariat would be to deal with all transport matters. But I regard it as essential that the officer concerned with transport, (whatever his designation) should be able to do a very great deal of touring. [Mr. Bulkeley's executive duties in connection with the Railway, the Marine and the Port, kept him far too much in Lagos.] An officer in the Secretariat could, of course, do quite a considerable amount of touring, but I am inclined to the opinion that a rather

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rather more independent position than that of a mere Secretariat officer would be advisable. The officer concerned must be in a position to initiate inquiries and to call for information from any source from which he may require it. I should be very grateful for the views of the Transport Advisory Board on this whole question, which I regard as one of the very greatest importance. If they do not agree with me that the appointment of a single officer to deal with transport questions is essential, then I hope they will say so. If they do agree with me, then I should be glad of their views as to whether he should be a Secretariat officer or an independent Director without, of course, executive control over any other department.

16. There is one more question of importance upon which I am not yet ready to consult the Transport Advisory Board but which I should like to mention, and that is the question of control of the port. This question has been dealt with both by Mr. Smith and the General Manager of Railways, but they have looked at it from a somewhat limited point of view. There is a great deal to be said for their criticisms of the organisation which existed until a few weeks ago, but what they have failed to allow for is the fact that that organisation was transitional. It was, I feel sure, Mr. Bulkeley's intention to organise a combined control over all port activities. He exercised this control himself to some extent, but owing to his other preoccupations, only to a very limited extent. Taking the Apapa wharf away from railway control, which is the move to which Mr. Smith and Mr. McEwen have taken strong exception, was only an incidental step and by no means an essential one. It would be quite possible to have combined control over the port (such as certainly does not exist at the moment and has never existed in the past) and still to leave the management of

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of the Apapa wharf under the control of the railway. I ⁶¹ incline to the opinion that entirely without prejudice to the question of the control of the Apapa wharf, there is a great deal to be said in favour of the constitution of a proper port authority, and I have asked Mr. Carter, the Port Engineer, to investigate this question and to report to me.

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TRANSPORT IN NIGERIA

Comment of the General Manager
Nigerian Railway
on Mr. Frederick Smith's Report
Of July 1939

Ebute Metta:
Printed by the Railway Printer
1939

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THE HONOURABLE
THE CHIEF SECRETARY TO THE GOVERNMENT
LAGOS

TRANSPORT—NIGERIA

I regret the delay in replying to your letter No. 35981/4 of the 29th July 1939, in which I was requested to comment upon Mr. Frederick Smith's Report on Transport in Nigeria.

2. Many of the proposals made by Mr. Smith are acceptable and action which lies within my jurisdiction has been—or will be—taken. But there is much in this very able and excellent Report which is of a highly contentious nature—particularly those chapters which deal with the economics of transport and with railway operation and finance in relation to the development of Nigeria. These have required protracted investigation and (in some cases) will involve practical experiment. Mr. Smith has advanced very unorthodox—but not necessarily unworkable—proposals, decisions upon which must be governed by the policy to be adopted by Government in regard to Railway operation and finance.

In the following pages I have commented at some length on the Report and in doing so have dealt only with those paragraphs upon which comment appeared necessary. The heading of each paragraph in my comments refers to the paragraph number in Mr. Smith's Report.

3. It should be noted—at the outset—that the recent outbreak of war has restored to proper perspective the railway construction factor of "strategic value" which, owing to a long period of peace, has been relegated to the background (if not completely forgotten) in discussing railway problems.

4. My comments on the Report are as follows :—

PART I

Paragraph 5

It would be a fuller definition to say that "such conditions make (the charges for) transport more important rather than less important."

Transport is not in itself an end but only a means to an end, namely, the carrying of commodities from one place where the value and demand are low to another where the value and demand are greater. It cannot therefore be too strongly stressed that the "charges" for transport are at least as important as the means.

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Paragraphs 6, 7 and 8

I am in entire agreement with Mr. Smith as indeed is shown in his paragraph 9 wherein my views on the subject are quoted.

His Excellency's opinion in a minute on Railway financial policy dated 13th May 1939, clarifies and supports this policy which had hitherto been somewhat obscured by the frequent and unqualified reference to the Railway as a separate, self-supporting entity, established on a commercial basis, whilst lacking the stimulus of being so established.

This opinion was expressed by his Excellency with regard to a prospective deficit in 1939-40 and postulated a further change of the financial policy should further deficits be encountered. A fluctuating financial policy is incompatible with a long term developmental policy which should be fixed and clear cut as indicated herein.

Expressed in terms of political economy, if the "user" of the State Railway cannot (for one reason or another) be made to bear the full charges necessary to enable the State Railway to meet all its commitments then the difference must be found by the State from the results of general taxation. The method may vary, but if the State cannot enforce its "monopoly" at one point (to obtain the necessary railway revenue) then it must enforce it at another.

Paragraph 10

This was correctly described by me as a failure, purely from the point of view of the "commercial" results of a "commercial self-supporting entity".

Paragraph 11

The balancing traffic *was* included in the results which are, broadly, that the Railway takes what is left over after the road competitors have transported all they can carry regardless of "balance".

From a much broader point of view I consider that the lessened charges for transport, consequent upon intense road competition and greatly reduced Railway rates, have undoubtedly stimulated production, trade and movement in the south-western areas, but (as has been shown in my memorandum on Groundnuts dated 2nd November 1939) have not only prevented the application of cheap export rates from the North but actually increased such rates.

PART II

Paragraph 12

I agree in so far as reference to the Riverain areas is concerned. The writer deals leniently with the apparent fundamental fallacies in transport economics which have occurred in the past and have been perpetuated. They merit recapitulation thus :-

On the Rates Tariffs then in use, the Baro-Kano Railway did not pay and (according to Major Waghorn's Report) the Lagos Railway (*i.e.*, Lagos to Jebba) did not pay. The connection between Jebba and Minna was then added and it could have been assumed in advance that it would not pay as a separate entity because

sufficient traffic was not forthcoming from the territory which it traversed. Provision for Revenue for Renewals was apparently—at that time—not taken into account, but a remunerative rates structure to cover interest, pensions, working expenditure and, in fact, all known charges both present and prospective, could have been compiled. Instead of which the procedure adopted appears to have been based upon a desire to avoid, at all costs and under pressure of the Northern Government, any increase in the then existing cost of transport between Kano and the Coast via Baro and the River. In practice, the Railway rate which was then brought into force was considerably less than the combined rates of the previously separate railways.

It being admitted that water-borne transport is less costly to operate than rail transport and in view of the fact that the Baro-Kano Railway did not pay, it should have been evident to those responsible that they could not devise a remunerative rates structure between Kano and Lagos which would provide for rates equal to or less than the Kano to the Coast via Baro route.

It is presumed that, although in some respects the connection of the Southern and Northern Territories by rail was regarded as of strategic value, it was supposed and intended that, with increasing development in the North, the Kano-Lagos Line would eventually become self-supporting and (in the minds of the Southern Government) compete with the River route. Therein lies the fundamental fallacy of the rates structure then adopted. Having decided upon the necessity for the Minna-Jebba connection (presumably because it was then realized that the River route could never be other than seasonal) and having also decided that the Kano-Lagos Railway should be self-supporting, the correct procedure was to compile a rates structure which would at least cover interest on the total capital invested, upkeep and working expenditure and thereafter—being then in possession of a Government operated river fleet—to have increased the charges on the river route so as to equalize the rates by rail and river. And, in spite of the fact that the Railway was not then self-supporting, haphazard reductions have from time to time been made in the rates to meet increasing competition, with a complete disregard for the necessity for cheap export rates so necessary to the development of the country. In withdrawing its river services and handing them over to private enterprise, the State vested in others (and committed itself in perpetuity to) the delusive fundamental economics upon which the structure of charges was (and has ever since been) based.

If ever there was an example of uneconomic planning committing a transport undertaking to loss, this is an instance. Yet this was aggravated not only by handing over to others the very river transport which governed the fallacy, but by steadily reduced rates and uncontrolled (road motor) competition during the past twelve years. If the results of the unsound policy to which I have above referred were envisaged and deliberately undertaken, for either development or strategic reasons or both, there might have been some ground for it.

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If the country is to be developed along correct lines and if transport is to play its proper part in such development, what is now required is suitable regulation and a complete revision of the transport rates structure so as to ensure equality of transport charges. Similarly—if it is decided that the Railway should continue to aim at a balanced budget—it is necessary to adjust all transport charges to ensure achievement of that aim by river and road transport regulation and by the elimination of unnecessary competition and duplication.

In either case, however, the consequences of past mistakes are inescapable and have been only partially relieved by a change—twenty-five years later—to quasi-commercialism, which change was brought about by His Excellency the Governor.

Paragraph 13

The river services—in whatever form—and the private ports are vested "ab antiquo" and by treaty. Since the advent of larger sea-going vessels it has been necessary for Government to incur expenditure on partial clearing of the rivers and dredging approaches to the public ports having shipping facilities provided by private enterprise. These facilities were in existence before the construction of the railway and the enlargement of its co-operant ports of Lagos and Port Harcourt. It is presumed that the Government of the day gave full weight to the almost certain (unless controlled) confliction of interests when deciding to invest large sums in the rail connection with the North and the necessary extensions to the concomitant ports.

The fact is that the present confliction of interests is a very real legacy of the myopic policy of the past but it is capable of adjustment after a sound developmental policy, suited to the present needs of the country, has been defined. Sooner or later the purveyors of transport in Nigeria must come to terms. State and private investments in railways, roads and fleets are enormous and one form of investment cannot be permitted to swallow the other. The necessity is to convey goods from place to place, but in doing so it is not necessary to have destructive competition. There can, and should be, real co-operation between the three major forms of transport; the Railway should cater for traffic from those areas which it can best serve; the river services should deal with traffic from the riverain; and the road motor services should act only as feeders to rail and river. In other words, the country should be zoned into spheres of influence to suit the different forms of transport.

It is true that the State railways are dependent for their existence upon the shipping facilities provided by Government at Lagos and Port Harcourt and the same applies in the case of privately owned river services and the shipping facilities provided by private enterprise at public ports. But it appears incorrect to state that the river services *sustain* the private shipping facilities at public ports. In the first place, the river services cannot—on the admission of one of the river operators—function successfully without subsidy tonnage deflected from the State Railway and, secondly, private shipping facilities at public ports were made and are kept accessible by expenditure from the public purse whilst no direct charge is raised for these services.

Paragraph 14

There is a measure of truth in this impression but it is not entirely in accordance with historical fact. The development of Apapa railway wharves and sheds was undertaken because the facilities at Iddo were inadequate and it was desired to make adequate provision for handling a steadily increasing volume of traffic. This provision has been abundantly justified by the very substantial increase in the volume of Northern crops, apart from the great increase in production in the Southern areas, and continues to be justified by the fact that river services have not, up to the present, been in a position to evacuate the volume that can be evacuated via Apapa and Port Harcourt nor could they approach the "time in transit" factor which is possible by rail route. My resentment is *not* sub-conscious and has been openly expressed in the papers relating to the Minna-Baro controversy. The reason given by Mr. Smith for my anxiety to draw (I prefer "retain") traffic to the all-rail route is incorrect. The retention of the Northern traffic is necessary—not only because the diversion of traffic in itself impairs the ability of the Railway to meet its commitments and involves the Government in increased subsidy—but also because that diversion reduces the ability of the Railway to quote cheap export rates in an effort to equate geographic disadvantage under which the producers in the North are labouring.

I do not agree that all expenditure on the Eastern line and Port Harcourt was unnecessary. It is safe to assume that the fullest consideration was given to all circumstances before the construction of these facilities was authorized by the Secretary of State as—apart from the question of strategic value, which has more than once come into prominence—the development of the coal mines, the transport of coal to the coast and (as then proposed) to the Tin Mines in the North undoubtedly necessitated and influenced the construction. It was not due to Government or Railway indifference to their needs that the Tin Mining Companies decided (during construction of the Eastern connection) to operate their mining plant by hydro-electric instead of steam driven machinery. This decision, however, caused an appreciable reduction in railway revenue. It is nevertheless clear that the construction could have had little or no relation to remuneration of capital.

I challenge production of figures to prove:—

- (i) enormous capital expenditure, except for the express purpose of the riverain (and particularly Benue) services;
- (ii) that the capital expenditure has not been remunerative.

See paragraphs 38 (end portion) and 40 of Mr. Smith's Report which indicate this clearly. It is indisputable that the River services are of value in evacuation of riverain traffic, but it is surely claiming too much to state that had the present Companies not developed and operated (incidentally, to their own profit), there would have been no evacuation of traffic or that others would not have provided the service. The River Companies were, indeed,

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fortunate in that the Government Marine Services were, because of a very short sighted policy, withdrawn and these Services (which then became competitive with the State owned railway) were handed over to private enterprise which, however well intentioned towards development of the country, must (in their long range trading policy) aim at continued profits which are not distributed in Nigeria as would be any surpluses made by the State Railway.

Paragraph 15

Paragraph 14 above replies, I think, to this. If the Report refers to the projects of Railway extensions in the Bornu Province, proposals for the unnecessary extension of Apapa wharves and the suggested creation of a Port Department in name but not in function, I agree that the obsession referred to has been more than apparent. It is presumed that in suggesting that the money spent upon the Eastern Railway should have been devoted to development of the rivers, Mr. Smith had in mind dredging, clearing and their upkeep at Government expense which would enable the river services to operate larger fleets at reduced cost which would, in turn, permit of still further competition with the Railway and involve increased rates in areas which could not, in any circumstances, be served by the river interests.

Paragraph 16

Perusal of relevant papers since 1925 provides documentary proof that the Railway Administration has consistently requested Government to take steps to control road competition. It suggested remedial measures, yet nothing has been done. Two pronouncements by Government are of interest in this connection. The Chief Secretary to the Government's letter No. 16570/25 of the 10th May 1926 :-

"Government viewed cheap road transport with favour if it was going to contribute to the development of increased cultivation of cocoa. It was not for the Railway to see how much railway revenue they could make, but how little they could charge without transporting it at a loss. In other words the rates should be based on the cost of transport per ton not on what it considered the commodity can stand".

The Chief Secretary to the Government's letter No. 18912/50 of the 14th June 1927 :-

"Nothing was to be done unless there was clear, compelling urgency".

The Chief Secretary to the Government's letter No. 18912/70 of the 1st September 1927 :-

"It was a matter of the completest indifference to Government whether traffic went by rail or road".

I cannot admit that the Railway was slow to realize the importance of road motor competition. I do admit that the Railway—at the onset of this competition—failed to bring home effectively to Government the certain repercussions of the economic fallacy of *laissez-faire* in the face of which it

was impossible to make the Railway remunerative or to quote cheap export rates. The subject of the disastrous effect of road competition has, however, been actively pursued in recent years.

Paragraph 17

I agree that the river, railway and road transport systems are in conflict. I consider that such conflict is likely to make the present position more difficult, unless the river and road transport systems are controlled to the same degree as is the Railway, which cannot become obsolescent because it is the primary instrument of development in Nigeria. Of the three transport systems mentioned it is the only one which can and does provide essential and regular services throughout the year; moreover, it is universally admitted that, in countries demanding the evacuation of large tonnages of low priced crops over a long distance, Railway transport must remain the dominant factor unless there are all-season point to point facilities for water-borne transport, which facilities do not exist in Nigeria.

I cannot agree that the river transport system is necessary to the Railway or contributes to its well-being. But, in so far as the Northern territories are concerned, it is correct to say that the river services are dependent upon the Railway which contributes very materially (and to its own loss) towards the well being of the river transport system.

I have stated above that the present confliction of interests of the three transport systems will probably cause the position to drift from bad to worse and my reason for this view is that unrestricted competition will undoubtedly eventually lead to further rate-cutting which, in turn, postulates the survival of the system which can submit, without collapse, to losses for the longest period and postulates also the possible elimination of the competing transport systems. I am in no doubt as to which of the Nigerian transport systems must win in any trial of financial strength in unrestricted competition but, in any case, the Railway—under whatever financial policy it may operate—cannot, in the interests of the country, be eliminated: at all costs it must survive and continue to function. This being the case, is there any reason why Nigeria should not be guided by the experience of more advanced countries in the solution of its transport problems or why it should experiment with a policy of unrestricted competition which has been tried and discarded by more advanced countries wherein that policy has brought little or no benefit to any and financial disaster to many transport operators?

I agree with Mr. Smith that road transport is a flexible instrument and I also agree that it is of paramount importance provided that this flexibility can, by proper regulation, be utilized in catering for areas not otherwise able to develop because of lack of rail or river transport facilities and should act chiefly as a "feeder" to these transport systems, except where obviously more expedient. In a territory where the Railway is State owned and its charges are (and can always be) regulated by Government to suit the developmental requirements of the country, the maximum rates which can be charged by the river transport system, and to

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a certain degree, those charged by the road motor operators, are automatically controlled. Transport users are thus protected from unnecessarily high charges because Government is unlikely to sanction an unnecessarily inflated rate structure on a State Railway, the profits upon the operation of which can only be devoted to a controlled Reserve Fund; to the improvement of the system or to the reduction of transport charges in the interests of the users.

I do not agree that it is desired or intended to restrict any competitive service merely to sustain a railway system. Whether or not it is a wise and beneficial policy, the regulation of all forms of transport has been adopted in most of the advanced countries and I submit that, as the rates charged by the Nigerian Railway are regulated by Government, the river and road systems should be brought more into line in order to protect the State Railway by control of minimum charges; this can be achieved by making the river interests subscribe commensurately towards provision of the facilities which render operation of their transport system possible; the road services can be controlled by "security" legislation and zoning (*i.e.*, limitation of the validity of licences, a separate fee being payable for each zone). The introduction of such controls would most probably eliminate the necessity for the very cumbersome and expensive organization involved in the fully-fledged (quantitative) licensing regulations at present under consideration, which organization postulates the provision of special licensing authorities, a never ending array of appeal courts and the preparation of innumerable traffic data. In view of the time and labour involved in such an organization, I am emphatically opposed to its establishment.

The railway being already regulated, as indicated above, it would be inconsistent to regulate the road transport system and leave the river transport system unregulated. Failing comparable regulation of the river system in the forms suggested in these comments, regulation of the rail and road systems appears inequitable and should be eliminated; in which case we return to unrestricted competition, the probable evils of which I have already outlined and which would, in any case, be illogical.

The operators of the river services own their own boats and are, to all intents and purposes, private carriers of their own trading commodities, which places them in a special position to regulate prices paid for the products of the country and charges made for imports, and whilst it is assumed that this special position is used in the best interests of the country, there is nothing to indicate that the producers of Northern Nigeria have derived any particular benefit from any difference in the actual cost of operating river and rail services. It appears, therefore, that if the river services should incur a loss in operation, this can be offset by trading activities and if a profit is made it is not noticeably reflected in the prices paid to the producers in the Northern Districts.

It is to be noted that Nigeria is in a peculiar position in regard to trading. Through a gradual fusion of trading interests, the trade activities of the country are largely under the control of the

firms operating the river transport from which fact it is obvious that price control of both imports and exports is not difficult. Through their ability to control the prices of import and export commodities and thus to offset any losses which might occur on the river transport services, the operators thereof could—without serious (if any) effect upon the final financial results of their "trading-cum-river" transport activities—reduce their charges for transport so as to be in conformity with any railway developmental rates structure which it may be found necessary to introduce in the interests of the country.

I am not suggesting that the Railway should now commit itself permanently to a rates structure which, whilst developing the country, will involve the Railway in perpetually recurrent loss. Assuming the adoption of a fully effective developmental policy, the first requirement of such policy must be low export rates even if high import rates are not for some time possible or advisable. As development proceeds and the producers are encouraged to spend their earnings on imports, the policy of compensation of the Railway for low export rates by the imposition of high import rates can (with reasonable protection against competition) gradually be brought into effect. This is elsewhere described herein as a "long range development policy"; it will, in my estimation, certainly cover a period of five years, probably more, but however long it may be before the Railway can balance its budget without Government subvention, it must be the prime factor in any policy which aims at increased development. Reverting to the last sentence of my preceding paragraph, and assuming my hypothesis regarding the operators of the "trading-cum-river transport" to be wrong and that they would suffer loss on their river transport services in conforming to a railway low export rates policy, I submit that the operators concerned would have little or no grounds for protest as they have time and again asserted that it is their desire to encourage development in the furtherance of trade. They claim, in effect, a long range trading policy and if (along with Government) loss should for a time be incurred by assisting in a progressive development policy, the operators of the river services will, in due course, reap a rich reward through their increased trading activities; a reward which cannot but be shared by the population of Nigeria whom the private transport and trading enterprises also claim to serve. In view, however, of the combined "trading-cum-transport" activities of the river interests, a final loss on these activities could reasonably be questioned. See the comments in my two preceding paragraphs.

Paragraph 18

I agree with the first sentence. Reconciliation of conflicting interests is, however, a function of the State. It is not suggested that one particular form of transport has or should have a preferential claim to traffic, but that spheres of influence should be zoned and allocated to the railway and river services according to their capacities and that the road motor services should thereafter act as feeders to these services. But it is of the utmost importance that the charges that can be borne by the user should be such as to maintain and stimulate production and consequential trade.

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Paragraph 19

It is almost impossible to generalize but I hold the view that a State-owned public service is entitled to a monopoly or some alternative form of protection to an extent which is expedient and enables it to fulfil the function for which it exists. It appears correct to say that had the construction of railways in Nigeria depended upon private enterprise they would not have materialized. The Railways were built at the cost of and primarily for the development, enlightenment and control of the country, the population of which is entitled to such dividends as may accrue in the shape of improvements in the railway services or reduced railway rates which will further improve the condition and prospects of the owners. These dividends cannot be achieved without protection.

Privately controlled transport enterprises are (quite understandably) less likely to consider the benefits which might be conferred upon the country in which they operate than the dividends for which their shareholders constantly and rightly clamour. Had all forms of transport been privately operated, there might be some justification for unrestricted competition but I nevertheless continue to hold the view that better and more equitable results can be obtained by regulation.

Paragraphs 20 to 22

I am reluctant to believe this though I fully agree that the methods that were in hand under the guise of the "square deal" have defeated even the Transport Advisory Council in reaching a solution. Pursued to logical conclusion the "square deal" now seems to aim at establishment of a combined railway and road transport monopoly, but it is held up because a large percentage of road users will not co-operate. Mr. Smith is, however, confusing the issue between privately-owned and State-owned railways. Beyond normal claims from the railway users I know of no complaint that the Nigerian Railway is not serving the public adequately and efficiently.

PART III

Paragraphs 23 to 31

Present chiefly an introduction to further views on the Minna-Baro controversy. In these paragraphs the views advanced might well be sound if applied to a country wherein the taxpayers had not invested £23,000,000 in railways but in the case of the State-owned railways of Nigeria, I consider their application illogical.

Mr. Smith's remarks in paragraph 26 regarding canalization may well be a dream of the dim future when the country is sufficiently affluent to face colossal expenditure which would, to a large extent, sterilize the value of the money spent on railways. For the present and for any period which need be taken into consideration, I can only regard such a proposal as Utopian. I, nevertheless, agree that any effort towards further development of the smaller streams in the riverain areas would be worth while, but in any such development care should be exercised to ensure that proper spheres of influence are observed.

I refrain from further comment on this section of the Report save to say that although the time may come when, because of increased volume of Northern traffic, full use of the present facilities may become necessary—such use could only be made possible by strengthening the weakest link in the chain of transport, viz: the Section of the Railway between Kano and Kaduna, but if this became necessary there would still remain the additional railway outlet through Port Harcourt, where facilities can, if necessary, be extended.

PART IV

Paragraphs 32 and 33

The statement is correct in regard to the differential, but not quite complete. It is to be noted that it expressly refers to the Down Traffic "to Lagos" but the volume of Up or highly rated import traffic is equally, if not more, important. There are moreover other factors which affect the differential, though they do not appear in it. Those factors are that goods which take the Apapa (or Lagos) and railway route to the North pay Harbour dues and Lighterage levy, whereas those which take the route via Burutu and river to the North do not. It is an "advantage" which, though not appearing in the differential, exists and must appear somewhere, either in the ultimate competitive sale of goods, or in profit. This is of particular importance in view of paragraphs 33 and 40, in which is shown that it is the "trading side of the business" which weighs the balance against closure of the line and favours the river route.

Differentials are being dealt with separately at the end of Part IV but they were not, as suggested by Mr. Smith, the main factor leading to the Minna-Baro controversy. They arose as an important factor in the general issue wherein the Railway contended that it was faced with —

- (a) The necessity to operate on a self-supporting basis in order to avoid becoming a burden on Government through subsidies or loans to meet Railway deficits.
- (b) Heavy expenditure on the renewal of a branch line which diverted revenue and thus appeared likely to be called upon to subsidize a greatly improved competitive route, thereby adding to the burden of its already excessive obligations; this, in face of the fact that the competitive route had from the beginning dominated a fundamentally erroneous rates structure.
- (c) Facts which had, in the past, necessitated increases in the rate on the main product of the North, which increases were brought about by the enormous inroads made into railway revenue by unrestricted road motor competition in the South and accentuated again by the fact that full application of the principle of cheap export rates (balanced by high import rates) was precluded by the rating policy of the competitive route.

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The combination of these factors resulted in a contravention of the developmental principle (obscured temporarily by high commodity prices) of cheap export rates and made the State Railway dependent for revenue on the very commodity which it might have increasingly developed by cheap export rates.

It must be remembered that the greater the net railway revenue, the greater would be the possibility of quoting cheap export rates and/or the benefit that would eventually be returned to the public in reduced rates.

The objectives of the issue were to avoid unwarranted expenditure upon the factor (the Minna-Baro line) which imperilled the State instrument of development and which, by its inroads on revenue, made likely—or increased—a burden on State revenue through Railway deficits.

I cannot agree that it was mere accident that occasioned agreement upon the differentials in order to avoid violent rate competition between the two routes. That may have been one of the factors (especially as the Northern Nigerian Marine operated the route on through rates with the Baro Kano Railway) but the most important factor in the arrangement was what has been referred to as "the strict requirements of the Government of Northern Nigeria". I infer therefrom, that the Government was concerned lest increased charges should be made for evacuating produce and bringing in imports, thus reducing the earnings of the producer, and increasing the cost of imports to the consumer. (Vide comments on paragraph 12).

The fact remains that Baro is not a seaport but is 402 miles up the Niger River. River steamers do not make the ocean journey, and the transport by river is a separate and distinct transaction for which a tariff of charges exists. That fact may be obscured because the river transport is part of a series of commercial transactions and is operated by the private firms which own and operate the ocean steamers and control immense trading activities both in Nigeria and abroad.

Paragraph 34.

Through Bills of Lading were in force at one time but were stopped during the later stages of the last War for various reasons. I can see no advantage in their re-introduction. I agree with the figures of the differential, but they refer only to groundnuts. (See separate section on Differentials.)

Paragraph 35.

The provisions of the Dennison Act are greatly to the disadvantage of the railway route. I consider there is no analogy between Lake and Rail traffic in the United States of America and the circumstances of the Minna-Baro controversy in its relation to the Niger River route, but in any case, Mr. Lochlin is not necessarily the only correct authority on Lake and Rail transport, which subject has given rise to considerable dissension in America. It is to be noted, also, that the Lake services in America can be operated throughout the year and the traffic is not entirely seasonal.

Paragraphs 36 and 37.

As stated before, agreement on a differential was not only to check competition. I agree generally with the statement regarding advantage, but, it must be enquired, to the advantage of whom? It is questionable whether that advantage was fully realized and, if realized, fully weighed in its relation to strategic and development policy; and again it is questionable whether remuneration of additional capital which was spent on joining the two Railways was considered, especially when two unremunerative Railways were to have their capital increased and their economic structure harnessed to (and limited by) that advantage. From that date onwards the arrangement stultified remuneration of capital and equation of geographic disadvantage, and rendered it impossible for the Railway to be a separate self-supporting entity if unprotected whilst laden with appropriate debt charges. I agree that full weight should be given to the narrowing of the differentials on imports to recompense extra expenditure involved in keeping the line open.

With regard to "advantage" the important factor of the flexibility in regard to volume must be taken into account. The Railway can now evacuate tonnage at the rate of some 60,000 tons per mensem, and with added facilities could evacuate a greatly increased volume, despite the fact that it is compelled to hold a large proportion of its plant idle for the off season months. It is doubtful to a degree if the river transporters could evacuate anything approaching this tonnage or supply the plant to do it in the time taken and at the charges made by the Railway.

It would be unreasonable to expect any private enterprise to trade at a continued loss and this applies with added force if the State has, by implication or act, vested that private enterprise in any particular direction. The question at once arises as to what extent any enterprise can urge undisclosed profits (as a result of having been so vested) as a valid reason for the considerable expenditure of Public funds to retain a connection, the absence of which would impair the undisclosed profit. This must, of course, be qualified by past agreements and present necessity as well as any Public benefit conferred by that profitable enterprise. This is surely a question of degree and the very reasoning with which the case for the river interests is supported applies equally, if not more convincingly, to the State Railway in so far as it confers public benefit.

The last two sentences of this paragraph are a definite admission that the River services are dependent for their success upon "subsidy" tonnage deflected from the Railway in order to "enable the period of economic use of the River services to be extended". The Railway is compelled to lay aside for several months in each year a considerable proportion of its engines and rolling stock because the groundnut traffic from the North is seasonal and it appears to be just as logical and equitable to suggest that in order "to enable the period of economic use of the

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Railway services to be extended" the River services should be compelled to deflect to the Railway at Makurdi a fair proportion of the Benue River traffic.

Paragraph 38

This assumes the principle of "compensation" on which I am unable to comment without full knowledge of the inferences and obligations to which the Government of the past may have committed itself, but the present Government Legal Advisers have stated that a claim for compensation is not admissible and could be contested with every likelihood of success. There is stated a case, "except for the probable capital expenditure which may become necessary". It is precisely that which Government is anxious to avoid. If the loss of trading profits due to removal of the Minna-Baro branch is to be included in the assessment of compensation I cannot agree with Mr. Smith's views. Subject to the omission of any claim for loss of trading profits, I suggest that Government might well examine the question of fair compensation against closing the Minna-Baro branch.

Paragraph 39

If it were possible to separate and cost the result of operating each of the sections of which the whole Railway is comprised, there is no doubt in my mind that the Baro-Kano line could be shown to "pay". The fact remains that it cannot be separated nor costed arbitrarily in theory. Another important factor is the money which has been and must in future be spent on the Minna-Baro section to maintain it to a low standard for the next nine years and thereafter to renew and maintain it.

This latter contingency is too far ahead to compute either the amount required or the necessity for continuance of the connection by rail. The railway case for closing the line previously depended on two things:—

- (a) The expenditure involved in renewing the Line, and
- (b) The extra traffic and revenue that would accrue to the Railway by its closure, thus eventually making such profit as might either be returned to the user of the Railway in reduced rates, or building up reserves from which to supplement shortcomings in lean years.

Both the case for the river interests and the case for the railway might, with advantage, be reviewed against the background of the past and in the light of any fresh arguments advanced by Mr. Smith together with the contents of these comments on his Report.

Paragraph 40

The whole of the preceding paragraphs of the Report clearly recapitulate and enlarge upon the case for the river interests in the Minna-Baro controversy. Volumes have been written on the subject but a new fact has come to light, namely, that not only

the operating results of the river transport come into the matter, but the profits on the trading side of the business. I have not seen the figures quoted and in their absence must accept the conclusions arising therefrom, but this new consideration confirms my opinion that the most important factor in considering the matter from the point of view of the river interests was, and still is, the "trading side of the business"; the ability to use ancillary transport in the competitive trading side of the business must, in the nature of things, influence the owners more than the aspect of the development of the country in the interests of its inhabitants.

Paragraph 41

The improvement referred to has not occurred and we are now at war. It is most unlikely that the Minna-Baro route will be more in demand as suggested in paragraphs 36 and 37 of the Report. The Railway can evacuate a far greater tonnage with greater flexibility in regard to volume and not until the main line density has reached capacity will there be necessity to cater for overflow. For the reasons stated in these comments and in my previous memoranda on the Minna-Baro controversy, I do not agree that increased production in the North should be shared by the two routes.

In reply to:—

- Paragraph 41 (i) This is most unlikely as it involves the unnecessary expenditure of a colossal sum.
- " (ii) I hope so.
- " (iii) Under equitable regulation, I doubt it.

Broadly, the whole issue of increased development of the more backward parts of the North hangs upon the Railway and Road development policy. Production in these parts will not increase without the incentives of:—

- (a) Fair prices to producers, brought about by
- (b) Improved world market prices
- (c) Equating of geographic disadvantage by low export rates.

Paragraph 42

In regard to these "economies" I have the gravest misgivings. I agree entirely with the principle of the fullest co-operation with motor vehicles, better, the fullest use of our own vehicles, as feeders to the Railway. I deal with the issue of economies in its appropriate paragraph.

Paragraph 43

This is an extremely important statement. The greatest emphasis should be laid on the reading of the Report as a whole. It would, however, be of interest to have full details of what large sums are being so devoted and to know whether or not the expenditure has proved remunerative.

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Public Companies are not philanthropic institutions and do not, as a rule, lay out large sums in development unless they can assure their shareholders that such expenditure will increase present dividends or eventually prove remunerative. Mining Companies are invariably called upon to spend capital in "development" but in doing so they lay no claim to benefit bestowed upon the country in which they operate, beyond the circulation of money in payment for labour or the purchase of local materials.

No one expects the trading companies to operate their businesses in Nigeria without reasonable profit, but no one is likely to believe that private enterprise will spend money upon development unless the interests of the concern are advanced. Any benefits conferred on Nigeria will be controlled by the degree of the advancement of these interests.

Further Notes on Differentials—Vide Comments on Paragraphs 32 and 33

1. The differential and percentage thereof to the throughout railway rate has been fully and correctly illustrated in regard to groundnuts but there is no illustration of the differentials in regard to imports or the more highly rated classes of traffic. These differentials have steadily increased and ranged from 21% to 30% in 1922 until they now range from 25% to 44.5%. This has come about through the compression of the railway rates structure to which attention was invited in my C. 907 of 12th January 1939, Trade Development of Nigeria.

2. The differential increased as the structure was compressed and the rates were reduced, thus giving a greater advantage to the river transporters. I am unable to trace from the papers at my disposal whether this was deliberate or accidental but I incline to the latter view.

3. As will be seen from the accompanying statements, the main increase was in 1931 and it is significant that it was from 1931 that the volume of river-borne imports to the North increased roughly from 4,500 tons per annum to 25,000 tons. (See List of import tonnage at Baro).

4. It has been stated correctly that the greater the differential the greater the portion for the river transporters, but it does not end there. The transport by river is not an end in itself but a means to an end, namely, the "trading side of the business" and it is to be noted that the transporters are also the traders. Thus a fuller definition is, "the greater the differential the greater the amount available for the river transporter and his trading side of the business in competition with others who are almost entirely dependent upon rail transport for their supplies".

5. The differentials in themselves do not complete the picture, for as stated in paragraph 40, there are other advantages in the river-borne route on imports, namely, absence of Harbour dues, Lighterage levy, difference in terminals; these are, in a degree, offset if and when handling is charged for on the river route, but the net advantage can be taken to be approximately 7/- per ton.

6. Thus will be seen the extent to which "trader-transporters" have benefited increasingly from the increased "differentials" in imports. Here it is to be noted that the latest United Africa Company Tariff of charges dated 1st January 1939, consolidated the increased differential in increased rates compared with 1923.

Example—1 Ton of Cotton Goods

		River and Rail			
		1923		1939	
Iddo-Kano		Burutu		Baro-Kano	
s	d	s	d	s	d
Railway freight	241 4	Rail freight Baro-Kano	184 3	184 3	
		River differential	57 1	- -	
		River Tariff freight	- -	67 0 H.W.	
			241 4	251 3	
1934					
Railway freight	183 4	Rail freight Baro-Kano	101 9	101 9	
		River differential	81 7	- -	
		River Tariff freight	- -	59 3 H.W.	
			183 4	171 -	
1939					
Railway freight	183 4	Rail freight Baro-Kano	101 9	101 9	
		River differential	81 7	- -	
		River Tariff freight	- -	83 6 H.W.	
			183 4	185 3	

Note :—To 183/4 must be added the 7/- net referred to in the preceding paragraph.

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7. The advantage in differential is far more marked in the case of Zaria than in that of Kano.

1 Ton Cotton Goods

	1927		River Rate 1928 Tariff			
	s	d	H. W.		L. W.	
	s	d	s	d	s	d
Apapa-Zaria	225	7	-	-	-	-
Baro-Zaria	151	1	-	-	-	-
Differential	74	6	67	0	84	0
	1934		1933 Tariff			
Apapa-Zaria	173	10	-	-	-	-
Baro-Zaria	77	7	-	-	-	-
Differential	96	3	59	3	72	2
	1939					
Apapa-Zaria	172	6	-	-	-	-
Baro-Zaria	76	5	-	-	-	-
Differential	96	1	83	6	-	-

8. It is but natural that River Transport and Trading Companies should take full advantage of such circumstances but the question at once arises whether (in view of the supposed equality of charge) the Tariff charges made to the Public are indeed those actually charged to themselves or to their trading side of the business.

9. The loss of traffic on the basis of the physical merits or demerits of alternative routes is of less moment than the important factor represented in the repercussion upon the economics of such loss to the Railway and the effect upon its rates structure. Such loss impairs the ability of the Railway to develop the country through the incidence of cheap export rates.

10. I am not aware of the actual contents of any agreement (if one exists) between the Government and the Royal Niger Company (and later the United Africa Company). In 1917 Lord Lugard as Governor minuted that :-

"The scale of rates was made as an integral part of the agreement"

which was equalization of river rates and rail rates. He instructed that the principles to which Government was pledged should be maintained but that no extra advantage should be given to the river route over the rail. The original agreement was in 1911 between the Governors of Northern and Southern Nigeria upon :-

"a taper system of rating giving equal rates between Kano and Lagos and Kano and Forcados".

11. I am in some doubt as to what we are pledged beyond the contents of His Excellency the Governor's Despatch No. 425 of 15th May 1936, which reads :-

"the present percentage differential as regards special rates and taper rates will be maintained for the whole of the five years period during which it has been agreed to keep the line open".

From this I understand that we are committed until 15th May 1941, in regard to percentage differentials and that by question No. 1 Appendix No. 1 to the Report, we are committed to making "the line safe for 10 years" without reference to differentials

"It was desired to examine tonnage limitation or other arrangement".

I submit that the following points are prominent and require consideration :-

- It has cost a considerable sum to keep the Minna-Baro Branch open to sub-standard and will henceforth cost more owing to the increasing rate of dilapidation.
- The differentials on Import (taper rates) and percentages have increased in favour of the river route.
- Other charges on the routes being different, they stultify, to some extent, the principle of equalization.
- The percentages of the differentials to the Lagos-Kano charges are of less importance than the actual amounts.

12. It is submitted that in view of the foregoing and in view of the last 3 lines in paragraph 36 of the Report, there is a case for consideration of differential revision within the terms of the pledge given. Some measure of agreement might be achieved by direct negotiation (in the spirit of Mr. Smith's Report) between the Railway and the River Transporters, any such agreement being subject to covering sanction of Government before becoming effective.

I have addressed to you a separate communication on the subject of "groundnut rates". Decisions on developmental policy and Railway economics are inseparable from the question of river differentials.

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1911. BARO - KANO RAILWAY

BETWEEN	MILES	X			Y			J			2			3			GROUNDWITS					
		s	d	g	s	d	g	s	d	g	s	d	g	s	d	g						
Kano-Baro	356	51	7		32	0		94	0		188	0		282	0		45	5	H.W.			
Kano-Baro-Bartu	758	72	10		49	9		116	6		233	0		349	6		—	—	66	8		
N. Nigerian Marine	402	21	3		17	9		22	6		45	0		67	6		—	—	21	3		
% Differential River Portion	%	29.17%			35.68%			19.31%			19.31%			19.31%				

* 1911. COMBINED RAILWAYS

BETWEEN	MILES	X			Y			I			2			3						
		s	d	g	s	d	g	s	d	g	s	d	g	s	d	g				
Baro-Kano-Railway	245	42	4		27	5		66	3		132	6		198	9					
Kano-Minna	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Lagos Railway	488	53	3		53	3		79	11		147	11		215	7					
Minna-Iddo	713	95	7		80	8		146	2		280	5		414	4					
Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

1912. NIGERIAN RAILWAY TARIFF No. 1

BETWEEN	MILES	A			I			2			3			GROUNDWITS						
		s	d	g	s	d	g	s	d	g	s	d	g							
Kano-Baro	356	45	5		69	0		141	6		204	0		271	6		45	5	H.W.	
Kano-Bartu	738	66	8		91	6		186	6		271	6		339	9		—	—	66	8
River Differential	402	21	3		22	6		45	0		67	6		21	3		—	—	21	3
%	...	31.87%			24.59%			24.13%			24.86%			...			...
Iddo-Kano	712	66	8		91	6		186	6		271	6		339	9		—	—	66	8

* Note.—Addition of the rates of both Railways.

1915. NIGERIAN RAILWAY TARIFF No. 3

BETWEEN	MILES	A			I			2			3			GROUNDWITS						
		s	d	g	s	d	g	s	d	g	s	d	g							
Kano-Baro	356	45	5		69	0		141	6		204	0		271	6		45	5	H.W.	
Kano-Bartu	738	66	8		91	6		186	6		271	6		339	9		—	—	66	8
River Differential	402	21	3		22	6		45	0		67	6		21	3		—	—	21	3
%	...	31.87%			24.59%			24.13%			24.86%			...			...
Iddo-Kano	712	66	8		91	6		186	6		271	6		339	9		—	—	66	8

1918. NIGERIAN RAILWAY TARIFF No. 4

BETWEEN	MILES	A			I			2			3			GROUNDWITS						
		s	d	g	s	d	g	s	d	g	s	d	g							
Kano-Baro	354	45	10		70	8		141	9		211	6		270	0		45	10	H.W.	
Iddo-Kano	705	66	4		91	2		185	8		270	0		338	6		—	—	66	4
River Differential	...	30.9%			22.43%			23.65%			21.67%			...			...

1922. NIGERIAN RAILWAY TARIFF No. 5

BETWEEN	MILES	1			2			3			4			5			6			7			8			9									
		s	d	g	s	d	g	s	d	g	s	d	g	s	d	g	s	d	g	s	d	g	s	d	g	s	d	g							
Kano-Baro	354	29	6		45	10		59	7		70	8		91	10		141	9		184	3		211	6		274	11		351	0		76	1		21.65%
Kano-Iddo	705	58	9		66	4		86	3		91	2		118	6		185	8		241	4		270	0		331	0		416	1		21.65%			
River Differential	...	49.79%			30.9%			30.91%			22.43%			22.5%			24.65%			23.65%			21.67%			21.65%			...						

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RATE CIRCULAR No. 10 of 1927 (TARIFF No. 7)

BETWEEN	MILES								
	1	2	3	4	5	6	7	8	9
Kano-Baro	29 6	45 10	58 8	67 0	89 0	138 2	180 2	209 4	247 2
Kano-Iddo	58 9	66 4	89 10	91 2	117 6	184 0	238 3	271 8	347 1
River Differential	29 3	20 6	24 2	24 2	28 6	45 10	58 1	62 4	99 11
%	49.79%	30.9%	29.17%	26.5%	24.25%	24.9%	24.3%	22.94%	28.78%

RATE CIRCULAR No. 21 of 1931 (TARIFF No. 8)

BETWEEN	MILES						
	1	2	3	4	5	6	7
Kano-Baro	29 6	45 10	59 7	71 2	88 11	103 3	132 5
Kano-Iddo	38 9	66 4	80 4	95 4	118 3	184 0	217 8
River Differential	29 3	20 6	20 9	24 2	29 4	80 9	85 3
%	49.79%	30.9%	25.82%	25.34%	24.9%	43.89%	39.16%

1934. NIGERIAN RAILWAY TARIFF No. 10

BETWEEN	MILES						
	1	2	3	4	5	6	7
Kano-Baro	29 1	45 6	59 4	70 9	88 5	101 9	130 11
Kano-Iddo	38 4	66 0	80 0	95 0	117 11	183 4	216 7
River Differential	29 3	20 6	20 8	24 3	29 6	81 7	85 8
%	50.14%	30.9%	25.83%	25.52%	25%	44.5%	39.50%

Railway Tariff No. 10 of 1934, in force 1939

Class	Apapa-Kano	Baro-Kano	Differential	%	New Tariff I-I-39		U.A.C. Tariff (1933)	
					U.A.C. River Rate	Class Combined	U.A.C. River Rate	River Freight	H.W.	L.W.
Beer and Wines	183 4	101 9	81 7	44.5	2	67 0	59 3	72 2
Cotton Goods	183 4	101 9	81 7	44.5	1	83 6	59 3	72 2
Gin and Spirits	183 4	101 9	81 7	44.5	1	83 6	59 3	72 2
Hardware	183 4	101 9	81 7	44.5	1	67 0	52 5	62 5
Machinery	95 0	70 9	24 3	25.52	2	47 0	32 3	42 5
Kerosene	117 11	88 5	29 6	25	3	50 0	32 3	42 5
Petrol	117 11	88 5	29 6	25	3	83 6	52 3	62 5
Fuel Oil	117 11	101 9	81 7	44.5	2	50 0	32 3	42 5
Lubricating Oil	183 4	101 9	81 7	44.5	2	50 0	32 3	42 5
Provisions	95 0	70 9	24 3	25.52	4	67 0	32 3	42 5
Salt	95 0	70 9	24 3	25.52	2	35 0	32 3	42 5
Corrugated Iron Sheets	80 0	59 4	20 8	25.83	4	67 0	42 11	49 2
Cement	117 11	88 5	29 6	25	2	35 0	42 11	49 2
Building Material	117 11	88 5	29 6	25	2	50 0	42 11	49 2
Soap	117 11	101 9	81 7	44.5	3	67 0	52 3	62 5
Sugar	183 4	101 9	81 7	44.5	2	67 0	52 3	62 5

Railway Tariff No. 8 of 1931 and Rate Circular 21 of 1931

Class	Apapa-Kano	Baro-Kano	Differential	%	New Tariff I-I-39		U.A.C. Tariff (1933)	
					U.A.C. River Rate	Class Combined	U.A.C. River Rate	River Freight	H.W.	L.W.
Beer and Wines	184 0	103 3	80 9	43.89	2	67 0	59 3	72 2
Cotton Goods	184 0	103 3	80 9	43.89	1	83 6	59 3	72 2
Gin and Spirits	184 0	103 3	80 9	43.89	1	83 6	59 3	72 2
Hardware	184 0	103 3	80 9	43.89	1	67 0	52 5	62 5
Machinery	95 4	71 2	24 2	25.34	2	47 0	32 3	42 5
Kerosene	118 3	88 11	29 4	24.9	3	50 0	32 3	42 5
Petrol	118 3	88 11	29 4	24.9	3	83 6	52 3	62 5
Fuel Oil	118 3	103 3	80 9	43.89	2	50 0	32 3	42 5
Lubricating Oil	184 0	103 3	80 9	43.89	2	50 0	32 3	42 5
Provisions	118 3	88 11	29 4	24.9	3	67 0	42 11	49 2
Salt	118 3	103 3	80 9	43.89	2	35 0	42 11	49 2
Corrugated Iron Sheets	95 4	71 2	24 2	25.34	4	67 0	42 11	49 2
Cement	80 4	59 7	20 9	25.82	4	67 0	42 11	49 2
Building Material	118 3	88 11	29 4	24.9	3	67 0	42 11	49 2
Soap	118 3	103 3	80 9	43.89	2	67 0	52 3	62 5
Sugar	184 0	103 3	80 9	43.89	2	67 0	52 3	62 5

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Railway Tariff No. 7 of 1927

	Class	U.A.C. Tariff Rate (1923)											
		Iddo-Kano		Baro-Kano		Differential		%	U.A.C. Tariff Rate (1923)				
		s	d	s	d	s	d		Class	H.W.	L.W.		
Beer and Wines ...	7	238	3	180	2	58	1	24-38	2	67	0	84	0
Cotton Goods ...	7	238	3	180	2	58	1	24-38	2	67	0	84	0
Gin and Spirits ...	9	347	1	247	2	99	11	28-78	1	82	0	100	0
Hardware ...	7	238	3	180	2	58	11	24-38	2	67	0	84	0
Machinery ...	4	91	2	67	0	24	2	26-5	2	67	0	84	0
Kerosene ...	5	117	6	89	0	28	6	24-25	2	67	0	84	0
Petrol ...	6	184	0	138	2	45	10	24-9	2	67	0	84	0
Fuel Oil ...	5	117	6	89	0	28	6	24-25	2	67	0	84	0
Lubricating Oil ...	7	238	3	180	2	58	11	24-38	2	67	0	84	0
Provisions ...	6	184	0	138	2	45	10	24-9	2	67	0	84	0
Salt ...	5	117	6	89	0	28	6	24-25	3	60	0	76	0
Corrugated Iron Sheets ...	4	91	2	67	0	24	2	26-5	2	60	0	76	0
Cement ...	3	82	10	58	8	24	2	29-17	3	60	0	76	0
Building Material ...	6	184	0	138	2	45	10	24-9	2	67	0	84	0
Soap ...	5	117	6	89	0	28	6	24-25	2	67	0	84	0
Sugar ...	6	184	0	138	2	45	10	24-9	2	67	0	84	0

Railway Tariff No. 5 of 1922

	Class	U.A.C. Tariff Rate (1923)						
		Iddo-Kano		Baro-Kano		Differential		%
		s	d	s	d	s	d	
Beer and Wines ...	7	241	4	184	3	57	1	23-66
Cotton Goods ...	7	241	4	184	3	57	1	23-66
Gin and Spirits ...	9	351	0	274	11	76	1	21-65
Hardware ...	7	241	4	184	3	57	1	23-66
Machinery ...	4	91	2	70	8	20	6	22-48
Kerosene ...	5	118	6	91	10	26	8	22-5
Petrol ...	6	185	8	141	9	43	11	23-65
Fuel Oil ...	5	118	6	91	10	26	8	22-5
Lubricating Oil ...	7	241	4	184	3	57	1	23-66
Provisions ...	6	185	8	141	9	43	11	23-65
Salt ...	5	118	6	91	10	26	8	22-5
Corrugated Iron Sheets ...	4	91	2	70	8	20	6	22-48
Cement ...	3	86	3	59	7	26	8	30-91
Building Material ...	6	185	8	141	9	43	11	23-65
Soap ...	5	118	6	91	10	26	8	22-5
Sugar ...	6	185	8	141	9	43	11	23-65

Railway Tariff No. 3 of 1915

	Class	U.A.C. Tariff Rate (1923)						
		Iddo-Kano or Kano-Baratu		Baro-Kano		Differential		%
		s	d	s	d	s	d	
Beer and Wines ...	2	186	6	141	6	45	0	24-15
Cotton Goods ...	2	186	6	141	6	45	0	24-13
Gin and Spirits ...	3	271	6	204	0	67	6	24-86
Hardware ...	2	186	6	141	6	45	0	24-13
Machinery ...	3	271	6	204	0	67	6	24-86
Kerosene ...	2	186	6	141	6	45	0	24-13
Petrol ...	2	186	6	141	6	45	0	24-13
Fuel Oil ...	2	186	6	141	6	45	0	24-13
Lubricating Oil ...	2	186	6	141	6	45	0	24-13
Provisions ...	2	186	6	141	6	45	0	24-13
Salt ...	1	91	6	69	0	22	6	24-59
Corrugated Iron Sheets ...	1	91	6	69	0	22	6	24-59
Cement ...	1	91	6	69	0	22	6	24-59
Building Material ...	2	186	6	141	6	45	0	24-13
Soap ...	1	91	6	69	0	22	6	24-59
Sugar ...	1	91	6	69	0	22	6	24-59

BARO

	Import Tons	Export Tons
1923-24	1,567	8,577
24-25	2,371	14,528
25-26	4,206	16,391
26-27	4,754	24,383
27-28	4,436	9,216
28-29	4,583	6,808
29-30	3,914	13,263
30-31	8,311	11,708
31-32	10,345	20,920
32-33	15,625	33,741
33-34	16,936	39,524
34-35	20,432	43,429
35-36	23,242	31,209
36-37	25,809	13,519
37-38	18,933	10,506
38-39	16,406	17,009

PART V

Paragraph 44

Mr. Smith's statement that "it is important that consideration should be given to the possible improvement of other rivers such as the Kaduna River and the Cross River", is one for comment by the Director of Marine. If improvement of these or other streams in the Riverain area will further development, I support the suggestion but must remark that it is more than likely that due consideration has long since been given to such matters by the Marine Department.

The theory regarding the planning of railways and roads is sound when applied to a civilized country but in opening up new territory it is necessary for the Government concerned to take into consideration the detailed requirements of the different areas comprising that territory.

Trade is not the first consideration in such cases, as trade in sufficient volume to warrant modern transport facilities invariably follows Government control, enlightenment and development; control necessitates consideration of strategic value in regard to both railways and roads with due consideration of the value of the river facilities. I have little to say regarding the latter part of this paragraph beyond referring to my comments on paragraph 17 as an indication of how funds might be found for the encouragement of crop development, in which connection I agree that the "trading-cum-transport" interests can help very substantially by confining their transport to its legitimate sphere (the riverain areas); by collaborating with the railway in a long range policy of equalized low export rates and (when development has been sufficiently advanced to justify them) compensating high import rates. (See my comments on paragraphs 17 and 68).

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Paragraph 45

Whilst admitting that there is no Railway in which improvement could not be made along the lines indicated, I consider the statement that "not a single railway in the world has realized that its methods are entirely obsolete" is somewhat comprehensive and sweeping. The figures of the Nigerian Railway indicating unit results in the factors mentioned by Mr. Smith are good, will stand comparison with any Crown Colony Railway and are in some respects better than those achieved on the Railways of Great Britain as will be indicated by tabulated statements at a later stage in these comments. (See comments on paras. 58 to 63).

These results do not occasion a sense of smug satisfaction to the Railway Management or Executives; on the contrary, every effort is continuously made through close scrutiny of statistics and by practical experiment to improve on past results. These efforts have resulted in appreciable advances in all branches of the railway service. It is, however, much less the duty of the Management to show that criticisms of its shortcomings are ill-founded than it is to adopt and carry out sound policies which will lead to further improvements.

Paragraph 46

Mr. Smith's remarks regarding the burden of unremunerative stations will be commented upon later but his reference to obsolete methods calls for explanation. In the previous paragraph, he has described the methods of all railways as obsolete. However obsolete the methods of the Nigerian Railway may be, it is able to satisfy (in general) the requirements of its users. If Mr. Smith considers this railway obsolete in comparison with the English railways to whose methods he is accustomed, he has perhaps overlooked the differences in traffic density, operating personnel and the type of user for whom it is necessary to cater. His remarks regarding the supervisory and African Staff are most gratifying and much appreciated.

Paragraph 47

The Management, Executives and Staff are proud of this commendation from one of such high standing in the transport world.

Paragraph 48

This comment is as gratifying to the European tutors as to the Africans whom they have trained. Whilst every endeavour is made to prepare African aspirants for the higher ranks, it is neither fair nor practicable to load them with responsibilities for which they are not yet sufficiently advanced. There are many of our Africans who possess undoubted ability and these are under special training and observation with a view to their further advancement.

Paragraph 49

I endorse this recommendation but must point out that the revision of the "Codification of the Powers of the General Manager" (which revision has been undertaken since Mr. Smith visited Nigeria) when sanctioned by the Secretary of State for the Colonies, will do much to remove the disabilities mentioned.

PART VI

Paragraph 50

I have already referred in my comments on paragraph 14 to the factors which governed construction of the Eastern Section of the Railway system, but I must here remark that I do not agree that the Eastern Section is unnecessary. It is most unlikely that this or any future Government would for a moment consider such a retrograde step as the removal of the line as—apart from its uses in developing the territory which it traverses and the services which it offers to the rapidly developing Northern areas—it has considerable strategic value in the maintenance of order.

With regard to the latter part of this paragraph, I invite attention to the fact that Nigeria has not the passable access motor roads enjoyed by England and that, as a general rule, railway track in very "wet" country, does not permit of acceleration of speeds; moreover, the expenditure necessary to provide and maintain a high-speed track would be quite unwarranted and, in consequence, frequent crossing stations are necessary to deal with the not inconsiderable through traffic.

The last recommendation of this paragraph has already received attention. The Chief Traffic Superintendent of the Railway investigated this issue soon after his arrival in Nigeria. As and when the elimination of small stations is considered practicable, action is taken. In this connection it is well that it should be known that during the "off season" small stations are, where possible and throughout the system, temporarily closed down.

Paragraphs 51 to 53

Noted—I agree and have commented elsewhere on the principle.

Paragraph 54

As indicated in paragraph 50, I think it unlikely that the Eastern system will be closed, more especially as Mr. Smith's proposals in:—

- Paragraph 54 (i) postulate a long rail haul as a substitute for a much shorter rail haul,
- " (ii) would involve unnecessary and probably more costly handling and
- " (iii) the same as (ii) but perhaps more costly.

Paragraph 55

I agree with the first sentence but challenge the second on the grounds stated above.

Paragraph 56

In principle I agree that it is unnecessary artificially to aggrandize the importance of Port Harcourt although, in many respects, it is of considerable importance as the main outlet for the Government Colliery as well as to the commercial community. If and when the main line can work to the capacity of Apapa wharves and the line (below Kaduna) can handle no more, the time for

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diversion will have arrived but this is unlikely until the Kano-Kaduna link has been strengthened as shown in my comment on paragraphs 23 to 31. I am not in agreement with the suggestion that evacuation of the Northern crops by river is likely to become necessary within any period which need now be taken into consideration.

Paragraph 57

Subject to my foregoing comments, I agree.

Paragraphs 58 to 63

It is convenient to deal with these paragraphs together but before doing so, I must invite attention to paragraph 63 (first few lines). Further, I wish to emphasize that because I may not agree in practice, it does not follow that I entirely disagree in theory. I agree that there is always room for improvement and although I disagree with many of Mr. Smith's theories, the general recommendations in his Report merit full consideration and research. It is my duty to meet and deal with practical problems as they present themselves in Nigeria and (having also achieved the best practical results attainable with the staff and equipment available) to give thought to the investigation of new theories. The theory advanced by Mr. Smith in these paragraphs was propounded by him in a speech at the Institute of Transport in Leeds and attracted considerable attention. It purported to show how the Railways of the United Kingdom could save £30,000,000 per annum. General Railway opinion was somewhat sceptical and the theory has not yet (I understand) been tried in practice although there were some who saw merit in the line of thought indicated (foremost amongst them being the General Manager of the Southern Railway who "felt that there was something to be done in that direction") but I have no knowledge of any practical action being taken.

Here it must be stated that Railway operative conditions in the United Kingdom are entirely different from those in Nigeria, the former being a relatively small area with double, quadruple and even greater tracking capacity, dense traffic, dense population, high speeds and frequency of stations. In Nigeria the reverse is the case. Were the Railway being built "de novo" in this country then the scheme outlined might be adopted to suit conditions, but it could never overcome the necessity for crossing stations when working a single line railway system to capacity to meet peak conditions. Before dealing with the statistics given, I must emphasize that the main value of the statistics as shown in my Annual Report is comparative. They represent averages of the results achieved on the various sections of the Railway in which sections there is the widest operating disparity. Save to compare year with year or with another Railway the figure, for instance, of an average load of 133 tons per train conveys little useful information regarding operative functions. The low average speed of movement should not be confused with actual speeds attained over individual sections of the railway system, which speeds are governed by track alignment and condition, locomotive types available, the quality and extent of signalling apparatus and—last but not least—the capabilities of the staff.

It is stated that an increase from 8 to 12 train-miles per engine-hour would save 166,752 engine-hours. It will be noted from the figures given hereunder that the average of train-miles per hour over the past three years is 13.49. In this connection it is interesting to note that the results attained by the Nigerian Railway are better than those in the United Kingdom as the following figures show:—

NIGERIAN RAILWAY

Year	Total Train-Miles	Total Train-Hours	Average Train-Miles Per Hour
1936-37	4,334,452	314,240	13.79
1937-38	4,378,689	342,941	12.77
1938-39	3,759,652	270,240	13.91

BRITISH RAILWAYS

4 weeks ended 25-3-39	33,914,883	2,692,477	12.59
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Poor Wagon loading. I cannot agree that the wagon loading is poor. It is, as previously stated, an average figure over the whole line and is vitiated by varied traffic and conditions. It is stated that an increase in average load from 12.88 to 20 tons would (together with increased train load) reduce trains by half. It is not possible to do so, for the average loading capacity of wagons was only 19.72 tons and an average of 12.88 tons or 65.31% of capacity is considered a very good figure (the highest since 1933-34 and attained only in the peak "groundnut" year of 1936-37) which is due primarily to the fact that groundnuts—being one of the few commodities which can be loaded near to capacity—offset the lower average obtained in other commodities.

The influence of poor traffic arising at numerous stations is by no means the only factor; it has less influence than the cumulative effect of other uncontrollable variables. The extent to which wagons can be loaded varies with the commodity. For instance, while groundnuts, coal and grains can be loaded to capacity, live stock, kola nuts, hides and skins and other commodities can be loaded to less than half the capacity of wagons and by their nature are incapable of any appreciable increase. Here it is to be noted that the average wagon load compares very favourably with the figures of the British Railways.

NIGERIAN RAILWAY

Year	Average wagon capacity tons	Average wagon load tons	Percentage
1935-36	19.93	9.46	47.47
1936-37	19.72	12.88	65.31
1937-38	19.78	12.06	60.97
1938-39	19.87	11.02	55.46

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BRITISH RAILWAYS

16 weeks ending 22nd April 1939	Average wagon load	Percentage
Merchandise or Live stock	2.86	} Percentage not available
Minerals	9.83	
Coal, Coke and Fuel	9.72	
Average all freight 12.03	5.69		47.29

I am unable to comment upon unnecessary handling because of the absence of examples.

With reference to *Poor Train Loading*, as affected by *Wagons per Train*, full weight must be given to my remarks on statistics at an earlier stage of my comments on this paragraph. The figures therein are averages and I cannot admit "poor train loading". The figure given in Mr. Smith's Report is 9.49 wagons per train but I think this should read "loaded wagons per train". The correct figures of wagons per train are as follows:—

	Wagons per train
1932-33	11.62
1933-34	12.54
1934-35	13.67
1935-36	14.89
1936-37	13.60
1937-38	13.77
1938-39	14.21

In paragraph 61 certain savings are computed on the basis of increasing the number of wagons per train from 9.47 to 12. They already exceed 12 and are, in fact, 14.21 against an average capacity of 14-17 according to gross weight. While there may be some margin for improvement it is not great.

Regarding *Poor Train Loading as applied to Pay Load in tons*, the average pay load per train of the Nigerian Railway was:—

1936-37	132 tons
1937-38	133 "
1938-39	119 "

The average pay load per train of the British Railways over 16 weeks ended 22nd April 1939, was 131.06 tons. While 1938-39 indicates room for improvement, the figure has been reduced (as compared with the two previous years) by extra empty train mileage in circumstances beyond control.

*Closing of Small Stations,
Concentration at a limited number of Stations*

The main consideration upon which this has been based is small bookings at certain stations (Appendix 6) but the booking of passengers and goods is not, in the majority of cases, the reason for the existence of the stations, which are primarily for operative purposes. Single line working provides a set of circumstances

entirely different from double and quadruple line working. The number of stations has recently been *increased* on one section in order to increase the "line capacity" for export. The value of these new stations for booking purposes did not enter into the question. I agree in principle and in the theory that it is wasteful to retain stations unless they are necessary, but in "single track" operation, the "capacity of the line" depends upon a sufficiency of crossing stations and the extent to which these could be reduced (if at all) will require exhaustive analysis of operational figures.

It is now necessary to deal with paragraph 61 separately, as I cannot agree with the figures on which is based a hypothetical saving of £143,000.

I have shown that I do not agree with the factors upon which the computation in paragraph 61 is based, but assuming they were accepted, I do not agree with the computation. It is an axiom that average unit costs do not increase in direct ratio to increased effort nor do average unit costs decrease in direct ratio to decreased effort. It is not correct to assume that the total average running cost per engine-hour for any one year can, if multiplied by a reduced number of engine-hours, truly represent a saving equivalent to the calculation. The only factors in the unit cost per engine-hour which could be taken into account are the direct costs of fuel, water, oil and stores.

Shed costs could not be accounted as they would not be reduced and Locomotive Running Staff only in so far as any reduction in Drivers, Firemen and Cleaners could be effected.

The figure of 121.64 pence should, therefore, be reduced to a figure nearer 65 pence, plus a small incalculable factor. Moreover, the whole of the foregoing cannot be taken into account in regard to a saving in engine-hours due to increased speed of movement, because increased speed would not reduce the number of train-miles to be run. Further, with increased speed, the consumption and, in consequence, the unit cost of fuel, water, oil and stores would increase.

Thus assuming the factors to be correct, (and I do not admit that they are) the computation should be:—

101,818 Engine-hours at 65 pence
or £27,575 not £143,000.

I admit without hesitation the theory and principle propounded on general lines that improved train loading, wagon loading and reduced Engine-hours are desirable economic objectives to which unceasing attention should be (and is) constantly directed, however good may be existing results.

I admit that as the background to a whole picture and an indication towards a desirable objective, the suggestions merit continued study and consideration, but I must express the view that I regard any estimate of ultimate saving with the greatest reserve.

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Paragraph 64

The complimentary references are accepted with gratification.

It is necessary to refer to the previous paragraph in regard to economies in operations in relation to reduced rates.

Paragraph 65

I am convinced that "Railway" Road Feeder Services and cheap export rates together with crop diversity are primary factors in any proposal for increased development of the Northern territory.

Paragraph 66

For such Road Services the roads required should be built only to a standard of minimum necessity, bearing always in mind that it is necessary to build such foundations as will allow of further consolidation and development as and when the traffic develops.

Paragraph 67

The fullest use should be made of any modern development to reduce transport costs. There is under investigation yet another form of oil utilization as a fuel, the details of which are at present undisclosed. Certain experiments have been made with palm oil as a fuel but the results have not, up to the present, been altogether satisfactory. The matter will be pursued further on return from leave of the Railway Road Transport Officer.

Paragraph 68

The equation of geographic disadvantage, which postulates almost certain loss over an extended period, cannot be undertaken by private enterprise and it is therefore suggested that the policy and practice of the South African and Rhodesian Railways should be followed. Under this policy the principal road motor services are owned and operated by the railways. Unless the suggested road motor services are owned and operated by the Nigerian Railway, I am definitely opposed to through road-rail rates for reasons which are obvious to anyone acquainted with Nigeria.

Paragraph 69

I agree. Further railway extensions are unlikely because of lack of funds but should not, in any case, be considered until it has been proved that road motor services which feed existing railways from remote areas can no longer effectively deal with the volume of traffic offering.

Paragraph 70

I agree on broad lines. The issue is again a question of policy, *vide* comments on paragraphs 7, 8 and 9. The position on the main area of intense competition is this. From 1926 onwards as the merits of the self-propelled road vehicle became increasingly apparent and when the advantages accruing to the operators as well as to those who purveyed both the vehicles and their appurtenances were realized, rail-borne traffic was diverted to the roads in increasing volume. Rate reduction followed rate reduc-

tion, Committee after Committee sat and advised, railway revenue diminished, but no positive action was taken. The railway now carries what is left over *after* motor vehicles have carried all traffic (regardless of balance) which is suitable to them. From the purely Nigerian Railway point of view, such competition is not only unnecessary but disastrous. The railway must continue to operate and be maintained and the cost thereof is more or less static whether the traffic is dense or otherwise. The situation is aggravated by the operation of a relatively dense passenger service at unremunerative fares; this traffic is so dense that it is, on occasions, difficult to make paths for goods trains. In this connection, full weight must be given to Mr. Smith's opinion in this paragraph, qualified by the undeterminable factor, the indirect value to railway business of cheap movement of passengers.

Paragraph 71

Vide comments on paragraphs 58 to 63.

Paragraph 72

There is one very serious factor. Live stock traffic is at present the one outstanding instance of balanced traffic, in that the wagons which bring cattle from the North to Lagos obtain return loads of Kola Nuts. The waste of capacity and the attendant expenses involved in transporting Live stock are recognized and undoubted and although it would appear to be fundamentally more economic to transport meat than animals, the application of this economic principle is not as simple as it appears, either from an operative point of view or (most important of all) from the point of view of the business interests and religious scruples of those concerned in this traffic and their customers. The question of refrigerated vehicles has, for some time, occupied my attention and enquiries have been made in all directions giving any promise of inexpensive refrigeration by generation from the vehicle axles. Up to the present, this has been declared impracticable owing to the comparatively slow speed of our trains and the difficulty of carrying sufficient storage batteries. Additional difficulties are the absence of an abattoir and a supply of ice at Kano. Investigation of the question is being continued. I must, however, correct Mr. Smith's impression that vegetables are supplied by growers in the South to the people of the North; the reverse is the case. Fruit is railed to the North and the fresh sea fish trade might, in time, develop although the native of the North at present appears to prefer the "mud" fish obtained from his local rivers.

Paragraph 73

I have consistently urged, ever since my arrival in Nigeria, that the Headquarters Traffic Staff was inadequate properly to deal with all the functions required of it. Reduced during 1933 and 1934 as an economy measure and kept below strength, it is only now being brought to something like the strength necessary to deal with ordinary (let alone research) requirements.

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The Traffic Department has, moreover, suffered from two major changes in organization within ten years. It has changed from Departmental to Transportation and Divisional and back again to Departmental, with the result that it has retained many of the bad features of both systems. These changes were in themselves serious handicaps, but to these handicaps was harnessed the removal from the Railway of the control and management of its Colliery, Wharves and Ports; the control (but not the actual working) of which was assumed by the Transport Directorate. The extra volume of unproductive effort thus created greatly increased the volume of clerical work of most of the Railway Departments but particularly that of the Traffic and Accounts Departments and of the Management.

If, as has been recommended in paragraph 114 of the Report, there is a permanent return to a more normal and practical organization, it is possible that traffic and operating research can be undertaken with existing staff after the appointment (now sanctioned) of an officer trained in Rates though some additional outdoor European assistance will probably also be necessary.

Paragraph 74

This is a long and contentious matter. The ideal position would be to have a Railway the construction and alignment of which permitted the use of only four types of Locomotives, but this is not the position of the Nigerian Railway. This fact does not, however, imply that improvement is neither possible nor carefully sought after or that reduction in diversity of type is not a desirable objective. The subject is constantly under investigation and the decision to adopt as standard (wherever possible) the articulated type (Garratt) engine, when renewing various old types, is an instance of our activities in this direction.

The Railways of the United Kingdom have the same trouble but have of later years reduced the number of engine types. Rectification of our track problem which, in turn, gives rise to the diversity of engine types can be made only as and when different sections of the line fall due for renewal.

PART VII

Paragraphs 76 to 79

The question of expediency is frequently lost sight of when opposing the control of any function in competition with the State. Interference in any form either by partial control or total restriction by the State is invariably dictated by expediency in an endeavour to provide the greatest good for the greatest number.

I agree entirely with the warning that it is impossible to lay down a standard formula of ubiquitous application. It is quite true, as stated, that loose and incomplete thought has, on occasions, been carelessly expressed all over the World (as in Nigeria) regarding the conflicting interests of State Railway Transport and Road Transport. The issues in Nigeria are reasonably clear but any solutions to difficulties must depend upon decisions regarding future policy.

I agree with the broad outline of paragraphs 76 to 79, provided that it is clearly recognized that decisions regarding partial control or total restriction of competition (or alternatively, suggestions concerning unrestricted competition) are bound up with the basic policy of the State Railway, that is, whether or not it should be Commercial or Developmental. In this aspect, apart from the question of local conditions, there is at once a cleavage of issue between the circumstances of Nigeria and the United Kingdom where Trade Unions can and do control items (a) and (c) in paragraph 79. The fact remains that, if because of competition the State Railway cannot (despite the close control of expenditure) meet all its charges, money for that purpose must be found by the most expedient method. In other words the State must enforce its protective monopoly at one point or another in the chain of commerce.

Regarding paragraph 78, I have dealt with the question of a Licensing System in my comments upon paragraph 17.

Paragraph 80

I agree and when there is a sufficiency of really reliable road operators further consideration will be given to the matter.

Paragraph 81

I agree in theory but practical application would present difficulty. Assuming that the merging of capital and that a tonnage levy were practicable, the "rating" competition per ton composing the balance of charges would remain.

Complicated methods which are expensive to apply must be avoided. I had already drawn attention to the views of Sir Osborne Mance on pages 14 and 15 of my Annual Report for 1937-38 but the salient fact remains that, if Government requires funds from which to service a loan, the principle of monopoly must be enforced at some "expedient" point.

Paragraph 82

I agree on broad lines. It has been laid down by the Secretary of State that capital for the Railway Loan Funds is borrowed on the security of the Government of Nigeria not on the security of the Railway. In that respect the taxpayer provided the Railway and must, ultimately, shoulder the burden of deficits until such time as the Railway becomes self-supporting.

If a developmental policy which has as its primary factor the equation of geographic disadvantage (through the medium of low export rates) is decided upon, it is more than likely that the Railway will operate at considerable loss for some years—see my comments on paragraph 17—in which case substantially increased relief from interest charges on the capital invested in the railway will be necessary.

My views on the question of interest payments were set out in my letter G.M. 9272B of 19th April 1939 and the opinion, therein expressed, that the position merits review remains unchanged.

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PART VIII

Paragraphs 83 and 84

I agree on broad lines subject to what I have already stated on the economics of railway operation and the effective control of competition. I suggest, however, that the Railway should not, alone, be called upon to shoulder the burden imposed by low prices or crop shortages. The trading and shipping firms who have benefited and will in future benefit (when Nigeria is prosperous) should share the burdens resulting from depression by accepting reduced returns on their capital outlay and by reducing shipping freights. Moreover, I see no reason why the Railway alone should be called upon to carry the major cost of development just because it happens to be a State Railway and because deficits incurred are carried by the taxpayers of Nigeria. I agree that the taxpayers benefit (indirectly) from any profits made by the Railway but Railway profits invariably indicate general prosperity. If the long-range development policy herein suggested is adopted by Government, I submit that the important "trading-cum-transport" interests should collaborate in so far as cheap export rates are concerned and in fixing equalized and equitable import rates.

Paragraphs 85 and 86

I agree in principle, subject to my foregoing comments on the general question of the development of Nigeria. I am not aware to what extent or in what manner there can be safeguards against the manipulation mentioned by Mr. Smith or how it can be ensured that the producer will receive (either wholly or in part) the benefit which should accrue to him through any reduction in railway export rates, but these are matters of vital importance. With improved facilities for cheap movement of exports traffic will increase, with resultant increase in production and exchange trade. The benefits accruing from cheap export rates are abundantly evident in all countries wherein they have been introduced. These benefits have been particularly evident in the Belgian Congo, Kenya, Uganda and Tanganyika, whose advanced development is, directly due to the application of the policy of cheap export railway rates. More than ten years ago Lord Leverhulme raised this issue with the Nigerian Government, but the principle was not accepted and the comments emanating from the Railway on the subject were not in accordance with the views now advanced.

A policy providing cheap export rates could not possibly be expected to yield immediate results and it could not be correctly applied under strictly commercial railway operation.

Paragraph 87

This merits examination, but cheap rates are already in existence for certain commodities. The whole position of railway economics and charges is as outlined in the foregoing comments and will be investigated as soon as a Railway policy has been fixed.

Paragraph 88

Vide comments on paragraphs 85 and 86 above.

PART IX

Paragraphs 89, 90, 91 and 92

I agree. The capacity of the Apapa wharves is far greater than that of the Railway and is adequate for some time to come. Isolated figures indicating congestion during an exceptionally busy month in any particular year compared with figures for a similar period in any other year do not (when multiplied by twelve) indicate a true reflection of average wharf capacity and certainly provide no justification for proposals for indiscriminate wharf extensions.

Paragraph 93

When and if necessity for extension becomes imminent full weight will be given to the requirements of traders. I do not, however, agree with the principle of private wharves and consider that existing private wharves should be abolished by Government as opportunity occurs, either by refusal to renew leases or acquisition before the expiry of leases.

Paragraph 94

I should prefer to see the 2/- charge at Apapa abolished but am well aware that its equivalent or more could readily be raised in other directions so as to avoid loss by those to whom the charge is now paid.

Paragraph 95

No comment.

Paragraph 96

No comment, as the issues are dealt elsewhere in my comments on the Report. I have grave misgivings as to the necessity, let alone the urgency, of construction of a new approach to Apapa via Ebute Metta Creek. I was supported by the Port Advisory Board in March 1938, in my views against this and the Apapa extension proposals.

PART X

Paragraphs 97 to 112

With one important exception, I unreservedly support the opinions expressed and the recommendations contained in this section of the Report. I feel that the importance of unity of control in the effective management of the Railway was not sufficiently appreciated when executive control was vested in the Director of Transport.

I admit that I did not, at the inception of the Directorate, correctly assess or fully appreciate the significance or probable disabilities of such an arrangement, most of the ill-effects of which have disappeared since the executive control has virtually (if not officially) been removed.

His Excellency has verbally informed me that it was not originally his intention that executive control should be applied so rigidly as was done. I understand that what His Excellency

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desired was that there should be, at Secretariat, an Officer with a comprehensive knowledge of transport, who could criticize proposals in regard thereto in the light of experience, without creating duality of control.

Whilst it is not within my province to question such an institution, I very respectfully submit that it would be equally logical to have, at Secretariat, a specialist critic of the work of other large and important Government Departments such as the Medical, Education, Agricultural, Public Works, etc., although I am well aware that the supervision and absolute control of the major policies of all Departments is essential.

My impression at the inception of the Directorate was that, in order to obtain a clear perspective of the transport problems of Nigeria, the Director would (by investigation, personal contact and discussion with the Administrative and other Officers concerned) study the transport difficulties and requirements of the various districts with a view to the removal and/or lessening of overlapping and unnecessary duplication. He would then, I understood, discuss his proposals for co-ordination of transport with the Transport Advisory Board and thereafter advise Government of its recommendations.

Had this procedure been followed I am of the opinion that much of the existing discord regarding the transport economic policy and the more effective use of the rivers, roads and railways (which discord is apparent throughout Mr. Smith's Report) might long since have been lessened if not eliminated. But because of misinterpretation of the words "executive control" very little (if anything) of a practical nature has been done towards co-ordination of the transport systems.

It is not however correct or fair to blame the late Director for not undertaking work which could be achieved only by considerable travel entailing lengthy absences from his office, as his other duties, particularly those involved in executive control of the Railway, and re-arrangement of the operation of the Railway wharves and quays necessitated his constant presence in Lagos.

Executive control of the Railway by the Director of Transport was proved, very soon after its inception, to be cumbersome and almost unworkable and I confirm Mr. Smith's statement that it was mainly due to a long standing friendship that a very troublous position was rendered less intolerable. The expression "Super General Manager" does not exaggerate the position arising out of executive control of the Railway by the Director of Transport.

Unity of control in any business and particularly a railway is essential to effective management. As, however, there is a General Manager of the Railway, the executive power vested in the Director of Transport postulated either continuation of the previous system of control in a different guise (*i.e.*, a General Manager taking full responsibility assisted and relieved, when necessary, by his Deputy General Manager) or the introduction of a system of dual control with an Officer managing on the spot and a Director

(having power to override the policy, actions and decisions of the management) who was almost completely out of touch with the practical activities of the Railway.

The old system of management, although theoretically discontinued, persisted through sheer necessity but without a Deputy General Manager (whose designation was changed in the 1934 reorganization to Principal Assistant to the General Manager) and the executive control at a distance from and without an intimate knowledge of practical railway activities gave rise to an unworkable position despite the constant and sincere effort of the Director and the General Manager to subjugate the tendency towards friction.

After three years experience of the system which Mr. Smith so truthfully analyses and deprecates, I am definitely opposed to executive control of the Railway being otherwise vested than in the General Manager, as dual control led to nothing but unnecessary duplication of effort and an almost interminable stream of avoidable correspondence on subjects which gave rise to substantially increased (but usually purposeless) work in all departments of the Railway.

Paragraphs 107 and 108 expose the difficulties attending the creation of a Port Department. Throughout the interminable correspondence and reports on the subject, the late Director's contention was that the "Officers in charge of the Port Traffic should be Officers of the Central Government" in order that "the balance between the Shipping and Commercial members of the Port and the Railway should be held without discrimination".

Railway Officers are also Officers of the Central Government and I am not aware of any instances of discrimination; moreover, I deprecate the implication that discrimination would occur under Railway management.

The designations "Port Management" and "Port Traffic" are incorrect definitions of functions which embrace only the railway wharves and their sheds at Apapa and Port Harcourt. The railway wharves and sheds at Apapa form only one part of the Port and do not represent one half of the traffic and activity of the Port of Lagos. The "Port Traffic" or "Port Management" had no jurisdiction whatever over anything but the wharves, sheds and yards previously adequately and efficiently operated by the Railway.

The Lagos Customs Wharf was (and still is) efficiently operated by the Shipping Companies under the jurisdiction of the Comptroller of Customs, the sheds at the Lagos Customs Wharf being regarded as "ships bottoms". The lighterage to and from ships on the Lagos frontage is done by the Shipping Companies, whilst the operations at the private wharves at Apapa are undertaken by the owners and Shipping Companies.

The Ijora coal wharf is operated by the Railway and Marine. Therefore the only activities left for control by the proposed Port Department were Railway wharves and sheds at Apapa and Port

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Harcourt, previously operated by the Railway, to the apparent satisfaction of the majority of those concerned. To achieve this control these activities were divorced from the Railway by the creation of an unnecessary organization which, in practice, created a trinity of control and involved increased expenditure. The analogies upon which the organization was attempted have been shown to be false and the organization is comparable to the situation that would arise were the Mersey Dock and Harbour Board to attempt to assume control and operate the sheds and quay front working of the London Midland and Scottish Railway Docks and Wharves at Garston but omitting those of Port Sunlight and other private wharves or similarly, the unlikely event that the London Midland and Scottish Railway would hand over control and operation of their sheds and wharf front to the Mersey Dock and Harbour Board, retaining only the Railway shore side. For good reasons dictated by emergency war measures, the full control and operation of the railway wharves and sheds have now been returned to the Railway. I submit that it is clear that an organization which cannot withstand the impact of emergency is purposeless and wasteful at any other time.

Paragraphs 113 and 114

As far as can be ascertained, the major portion of the duties of the Director of Transport comprised supervision of the Railway and Colliery. Mr. Smith has indicated and I have confirmed that the former is unnecessary and unworkable. Regarding the Colliery, this has always been managed by the Railway which performs all functions, *i.e.*, after the coal has reached pit-head, although Government now benefits by any profits or supports any deficit on the Colliery. There has, in effect, been no change in operation except that the Colliery Manager now reports to the Director of Transport instead of to the General Manager and I know of no improvement effected by this change.

If unnecessary executive control of the Railway, Marine and Colliery is dispensed with, I can see no reason for retention of the post of Director of Transport and agree with Mr. Smith that it should be abolished thus saving considerable expense to Government. I also suggest return to the old arrangement of management of the Colliery by the Railway.

Paragraph 115

I note and appreciate the opinion expressed in this paragraph of the Report and in this connection I once more invite attention to the uncalled for disparity between the salary of the Chief Accountant and other Heads of Railway Departments. The duties performed by the Chief Accountant are as arduous and responsible as those of other executive officers and I trust the disparity will be removed.

Regarding Mr. Smith's reference to the Port (Traffic) working, I have made reference to this in my comments on paragraphs 107 and 108.

Paragraphs 116 to 119

On broad lines I agree. The system of a Transport Advisory Council or Communications Advisory Board operates well in other Colonies and would be admirably suited to the requirements of Nigeria. The members should submit items for inclusion in the Agenda, with allowance of adequate time for circulation and study, which would ensure presentation to the Committee of clear cut finalized issues and a minimum of correspondence and wasted effort.

I consider the question of a Trade Department might well remain in abeyance until the Council has established itself and consideration can be given to the matter.

The Chairmanship should not, in my opinion, revolve amongst members but would be better in the hands of the Financial Secretary or nominee so as to preclude waste of time in the discussion of proposals for which financial provision is impracticable within any period which need be taken into consideration. I prefer the designation "Transport Advisory Council" and hold the very definite view that it should *not* have "Executive" powers. As it is likely to contain unofficial members it should be purely of an Advisory nature and I incline to the belief that Mr. Smith's intention was that the Chief Executives of the various Government Departments and private enterprises should comprise the Board.

Paragraph 120

Whilst I agree up to a point with Mr. Smith's recommendation, I submit that it does not make sufficient provision for covering the duties involved.

The very necessary and important post of Deputy General Manager was deleted from the Railway Staff at the inception of the Transport Directorate on the grounds that the executive control of the Railway was undertaken by the Director. This may have appeared to be correct in theory but in practice the Director did not relieve the General Manager of any of his ordinary duties or responsibilities. On the contrary, owing to overlapping and a substantial volume of unnecessary work and duplication, the duties of the General Manager and his staff were considerably increased. I do not agree with Mr. Smith's suggestion of divided duties and must press for a clear distinction. As in the past, the duties of the Deputy General Manager should be only those usually attached to such post, though he would, as a specialist, give particular attention to Traffic matters. I submit that the post of Deputy General Manager should be revived without delay and regardless of eventual decisions based upon other parts of Mr. Smith's Report; such appointment will have immediate effect upon the commercial control in that it will allow the General Manager to devote the necessary time and thought to major policy and Railway development. I must point out in this connection (and as one instance) that a very important feature of Colonial Railway Management, *viz*: frequent inspections of the Railway system has, to a great extent, fallen into disuse through lack of time since the abolition of the post of Deputy General Manager.

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Provision was made in the estimates for the appointment of an officer specially trained in rates and similar correlated duties. The appointment is in abeyance pending a submission by the Crown Agents of the qualifications of candidates. I do not consider that either of the Europeans employed on the Staff of the Transport Directorate is qualified for the post suggested by Mr. Smith but I can arrange for their absorption (if necessary) in filling vacancies in other branches of the railway more suited to their qualifications which are chiefly in a clerical supervisory capacity.

Paragraph 121

I agree, but must point out that although it was proposed by the Director of Transport that the wharf cargo handling should be undertaken by Government, the proposal was fortunately not put into effect. The system of working under contract with Messrs Elder Dempster Lines Limited remains unchanged and should continue so, as it is satisfactory to all concerned and cannot be efficiently undertaken by any Government at less cost.

I agree with the last sentence of paragraph 121 on general lines and in view of past history and present circumstances but with the important qualification that it is fully recognized that there is no standard text book panacea and the fullest weight in all theories must be given to expediency and local conditions. I must repeat my view that:—

when the State provides a public utility, incurring thereby debt charges and consequent obligations and when the users of that utility cannot meet all obligations, the State must recoup itself by the creation of monopoly at one point or another.

The point of the monopolistic impact is immaterial, provided that:—

- (a) It is in the best interest of the Public.
- (b) The burden is spread equitably.
- (c) It does not shield extravagance or incompetence.

If the proper regulation of all forms of Transport constitutes a monopoly, I do not agree that the Railway "should surrender the hope of a return to a monopoly". Regulation is necessary unless we are to be faced with either complete collapse of transport facilities or further subsidy by Government of the transport system.

PART XI

Paragraph 122

It is realized that Mr. Smith's Report, although lengthy, must be accepted as a general outline of methods by which—in his opinion—transport in Nigeria can be improved.

From my foregoing comments, it will be seen that, although I have found it necessary to challenge his theories where I consider them not applicable to the Nigerian Railway and have also submitted the Railway viewpoint in the river versus rail controversy, there are, in the Report, many excellent detailed suggestions as to methods by the adoption of which improvements and savings would, it is agreed, be effected. Some of these suggestions and many others which are not mentioned by Mr. Smith have become "hardy annuals" for inclusion in the Railway Estimates but have been excluded by me on account of financial stress. I agree most heartily with Mr. Smith that in transport's contribution to the development of Nigeria the question of a balanced Railway budget should not be considered; that is the ideal but in preparing my annual budget I must face facts which are (a) that the Railway has no reserve funds, and (b) that—however sympathetic Government may be towards a developmental programme operated primarily through railway rates—the financial reserves of the Nigerian Government are very decidedly limited and the capacity of the country to pay interest on further loans is also limited. Funds for financing Mr. Smith's proposals are therefore not at present available in Nigeria nor are they likely to be available unless provided from outside sources. If Mr. Smith had access to His Excellency's despatch of the 5th April 1939, to the Secretary of State on the subject of the economic development of Nigeria, he would better appreciate the difficulties with which the Government of Nigeria is faced and would understand our "where is the money to come from?" attitude towards requests for concessions which will further emaciate our already anaemic railway financial position.

Paragraph 123

I have already stated that I disagree with Mr. Smith's views on state monopolies. Regarding the last sentence of this paragraph, I must point out that Nigeria is not comparable with the more advanced countries where "proper wages, hours of duty and conditions of service, as well as the safety of the public" are concerned.

The first three of these items are more closely controlled in England by the very powerful Trade Unions than by Government regulation whilst the safety of the public, in so far as road transport is concerned, is in the hands of an adequate and efficient Police system backed by appropriate legislation.

Legalized Trade Unionism has barely started in Nigeria and the population is, generally, far too unenlightened and impecunious to absorb and operate Trade Union principles as practised in England. Regulations governing the safety of the public are in force but are not easy of application by a comparatively small Police Force operating over a very large territory. Legislation regarding wages, hours of duty and conditions of service would not, in my opinion, be effective outside of Government services and a few of the more important Commercial undertakings.

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Legalized Trade Unionism has barely started in Nigeria and the population is, generally, far too unenlightened and impecunious to absorb and operate Trade Union principles as practised in England. Regulations governing the safety of the public are in force but are not easy of application by a comparatively small Police Force operating over a very large territory. Legislation regarding wages, hours of duty and conditions of service would not, in my opinion, be effective outside of Government services and a few of the more important Commercial undertakings.

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Paragraphs 121 and 125

The railway should nevertheless continue to apply itself increasingly to modernity of method, true economics and economy of operation by the fullest use of its assets. Mr. Smith has advanced theories in operation which other more advanced countries have hesitated to accept but which, whilst not cast aside as impractical, may prove to be beyond the experimental capabilities and financial resources of Nigeria. He has also given us very sound and practical advice regarding operational practice which advice will be adopted (when possible) without delay and thoroughly explored where doubt exists as to its practicability.

In conclusion I wish to say that I have done my utmost to exclude from my comments any taint of acrimony. Mr. Smith has told His Excellency very frankly where (in his opinion) transport principles in Nigeria are wrong and has suggested remedial measures. I have attempted to state the Railway case equally frankly.

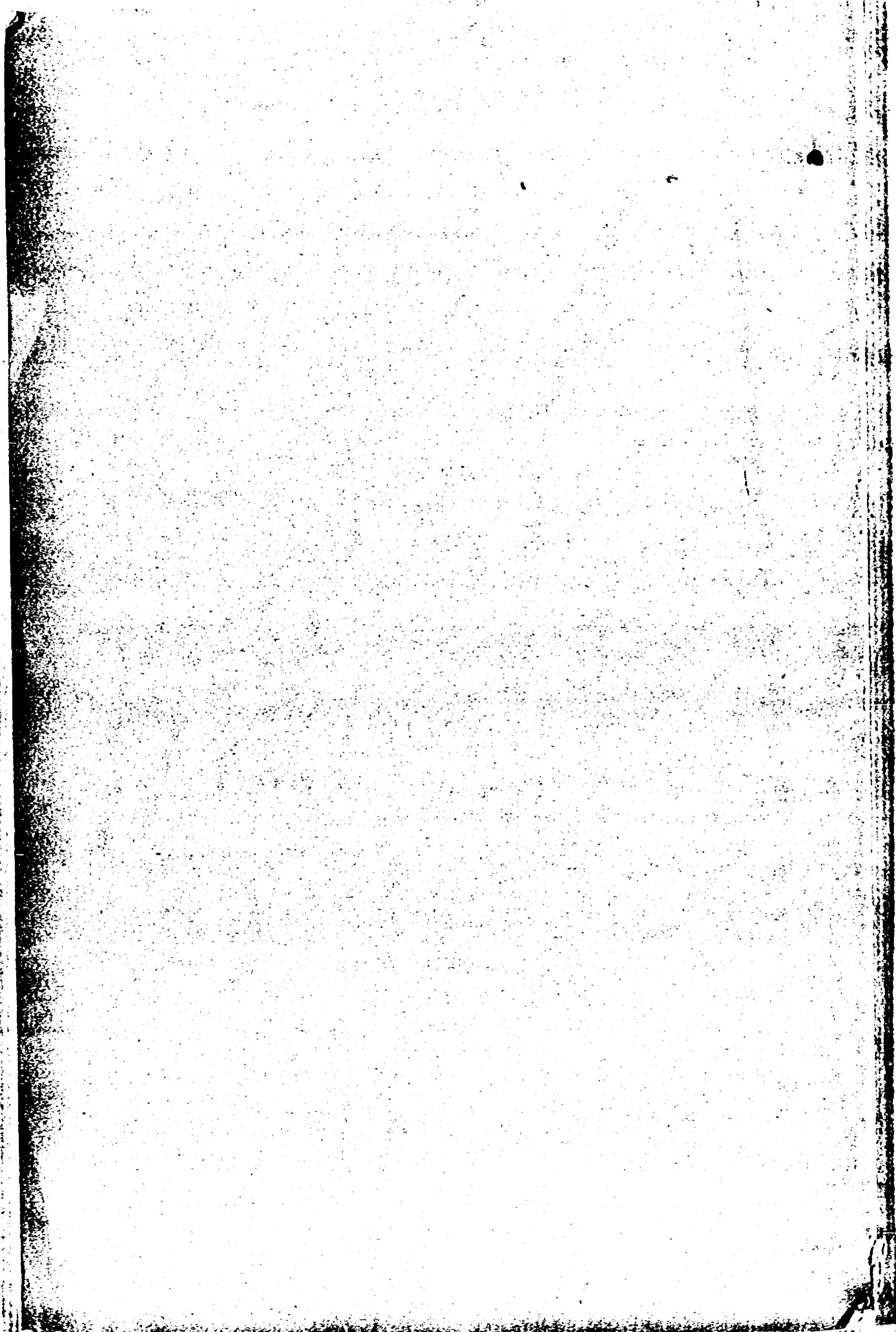
The Management and the Chief Executives of the Railway do not resent Mr. Smith's candid criticism of their methods. On the contrary, they welcome his most stimulating and interesting Report and whilst challenging the contentious and unorthodox theories advanced, these will not be discarded without the closest investigation as soon as a somewhat impoverished exchequer permits.

J. H. McEWEN
General Manager

Railway Headquarters
Ebute Metta
11th November, 1959

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C. O.

Mr. Thornley, 13/2
Mr. ~~Sir W. M. 14/2~~ *Smith*
Mr. ~~O. G. Williams~~

Sir W. M. Smith
B.O. for Mr. O.G.R. Williams's signature.

Mr. C. J. Jeffries.
Mr. A. J. Dawe.
Sir J. Shuckburgh.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

C.O.
14 FEB
14

15 February, 1940.

Dear Woolley.

for conson:

DRAFT.

C.C. WOOLLEY, ESQ., C.M.G.,
O.B.E., M.C.

We received an enquiry a day or two ago from Mr. Frederick Smith as to whether we could let him know ^{if} ~~whether~~ a decision had yet been reached on the question of printing and publishing his report on transport in Nigeria. It appears that he has received a great many requests for copies.

You will no doubt be interested to know that Widespread ^{interest} ~~curiosity~~ is being shown in the report, and we should be grateful if you would be good enough to let us know as soon as possible

what

FURTHER ACTION.

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what reply we should give to Mr. Smith.

Yours sincerely,

Agnes J. B. Nicholson

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NIGERIA

REPORT
of the Technical Committee on the
Amalgamation of the Marine and
Port Departments
together with Appendices

Lagos

October, 1940

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REPORT OF THE TECHNICAL COMMITTEE SET UP TO CONSIDER THE ABSORPTION OF THE PORT DEPARTMENT BY THE MARINE DEPARTMENT.

Origin of Committee.

In April 1940 a joint meeting of the Transport Advisory Board and the Port Advisory Board was convened at the instence of Government to consider proposals made in connection with the Ports organization of Nigeria.

This Committee recommended, inter alia, that a prima facie case had been made out for the Marine Department to absorb the existing Port Department and advised that a technical Committee should be set up to consider details of the amalgamation and possible economies in other directions.

Constitution.

2. In June 1940 the findings of the Committee were accepted by the Officer Administering the Government who approved the constitution of a technical Committee with the following membership:-

- Chairman - S.J.W.Gosch, Esq., Director of Public Works.
- Members - The Honourable R.M. Williams, Commercial Member for Lagos.
The Honourable H.S.Feggetter, Member for Shipping.
F. Stafford, Esq., Deputy Financial Secretary.
G.B. Williams, Esq., Principal Assistant Secretary, Economic & Transport Section, Nigerian Secretariat.

Secretary - S.A.S.Leaho, Esq.

Mr. Stafford was appointed to act as Financial Secretary before the Committee sat and his place was taken by Mr.G.F.T.Coiby, Principal Assistant Secretary (Finance).

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Terms of Reference. were as follows:-

3. The terms of reference given to the Committee

To examine the finding of a joint meeting of the Economic and Transport Advisory Board and Port Advisory Board that a prima facie case has been made for the absorption of the Port Department by the Marine Department and if this finding is accepted to make recommendations with regard to:-

- (a) The staff required by the amalgamated department.
- (b) Plant and craft required by the amalgamated department.
- (c) The disposal of plant and craft which will become surplus as a result of the amalgamation.
- (d) The functions and title of the head of the amalgamated department.
- (e) The responsibility for the working of the various Government wharves in Lagos and Port Harcourt.
- (f) The economics which will result from the changes recommended.
- (g) Any other economics which might be effected.

Meetings.

4. The Committee held seven meetings, on July 19th, 22nd, 24th, 29th, August 6th, 20th, and September 17th. The meeting of July 22nd was held at the Port Engineer's Office and the Committee were afforded an opportunity of seeing the offices, plant, stores and workshops. At the invitation of the Committee Commander Ivey, Director of Marine, Mr. Carter, Port Engineer, Mr. Rooke, Chief Traffic Superintendent and Mr. Massey, Senior Port Traffic Superintendent, each attended one meeting and the Committee wish to record their appreciation of the assistance afforded to them by these officers.

Memoranda submitted by Commander Ivey, Mr. Carter and Mr. Barton (Comptroller of Customs) were considered by the Committee.

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Factors influencing the Committee.

5. The Committee have been influenced by the need for economy and have based their findings on the situation in the Port of Lagos as it is and appears likely to be for some years to come.

When large port extensions are undertaken the port engineering organization now proposed will require to be supplemented by special constructional staff engaged on agreement and in accordance with the advice of the Consulting Engineers. On completion of the extension work the position should be reviewed.

Committee endorse the finding of the Joint Committee.

6. The Committee, subject to the reservation by Messrs. Williams and Colby appended to the Report, endorse the view of the Joint Committee that the amalgamation of the Marine and Port Departments is justified. They are satisfied that the existing dual organization involves unnecessary duplication of staff and plant and overlapping of activities. It is clear that the Marine Department possesses both facilities and staff adequate to carry out the small amount of mechanical work now done by the Port Department and could, with the addition to the staff of a qualified civil engineer with experience of harbour works together with certain inspectors and junior technical officers, carry out the engineering and survey work now done by that Department.

The Committee are of opinion that at present the Port Engineer's duties though they involve some planning ahead are mainly of a routine nature. The work now in progress on the Carter Bridge and Ijora Power Station is an exception, but for the most routine maintenance of the Moles, Wharves and Foreshores together with the making of surveys and the taking of soundings will be the sum of his normal activities. The Port Engineer should be sufficiently expert to detect a major problem when

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when it arises and to advise Government of its existence before the position becomes critical. The Consulting Engineers should then be called in as is the present practice. The Committee are strongly of opinion that there is no need to maintain a separate department to carry out a maintenance programme which is not normally of impressive proportions, particularly since the Public Works Department is available to act as local consultant to the Director of Marine and the Port Engineer seconded to his staff.

All the work of the Port Department clerical and accounting staff and much of that of its labour force can be done by the existing staff of the Marine Department and most of the Port Department buildings can be released for other purposes.

7. Staff required by the amalgamated Department Engineering Section. The existing staff of the Engineering Section of the Port Department is shown under Head 28, Items 1 to 20, of the 1940/41 Estimates and is as follows :-

- 3 Engineers
- 4 European Inspectors.
- 6 Clerks
- 3 Messengers
- 7 African Technical Staff
- 2 African Drivers.
- 83 Master Artisans, Artisans and Chargehands
- 12 Deckhands

The Committee are satisfied that one Engineer with experience of harbours can carry out the normal work of the Department but that on occasion special work may require the temporary services of a second officer.

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Engineers.

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It is proposed that the Nigerian Railway shall assume responsibility for all construction and maintenance work above coping level on the Apapa, and Port Harcourt wharves and on the Ijora Coal Wharf. This proposal, coupled with the abolition of administrative work which will follow amalgamation, will lead to some reduction in the Engineer's duties.

The Committee therefore recommend that a Port Engineer should be appointed to the Public Works Department staff and seconded to the Marine Department. This will ensure that the Director of Public Works is in a position to inspect his work from time to time. The appointment of a second engineer to the Public Works Department is also necessary since in present circumstances the department is not in a position to provide a relief for the Port Engineer when on leave or to allow for the posting of a second engineer when extra work makes this desirable.

The Committee recommend that the status of the Port Engineer should be equivalent to that of the Principal Engineer, Marine Department, and that he should be directly responsible to the Director of Marine.

Inspectors. 9. The Committee were informed that three of the four inspectors are normally in Nigeria at one time. One supervises work on the Apapa side of the port, one on the Lagos side and the third is employed either on special work or at Port Harcourt.

The Committee recommend that on amalgamation three inspectors, one of whom should have diving qualifications, should be employed. These inspectors should be borne on the Public Works Department establishment and be seconded to the Marine Department.

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9A

Clerks.

10. The Committee are satisfied by the Director of Marine that on amalgamation he can, by rearrangement of duties, undertake the necessary clerical work without increase in his staff. The existing Port clerical staff can therefore be dispensed with.

Messengers.

11. The Committee consider that one messenger will be required by the amalgamated departments two therefore become surplus to requirements.

Junior Technical Staff.

12. Two Grade I will be required by the amalgamated departments: one to be employed as a Draftsman and the other as Outside Overseer. Two Grade II should be retained; one as an Outside Overseer and the other to complete his course at the Marine School prior to entering the Drawing Office.

African Divers

13. Both divers should be retained.

Master Artisans, Firemen and Charge Hands.

14. These men are employed in a diversity of trades and on many different duties - Moles, wharves, craft, plant operation and repair, surveys, stores, Aro quarry and special work - and it is therefore impracticable to deal with them individually. The Committee are of opinion that a substantial proportion of this staff will become superfluous on amalgamation. The greatest reduction can probably be made among those employed on plant maintenance and in the workshops. The Director of Marine is of opinion that nearly half the staff will not be required and the Committee concur in this view with the proviso that a final decision can only be taken after the amalgamation is complete.

Boathands and Firemen.

15. The Committee have found it difficult to assess the requirements of the amalgamated department

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under this item since a number of employees in this category are included among the artisans referred to above. While a final decision must await amalgamation the Committee are satisfied that a 50% reduction may safely be recommended.

16. The existing staff shown under Head 28, Items 21 to 29, of the 1940/41 Estimates is as follows:-

- 1 Senior Port Traffic Superintendent
- 1 Port Traffic Superintendent
- 5 Cargo Inspectors
- 11 Clerks
- 6 Messengers.

This staff already appears in the Railway Estimates for 1940/41 under Item 659 of Abstract G. and so is scarcely affected by the amalgamation of the Port and Marine departments. The Committee have had the benefit of Mr. Rooke's observations on the question and learned that the position as regards numbers was that when the Railway resumed control of the working of the Apapa Wharves in September 1939 that department merely absorbed the Port Traffic Staff which had been carried on the Railway establishment up to the time when control of the wharves was handed over to the Port Department.

17. The Railway and Port Traffic Staff have therefore been amalgamated and no specific reduction of individuals appearing under this section is possible. The Committee were informed that this staff had already been reduced by one cargo inspector. Mr. Rooke anticipated that by virtue of amalgamation a reduction of 9 clerks, now carried on the Railway (Traffic Department) Estimates, could eventually be made by absorption into vacancies and by general reorganization of the Railway clerical staff. Mr. Rooke also assured the Committee that the remaining officers were all required.

The Committee accept Mr. Rooke's statement.

Port Traffic Section.

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(b) and (c).

18. Plant and Craft required by amalgamated Department. The main items of plant in use are:- 5 Cranes, 2 Locomotives on Mols; 2 Cranes and 1 Locomotive at Depot, 7 Cranes and 2 Locomotives at Aro Quarry, crushing plant and Compressors at the Quarry, and railway Wagons and stone boxes for transport of stone to the Mols. The Depot workshop is equipped with steam driven machine tools.

Much of this material is old and of small value. Three cranes at Aro are surplus to present requirements, but some of them date back to 1907. The excess of plant at the Quarry is due to the completion of the construction work for which much of it was originally obtained.

The Depot workshop is rather a jobbing shop and smithy than a fully equipped machine shop and the tools are of small capacity and obsolete pattern.

19. The Committee consider that no plant should be disposed of in present circumstances when replacement is difficult, and recommend that the Director of Marine should take on charge such plant as he requires - including reserve requirements in view of war conditions. Lists of plant etc., not needed by the Director of Marine should be circulated to all Government Departments and Native Administrations likely to be interested and any surplus not absorbed should be stored and maintained by the Marine Department.

20. Craft. The craft in use are 2 Steam Launches, 1 Motor pinnace and 6 barges for transporting stone to the Mols. Barge towing is carried out by the Marine Department.

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9.

The Committee understood that one steam launch is due for renewal at a cost of £2,000 but that amalgamation would render this replacement unnecessary.

The Committee recommend that all craft should be handed over to the Marine Department and, in present circumstances no craft should be disposed of, launches surplus to immediate requirements being kept in reserve.

21. Functions and title of the head of the amalgamated Department. The Committee do not recommend that any change in the present title of the Head of the Marine Department should be made on amalgamation.

On amalgamation the Director of Marine will become responsible for the performance and supervision of the works and surveys set out in Appendix A to this Report.

22. The Director of Marine will not be responsible for the maintenance above coping level of the Apapa, and Port Harcourt wharves or of the Ijora Coal Wharf which will be maintained by the Nigerian Railway. Mr. Rooke has assured the Committee that these works can be undertaken by the Railway without addition to the staff.

23. The Public Works Department at present maintain various minor piers in different parts of Nigeria and it is recommended that this practice should continue unaltered. The distribution of the Public Works Department staff renders it more economical for this work to be done by that Department than by the Marine.

Responsibility for the working of the various Government Wharves in Lagos and Port Harcourt.

24. The Committee consider that in the interests of efficiency and economy the control of the Apapa and Port Harcourt Wharves should remain the responsibility of the Railway as is at present the case.

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The Comptroller of Customs has suggested that the proposed amalgamation offered a convenient opportunity to transfer to the Marine Department the control of the Customs Wharf which at present rests with his Department together with the assessment and collection of berthage and harbour dues. The Committee recommend that no change should be made.

The Committee recommend that the Petroleum Wharf should continue to be worked by the firms using it, under the general control of the Harbour Master.

25. The Committee are strongly of the opinion that if any alteration in the existing allocation of responsibility for the working of the various Government wharves in Lagos, Apapa and Port Harcourt is proposed in the future the advice of the Port Advisory Board should be sought.

26. The economies which will result from the changes recommended.

Personal Emoluments. The numerical reduction in personnel employed on port duties and paid from the Personal Emoluments items of Head 38 of the 1940/41 Estimates has been discussed earlier in this Report. The savings anticipated amount to £5,635 and the details are shown in Appendix B.

These savings will be attained as the staff is reduced.

27. Other Charges. After full discussion with the Director of Marine the Committee is satisfied that savings totalling £3,220 can be made on these items. The details appear in Appendix "B"

Mention should be made of the following items in which reductions are proposed :-

Item 14. Maintenance of Plant, Machinery and Locomotives. £1,230. The major part of this vote is allocated to labour employed on operation, maintenance and overhaul of plant. The Director of Marine after

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full discussion considers that these charges will largely disappear on amalgamation and that a saving of £1,000 can be made.

The Committee accept this figure on the strength of the Director of Marine's assurance.

Item 15. Maintenance of Depot and Workshops, £1,550

The Port Depot is the centre of the department's activities and comprises the following main buildings:-

Office. A spacious permanent building in excellent condition. Plant Store, Galvanized Iron, large size and in fair condition. General Store, Brick walls and Galvanized Iron roof, good condition. Workshops, Brick walls and Galvanized Iron roof, fair condition. Sundry minor stores and permanent buildings for use of the Inspectors and Timekeepers.

The Director of Marine is confident that the Engineering and office staff can be accommodated in the Marine Office at Lagos and the Committee accept this view. The office building therefore becomes available for other purposes.

The Plant and General Stores contain a large amount of paid up stock, plant and material from various completed works. It is essential that these two buildings be retained and maintained pending final disposal of the stock and plant.

The subsidiary stores can be cleared and the contents either transferred to Marine storage space or allocated to works in progress.

At present stone for the Moles brought by rail from Aro Quarry is handled at the Depot Wharf. This arrangement must continue for some time since certain track alterations will be necessary at the Marine Wharf before handling can be undertaken there and the material required for these alterations cannot at present be obtained.

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There is a large open air dump of scrap at the Depot. Some of this scrap is valuable (e.g. steel girders) and can be used. It is suggested that this material be examined and the useful items listed and dealt with in the same manner as the surplus stores referred to in Paragraph 19 of this Report.

The Committee, after consultation with the Director of Marine, consider that £500 per annum should prove sufficient for the maintenance and safeguarding of the Plant and General Stores, the dump and Stone handling gear. The saving on this item will therefore be £1,050. The Director of Marine is in agreement with this recommendation.

Item 16. Maintenance of Launches, £230.

Not less than half this vote is allocated to labour charges. The Director of Marine considers that in view of his own staff and resources no part of this vote will be required on amalgamation. The Committee concur. Saving £230.

28. Item 17. Aro quarry. £2,840.

The quarry from which stone for harbour works is supplied is situated at Aro, near Abokuta, some seventy miles from Lagos; this is the nearest point to the port at which granite is available. Developed at a time when constructional work required a large output of stone the quarry is equipped with plant much in excess of that necessary to produce the 7,000 to 8,000 tons which are all that are required nowadays to meet the annual supply for the Moles and the modest requirements of the Railway and Lagos Town Council.

At the quarry a considerable staff of African artisans and labour is employed under the orders of the Port Engineer. European supervision is occasional and consists of monthly (or sometimes fortnightly) visits by an

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... the Inspector from Lagos. (Owing to the variety of sizes of stone required and the number of trades represented the staff of the quarry is necessarily large and could, with the plant available, probably double the present output if the demand existed or were created.)

The Committee has not had an opportunity of examining the detailed working of the quarry and is therefore unable to advance an opinion as to whether the staff of the quarry can be reduced or not. The Committee nevertheless wishes to record its conviction that it is almost certainly extravagant that a considerable subordinate staff should be left virtually without supervision and is of the opinion that the present arrangement should not be allowed to continue.

29. There is at Abokuta a Provincial Engineer of the Public Works Department who, it is recommended, should be placed in charge of the quarry and be responsible for organization and supervision. If this recommendation receives the approval of Government the engineer's first duty should be to examine the working of the quarry and make recommendations as to any economies which can be effected; if, as is possible, it is necessary to retain staff which is capable of producing considerably more than the required output he should consider the possibility of using quarry employees on other Public Works Department work during slack periods, and so save the quarry votes.

30. The Committee also wishes to record that on the evidence before them the present accounting procedure for stone appears unsatisfactory; the quarry should be placed on a semi-commercial basis similar to the Colliery; stone should be costed and should be charged to consumers such as the Port Engineer at a figure

an Inspector from Lagos. (Owing to the variety of sizes of stone required and the number of trades represented the staff of the quarry is necessarily large and could, with the plant available, probably double the present output if the demand existed or were created.)

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figure which will cover production costs, freight and a proportion for overheads. The estimate of quarry expenditure would appear under Public Works Recurrent and a separate Revenue item for sales be created.

The Engineer in charge of the quarry should investigate the possibility of increasing consumption of stone by Government Departments, Lagos Town Council and private contractors. It is realised that the use of stone for building and road making in Lagos is very expensive but it is considered that a reduced price might be justified if thereby output were increased and overheads consequently reduced. Consumption in Lagos might be stimulated if the rail freight were reduced from the present figure of 2d per ton mile to 1d per ton mile which is the rate charged for coal. It is suggested that this point should be taken up with the Railway.

31. The Committee appreciate that war conditions may make it difficult to give effect to this proposal at the present time but nevertheless recommend that it should receive consideration at the earliest opportunity.

32. Item 18, Coal, Wood and Oil Fuel, £1,840.

This vote covers the provision of fuel used at Lagos and Aro quarry for Workshops, Plant and Craft, the purchase of Coal representing some four-fifths of the total.

After full discussion the Director of Marine considers that by the closing of the Workshops, the reduced use of Plant and craft at the Depot and possible other economies a saving of £940 should eventually be effected.

The Committee accept the figure on the strength of this assurance with the proviso that its full justification can only be proved after amalgamation is complete.

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33. Special Expenditure.

No savings on any of the items appearing in the 1940/41 Estimates can be anticipated as the result of amalgamation. The largest item is that for replacement of stone boxes and the Committee consider this to be a necessary service.

34. Mr. Carter's Memorandum.

The Port Engineer submitted a Memorandum to the Committee who considered it. The Memorandum and the Committee's comments appear in Appendix C to this Report.

35. Surplus Staff. The Committee have not considered themselves required by their terms of reference to make any recommendation on the disposal of staff found to be surplus on the completion of the proposed amalgamation.

36. Conclusion. The Committee wish to emphasize that their conclusion that the continued existence of the Port Department as an independent entity cannot be justified implies no criticism whatever of the Port Engineer's conduct of the department's activities. Derived, through the "Harbour Department", from the organization set up to supervise the construction work of the Contractors employed on the port development scheme of twenty years ago the department has outlived its usefulness.

The most important result of the amalgamation recommended is the direct economies which will follow it. In this connection the Committee observe that these economies are due to amalgamation and do not necessarily imply that avoidable expense has been incurred in the conduct of the Port Department.

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The Committee, however, have endeavoured to guard themselves against making proposals for reductions in staff and Expenditure which might prove in the event to have been over optimistic. They have been guided by the consideration that their proposals for economy should be limited to conditions as they are, and though conscious of the potential existence of opportunities ^{for} further economies leave these, to be considered in the light of experience of the working of the proposed amalgamated department.

There is one other advantage in amalgamation which is that the closing down of the Port Department Depot when fully effected should make available a site which might in the future be utilized to accommodate the Marine Dockyard. The removal of the Dockyard would, in its turn, release a deepwater berth for future port extension.

The Committee desire to record their sincere appreciation of the valuable services rendered by Mr. S.A.S. Leslie who has officiated as Secretary and to tender to him their thanks.

(Sgd.) S.J.W. Gooch (Chairman)
 R.M. Williams
 H.S. Foggotter

October, 1940.

Signed subject to the Reservation referred to at paragraph 6 of the Report and attached hereto.

G.B. Williams
 G.F.T. Colby.

October 1940.

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Reservation by Messrs G.B. Williams and G.P.T. Colby.

We have signed the report of the Committee because we consider that the economies which can be effected by an amalgamation of the Marine and Port Departments justify this step. We would, however, have preferred that the Port Department should have been absorbed by the Public Works Department. But the Director of Public Works is so strongly of the opinion that such a step would not effect economy that we feel it would be useless to press our views in the form of a minority report.

2. The investigations undertaken by the Committee have shown that the duties of the Port Engineer are exclusively those of a civil engineer. In the Director of Public Works and Deputy Director of Public Works Nigeria possesses two of the most experienced and best qualified civil engineers in the Colonial Service and it appears to us to be wasteful to form a civil engineering branch independently of them in another department.

3. The Director of Public Works maintains that he and his staff will always be available as consultants. That is true, but that the Director of Public Works' experience should be available when called upon is a very different matter from his constant supervision.

4. At page 5 of the report of the Committee it is recommended that the Port Engineer be seconded from the Public Works Department to "ensure that the Director of Public Works is in a position to inspect his work from time to time". We consider that such inspection is most important but we cannot regard it as a satisfactory substitute for the actual responsibility of the Director of Public Works for the very important and valuable assets at Lagos and Port Harcourt.

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5. We think that the amalgamation of the Port and Marine Departments should be regarded as a temporary measure justified by the urgent need for economy. When the time comes for extension of the harbour works, if not before, we are of opinion that the question of establishing a Port Branch of the Public Works Department similar to the Electricity Branch should be considered.

(Sgd.) G. B. Williams

G. F. T. Colby

October, 1940.

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APPENDIX "A".

Port Engineering Functions of Director of Marine on Constitution of Amalgamated Department.

A. Maintenance :-

- East and West Moles and West Training Bank.
- East and West Mole wharves.
- Five Cowrie Creek Bridge.
- All foreshores on Lagos Island west of, but including, the MacGregor Canal.
- Borce Road Wharf.
- Government House Wharf.
- Pilotage Borth.
- Marine Wharf, Lagos.
- Customs wharf.
- Carter Bridge (excluding the roadway)
- Ijora Coal Wharf up to coping level.
- Port Depot Wharf
- Petroleum Wharf up to the end of the jetty.
- Marine Dockyard.
- Railway Ferry, Stone wharf and Apapa wharves up to coping level.
- Magazine Wharf.
- Reclamation Wharf.
- Port Harcourt main wharves up to coping level.
- Coal Conveyor and Coal Tip, Port Harcourt, up to abutment at Cliff face.
- Port Harcourt Canoe Wharf.
- Port Harcourt Marine Dockyard.

B. Surveys and Soundings :-

- Half Yearly detailed Soundings, Surveys and Current observations of the Harbour Entrance for the information of the Consulting Engineers.
- Forshore Survey of the first 1½ miles each side of the harbour Entrance and thereafter at fixed points up to the 10 mile Beacon.

Special

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Special surveys of the channel opposite the Customs Wharf.
Periodic Surveys of the Denton Causeway on behalf of the
Lagos Town Council.

C. Aro quarry

Handling of Stone for Moles.

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APPENDIX "B".

Head 28. Port.

Item	Estimate 1940/41	Estimate on Amalga- mation.	Saving	Remarks.
	£	£	£	
Personal Emoluments.				
Port Engineer	1,300	1,466	1,364	1½ Salaries at £1,100 rate; provision for 1 Port Engineer and Part Provision for his relief. Engineer to be carried on Public Works Department Establishment and seconded to Marine.
Senior Asst: Engineer	1,050			
Asst. Engineer	480			
Inspectors	1,850	1,388	462	Provision for 3 Inspectors.
Asst. Chief Clerk	300	-	300	No provision necessary on amalgamation.
First Class Clerk	220	-	220	do.
2nd and 3rd Class Clerks	310	-	310	do.
Messengers	90	30	60	Provision for 1 Messenger.
Acting Allowances	140	140	-	
Overtime Fees.	30	30	-	
Allowance for Divers	40	40	-	
Junior Technical Staff I.	640	426	214	Provision for 2 only.
" " " II.	450	225	225	do.
Divers	160	100	-	
Master Artisans, Artisans and Charge Hands.	4,720	2,430	2,290	Provision for part of existing staff.
Deckhands and Firemen.	280	140	140	Reduced staff required.
Divers Underwater pay	120	120	-	
Acting Inspection Fees.	20	20	-	
Overhand Allowances	10	-	10	Not required.
Total Personal Emoluments	12,150	6,555	5,595	

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	Estimate 1940/41.	Estimate on Amalgama- tion.	Saving.	Remarks.
	£	£	£	
Other Charges.				
Transport Allowances	170	170		
Transport - General	60	60		
Transport - Railway	60	60		
Travelling Allowances	30	30		
Telephones	100	100		
Stationery	50	50		
Printing	10	10		
Uniforms	10	10		
Printing Materials & Survey tests.	40	40		
Depot of Motor Vehicles	40	40		
Consulting Engineers' Fees and Expenses.	250	250		
Port & Harbour Works Maintenance.	12,450	12,450	-	
Plant, Machinery and Locomotives Maintenance.	1,230	230	1,000	Estimate agreed with Director of Marine.
Workshops & Depot Maintenance.	1,550	500	1,050	do.
Branches Maintenance	230	-	230	Not required.
Crane Maintenance.	2,840	2,840	-	
Coal, Wood & Oil Fuel	1,840	900	940	Estimate agreed with Director of Marine.
Total Other Charges	20,960	17,740	3,220	

Total Immediate Saving £3,815.

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PORT ENGINEER'S LETTER.

MEMORANDUM FOR CONSIDERATION OF COMMITTEE
APPOINTED TO REPORT ON ABSORPTION OF PORT
DEPARTMENT BY MARINE DEPARTMENT.

This subject has already had so much consideration and has been so thoroughly ventilated in the past that I cannot do better than quote the able summaries of the position contained in despatches addressed to the respective Secretaries of State by Sir Hugh Clifford and the late Sir Grace Thomson.

Sir Hugh Clifford stated :-

Lagos Harbour has been created at a cost of several millions of pounds and it may be presumed that, as Nigeria develops, further large sums will be spent on it. It does not seem to me unreasonable to suggest that the care and supervision of so vital a factor in the progress of the country should be entrusted to an independent staff, whose attention will not be distracted by other matters, and who will be entirely responsible to Government for seeing that the best results are obtained from the expenditure incurred. The opinion of the Consulting Engineers on this point would be particularly valuable and I would ask that this also should be referred to them. x x x

I regret that I should have had to reopen a subject which has already had so much consideration, but I have not hitherto had the opportunity of recording my views. The annual expenditure which will be incurred by the retention of a separate Harbour Department will not greatly exceed that which would be incurred under the previous proposals, and there is no question but that we shall have a greater sense of security. In the matter of maintaining Lagos Harbour we cannot afford to take risks

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risks, and it seems to me that the arrangements at present contemplated are by no means devoid of risk."

The views of the late Sir Graeme Thomson were as follows:-

"Turning now to the Committee's Report, I desire to express concurrence with their recommendations save that made in paragraph (c) under Terms of Reference No.9, "that the Harbour Works be merged with the Marine Department". The importance of Lagos harbour to Nigeria cannot be over-estimated and it is essential that its supervision should be in the hands of a highly trained civil Engineer whose qualifications and suitability have been vouched for by the Consulting Engineers. I regard it as most unlikely that such a man could be found to accept a position in which he would be subordinate to an officer the Director of Marine who possessed no technical knowledge of civil Engineering however able he might be as an administrator. Moreover, in a combined Department such as is proposed, the responsibilities of the officer in charge of harbour maintenance would be far more weighty than those of the officers on the Marine side, and therefore the former should have the deciding voice."

2. That the above views are substantially sound has been borne out by experience in other ports of the world, where the relative importance of the two departments is reflected by the office of Harbour Engineer being frequently joined to that of Chairman of the Harbour Board, i.e. at Singapore, Madras, Rangoon, and many other ports. The duties of the Marine Department, in so far as the ports of the country are concerned, are largely those of a Harbour Master and to merge into that establishment - in a subordinate position - a highly technical department, whose duties are of entirely different nature, would be without precedent.

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3. In general, it should be borne in mind :-

- (a) Not only is port engineering a specialised branch of civil engineering, but it is an entirely separate profession from marine engineering, which is purely of a mechanical nature. In these circumstances economy by the inter-change of personnel is impracticable.
- (b) Although physical conditions in Lagos Harbour may at the moment appear stable, this is in fact far from being the case and changes are continually taking place. Constant vigilance by experienced engineers specially trained in port works is necessary if the effect of these changes is to be fully appreciated. Only then can steps be taken in advance to counteract their detrimental effect on the well-being of the harbour.
- (c) Many of the structures in the harbour are getting old and nearing the end of their useful life. Not only is increasing maintenance and vigilance therefore necessary, but in the not distant future replacement will be called for. If the present proposals are carried through the re-engagement of staff to undertake this work is likely to be necessary since past experience has shown the inadvisability of entrusting such work to any but specialised and experienced officers.

4. It has always been my contention that the reorganisation and co-ordination of port working in Nigeria is long over-due, and that the solution is the formation of a properly constituted Port and Harbour Authority with one executive officer responsible to Government for all port matters.

Following

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Following recognised practice such an authority should incorporate all sections of port working, i.e. marine, traffic and engineering, each with its own subsidiary head responsible to the Principal executive officer.

5. It may be that Government is not prepared in the present circumstances to undertake the entire reorganisation of port working on the lines suggested. In that case it would be preferable to leave the existing organisations as it is until a suitable opportunity for the change occurs. To absorb the Port Department into the Marine Department is no solution to the real problem, but is a temporary expedient put forward with a view to immediate economy. Taking the long view such an economy is unlikely to be of a lasting nature and entails some risk to the future well-being of the harbour.

6. On the other hand, I am in entire agreement with the view that over expenditure does occur under the existing system of port working and while for the reasons given above I depreciate most strongly any proposal to absorb the Port Department into the Marine Department, I still feel that the possibilities for a closer co-ordination between the two departments, with a view to economy, have not yet been fully explored. In these circumstances I would submit the following suggestions for the consideration of the Committee:-

- (a) All floating craft should be under the control of the Marine Department and should be requisitioned for by the Port Department as required.
- (b) The possibilities of inter-change and/or reduction of staff employed on purely mechanical duties which fall within the scope of marine engineers.
- (c) The possibilities of economy in respect of workshops or stores. In this connection, I would draw the Committee's attention to the reports of the Committee appointed in 1931 to enquire into the working and administration of the workshops, foundries and sawmill of

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of the Railway, Public Works, Marine and Harbour Departments, and the possibility of their partial or complete amalgamation.

7. Finally I would point out that one of the most important lessons so far learnt from the war has been the vital necessity to a country of its ports. The proposal to absorb the Port Department into the Marine Department - in a subordinate position - is one which may well involve some risk to the well-being of Nigeria's principal ports, and in these circumstances such a change should not, in any case be entertained at the present time.

(Sgd). C. W. Cartor
PORT ENGINEER.

Port Department,
Lagos, 22nd July, 1940.

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COMMITTEE'S COMMENTS ON PORT ENGINEER'S
LETTER DATED 22nd JULY, 1940.

Mr. Rooke then left the Meeting and the Committee turned to a consideration of Mr. Cartor's letter dated 22nd July, 1940.

Regarding the quotation from a despatch by Sir Hugh Clifford written in 1923 the Committee considered that in the present situation of the Port their proposals for seconding a qualified civil engineer for port work to the Marine Department was a sufficient insurance.

The Committee thought too that conditions had changed since the late Sir Graeme Thomson's despatch was written in 1926. At present there were no major problems and if an important problem arose the Consulting Engineers would be called in. Nor was there now any difficulty over a qualified civil engineer since the Committee understood that Mr. Sadler, the Senior Assistant Engineer of the Port Department was prepared to accept appointment to the staff of the Marine Department as Port Engineer. Mr. R.M. Williams pointed out that suitable candidates for such an appointment should usually be forthcoming since the post was an excellent stepping stone.

Paragraph 2 of Letter. The Committee thought that conditions in Nigeria and at Rangoon etc. were not parallel. Mr. R.M. Williams pointed out that the Chairman of the Madras Harbour Board was described as Traffic Manager and not as an Engineer. He could find nothing in Books of Reference to suggest that the holder of the post at Rangoon had Engineering qualifications while Calcutta was in charge of a retired Captain of the Royal Indian Marine. In fact those Port Managers might or might not be qualified Engineers.

Paragraph

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Paragraph 3 of Letter. The Committee considered that their proposals would cover the points raised. As regards (c) the necessary staff could be engaged on agreement. A specialist should be called in if required.

Paragraph 4 of letter. The Ports of Nigeria have not reached a stage of importance which demands a Port Trust or similar body with independent finance on a large scale, nor could the cost of such an organisation be faced.

The Committee's proposals envisage the appointment of a competent officer to take charge of port Engineering.

Paragraph 5 of letter. The Committee consider their proposals will achieve immediate economy without prejudice to the future.

Paragraph 6 of letter. The first point does not arise and the proposals will cover the remaining points.

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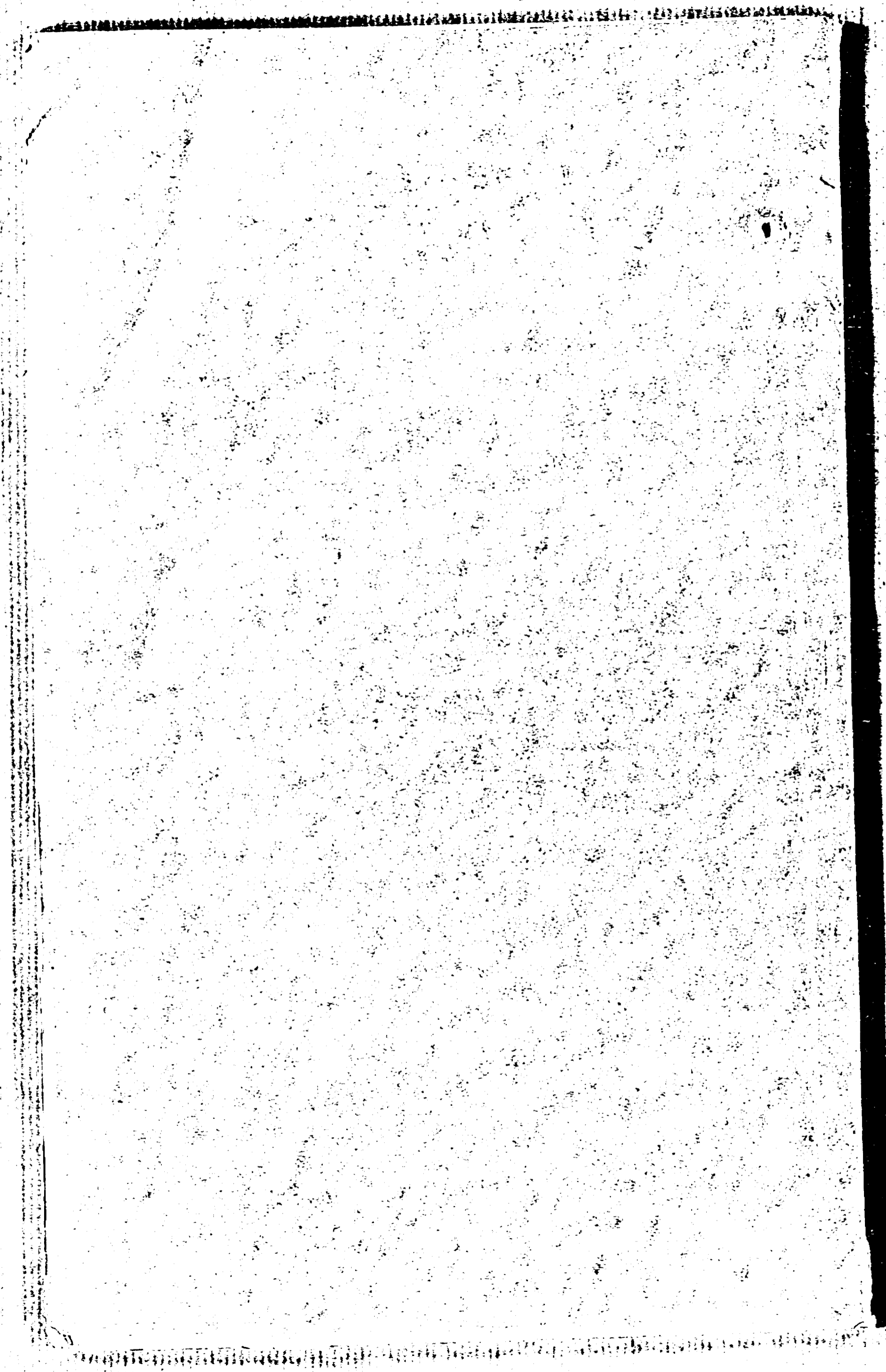
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to facilitate its perusal in detail. 117
I have endeavored to prepare a shortened
digest of Mr. Smith's further report copies
of which are attached. I have not attempted
to deal with the appendices to the report
which are in the main statistical
except for 10 & 11. The former an article
by Sir Osborne. The latter relation the
representative with work: this will
be said in order for future
reference. I will now attempt to
summarize briefly the views

- (a) of the General Manager
of the Railways
- (b) of the Transport Advisory Board.
- (c) of the post a in the report.

The General Manager says that many of the
Smith's proposals are acceptable & though
there is much in the report that is highly
commendable. & in other words, his proposals
are not necessarily unworkable, but
decisions on ~~the~~ such matters must
be governed by the policy & tradition
in regard to railway operation & finance.

Chap II He is not in agreement with the conclusions
drawn by Mr. Smith as to the
as to the origin of the wharves & warehouses
at Lagos, Apapa & Port Harcourt.
we do agree that Mr. Smith correctly
intimates his anxiety to draw traffic to the
all rail route.

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He cannot agree that all expenditure on the Eastern line was unnecessary.

The transport of coal necessitated & developed it had the turbines used coal instead of hydro electric power that would have been a coal traffic worth as well.

He agrees that the withdrawal of fuel from the service was short sighted.

He does not admit that the railway was done because the importance of motor transport, but that it was done in trying to get the effect of this competition.

He agrees that motor rail & road transport services are in competition & considers

Motor & road transport should be combined

at the same rate as the railway

He cannot agree that the motor transport system is necessary to the railway & of help but rather in the future the motor services are dependent on the railway.

The railway has got to be maintained & repairs should be guided by the experience of more advanced countries & not experiment with a policy of unrestricted competition. In general he considers that the rates charged by the motor & road systems should be brought down to the level to protect the railway (by control of minimum charges).

In developing this he agrees that even if a loss was sustained on motor transport by low rates increased traffic would enable operating companies to cover this.

Chapter III. He is unable to accept the Smith's views in view of the large sum invested by last buyers in the Railways. Proposals for canalisation are regarded as Utopian.

Chapter IV. He is unable to agree with Mr. Smith's presentation of the Linn's Barro position. Although he is of the opinion that the Linn's Barro is not a differentiated, but does he see any advantage in the re-introduction of Through Bills of Lading. He regards any analogy between Lake & Rail traffic in America & that in Linn's as unjustifiable.

He considers:

He does. In future course of the Linn's Barro line greater profits on the trading side of the business as well as the operating results of motor transport must come into consideration.

Chapter V. He is unable to accept the charge of using obsolete methods in the Railway's administrative services regarding operating staff management & executive staff.

He does. recommendation that several managers should have wide powers. Revision of conditions of Powers of G.M. (now under review in C.O.) will do much to secure this.

Chapter VI. He does not agree that the Eastern line is unnecessary. Conveyance of goods by accelerated is not practical. The number of small stations is already unduly high & is not practicable.

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He agrees that until the main line works
localities, additional diversion to the Port
Harcourt line is not justified.

He expresses considerable doubts
whether any big difference in operating
conditions in Smith's proposals are practicable.

Wagon mph. in Germany are better
than those in the U.K. a wagon
loads compare very favourably.
Land area with proposed closing
of small stations single line
working makes many more necessary.

Cannot accept the proposed saving of
£74,500 p.a., as he does
not agree with the computation.

Chap VIII
Accepts proposals for development of
Road from access for the north.

and agrees that further railway extensions
are unlikely.

The question of repurposing cars is still
under investigation. There are ^{technical} difficulties
to be overcome.

Reduction of types of engine is constant by
under investigation. Rectification of
back to front of this can only be made as
when section of line full due for renewal.

Cap VIII

Chap VIII

110

While agreeing with the broad outlines
of Mr. Smith's views on restriction of
road traffic the question of speeding
should not be lost sight of, and any decision
a restriction are bound up with questions of
basic ^{policy} Railway policy is the Railway
to be commercial & developmental.

Agrees that wider road co-operation
should be offered where there is a sufficient
of reliable road operators.

Agrees in theory with Mr. Smith's views on
financing of railways but sees practical
difficulties. If a developmental policy
is adopted the railway will have to
operate at a loss for some years.
relief from interest charges will be
necessary.

Chap VIII

Agrees on broad lines with Mr. Smith's
views on principles on which rates
they should be based but considers
that having a certain interest
should assist in carrying the burden
of low price years. a cap on charges
should collaborate in any cheap rate
policy.

Agrees in principle to an advance
rate basis subject to general ^{directions}
of development policy.

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Part IX. He is in agreement with Mr Smith's views on most points.

Part X. ~~See~~. Except as regards his proposal for executive etc he unreservedly supports Mr Smith's recommendation that ~~the Board~~ ^{Executive control} ~~should be placed~~ with the General Managers.

~~Subsequent proposal~~
 Provision that system of a Transport Advisory Council would be well suited to needs of highway. Mr Smith's chairman ship should be in hands of Financial Secy.
 His removal of post of Deputy General Manager.

Opines that post-control should revert to Railways Intermunis that as various cases handling system of operating more contact with Elder Benefactors should be cannot be better or should be enhanced.

Part XI. Mr Smith has not appreciated the difficulties of funding (mainly) & the P.H. cannot accept his views on State subsidisation.
 Nigeria is not comparable with more advanced countries.

The Board also regarded Mr Smith's suggestion for increasing the responsibility of the High as unworkable & was opposed to any extension of responsibilities.

Advisory Board

120

The Transport Advisory Board did not deal with the report as a whole but with 3 questions only, on which the Gov had asked for their advice.

- (a) restriction of road transport
- (b) pricing of road charges
- (c) Future of Transport Directorate.

as to (c) The Board ^{unanimously} recommended the abolition of post of Director of Transport.

The Transport Advisory Board should be maintained but Mr Smith's recommendation that it should be granted Executive powers was not approved nor his proposal for rotation of chairmanship.

The functions of the Board were extended to include economic development?

A proposal amounting say to the Secy to the Board, to have facilities for hand holding on the spot.

as to (a) The Board did not wish to commit themselves. Restriction was already in force only to ~~prevent~~ ^{prevent} shortage & this was unlikely to have a leveling effect on sales as between road & rail. Quoddingly artificial restriction unnecessary at present?

as to (b) Sir Osbourne's proposal so far as Nigeria was concerned did not offer sufficient respect of business opportunity a long & expensive investigation.

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The former's memo -

suggests that Mr. Smith's report is not an impartial document, & was written after he had obtained a very incomplete acquaintance with local conditions. His comments on the 'air way' in which Mr. Smith assumes that if something ought to be done it is unthinkable that lack of money should prevent its being done.

He says Mr. Smith has also failed to grasp the fundamental ideas of the Govt's railway policy. & was surprised to find some doubts in the General Managers mind on this.

(I must confess to many in my own! 1958). The Govt has always regarded the railway as an instrument of colonial development and not as a commercial concern, (self supporting or profit making).

For the reason the railway must be subsidised but as an incentive to the railway to secure efficiency it was decided to fix the amount of the subsidy Govt would pay & make the railway responsible for balancing its budget. This seems commensurate & did not mean a change of policy from that which regarded the railway as an instrument of colonial development.

The Govt disagrees with Mr. Smith's objection to restriction on Road Transport. It is essential that with interests of the producer the total cost of transport should

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is paid by the interests on the general body
of taxpayers.

He agrees with the general view
that Mr. Smith's proposals for ^{in regard to unimproved}
~~extension of road~~ roads are:

but accuses Mr. Smith of inconsistency
in his treatment of the subject.

~~eg~~ eg if it is legitimate
to eliminate road haulage by
refusing to build roads then it
is equally so to regulate road traffic
once the road is built, which may
be required for administrative purposes
or for local traffic only.

Mr. Smith argues that the railway
should relinquish to the road traffic
which can be best carried by road,
but should not the road relinquish
to the railways traffic suitable for rail
haulage. The first railway can
be found to do so why should not road
compulsion be also applied to road haulage
with the same object?

They are not competing on equal terms,
as the road has no ^{haulage} medium of capital
charges to carry. A policy of ad val
rates would, more by strengthening the road
haulage position.

Position of fixed charges (Sir Thomas
proposed) ^{for road} an excessive charge would
be thrown on road haulage ^{in his view}
present involved etc.

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Transport Directorate The present
it has fallen far short of this expectation.
Admits it was a mistake to graft his
scheme for coordination onto that
for ^{unifying} Railway Post & Luggage
with one Executive control.

Current in the above 3 Dept's should
remain separate.

Disposes says the Sir has
not been consulted ^{in regard} his views the few
cases requiring an officer in the Secretariat
with a comprehensive knowledge of Transport.
What the few want is someone solely
to advise Govt in regard to transport
problems generally.

Mr. Smith's Executive etc. he regards as
^{there should be a committee of}
quite unworkable. There must be
a single officer to ~~be~~ not only to consider
problems but to discuss them. If he
has some previous knowledge of haulage
problems all the better but he need not have
technical knowledge.

He is not yet ready to commit the
Board on the question of post-
control. He has asked Mr. Cullen
the Post Engineer to investigate
the question of constituting a higher post
Authority without prejudice to
the question of the control of Apaka
Wharf.

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	Mr. Smith	Q. No.	Transport Board	123 Jou.
VI	<p>• Further time unnecessary Shipping up could be affected, with consequent savings Thei makes of small stations</p>	<p>Does not agree but possible under constant cover</p>	<p>no comment. Board later Mr Smith's personal view under cover by general manager</p>	<p>Does not agree likely savings to be effected, but proposal seems active cover</p>
VII	<p>Reflections on road Transport development undesirable. Cooperation should be encouraged by specialisation</p>	<p>Agrees with broad outline but suggesting has to be considered. Agrees when there are sufficient viable road operations</p>	<p>Indesirable to expose definite views for a general resolution. Was there resolution likely to effect leveling of rates between rail and road transport</p>	<p>Cannot accept Mr Smith's view. Proposals? Should be fully exam- ined by expert Commissioners agreed with Board if it may be constructive</p>
VIII	<p>Principle of basing Rates on What traffic will bear does not work in big area. Recommendations advanced rates.</p>	<p>Agrees on broad lines with Mr Smith in principle with advance rate system subject to decision on development policy</p>	<p>Noted a general view of rating structure was being made</p>	<p>Requires review of independent expert. Increase whole position in light of exam- ination working concluded.</p>
IX	<p>Port Harcourt to be confined to local Trade. Development of latter to take place on S. side. Shipment in bulk to be encouraged in future devel- opment to be planned accordingly</p>	<p>Agrees with Mr Smith's views on most points.</p>	<p>no comment.</p>	<p>no comment.</p>
X	<p>Director of Transport to be abolished. Coordinating under General Manager to be revised. Executive Committee to be set up as coordinating Authority on which Shipping heads & Road hauliers would be represented</p>	<p>Agrees except as to Executive Committee Answers that a Transport Advisory Council would suit Nigeria's needs.</p>	<p>Agrees but for continuation of Transport Advisory Board. This includes 3 members cannot accept Executive Committee and</p>	<p>Agrees recommendations of Transport Advisory Board. With some at present envisaged that most of duties General Manager must be recreated.</p>

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I attach the copies of hrs Africa containing the resume referred to in para 14 of the despatch.

~~In his despatch paras)~~
~~The former aspects. The recommendations~~
~~of~~

As to the proposals in his despatch I think that we can accept those in para 3. for
 (a) the constitution of the Transport and Economic & Transport Advisory Board, on which shipping and inland water transport interests are to be represented. Though it is not clear who is to represent the Road haulage interests? The elected African members of the Reg Co & the independent African members.

(b) the need in para 4 the abolition of the Post of Director of Transport.

The ~~the~~ recommendations in para 5 seems to me reasonable: the abolition of the Post of Director of Transport throws more responsibility back onto the General Manager of the Railways & Director of Harbours. I also would accept the proposal to increase the salary of the General Manager on the understanding that the post of Deputy General Manager on which would be held by Mr. Brooke.

The chief traffic Dept. subject to review as proposed for creating the Post of Deputy General Manager by the Commission. who appointment is proposed in para 13.

I take it that ^{through a letter on this point is sent by telegram} ~~such a letter on these matters~~ should meet ~~provision~~ until we have discussed generally with you who will be here in a few days time.

which he referred to the Transport Advisory Board, writing ^{shape} the ~~recommendations~~ ^{among many dealt with in} 3 points only ~~in his despatch~~.

In general the former committee that Mr. Smith's report is thought original & striking is superficial & based on an inadequate knowledge of local conditions. Mr. Smith only spent 10 days in Nigeria.

In an attempt to focus attention on what are perhaps the more important of Mr. Smith's recommendations, I will summarize them as follows.

Chaps II	Q. No.	Transport Board	Gov.
II	Building of Eastern line unnecessary.	Does not agree. It is wanted for coal traffic.	no comment
III	Possibility of bridging R. Niger to improve deep water facilities to Baro etc.	Provision for canalisation are utopian.	Suggestion impracticable. Capital expense would be enormous & probably borne by transport system.
IV	Baro to be regarded as a river port. Inland Baro line must be maintained.	no advantage. Does not commit Ministry.	no comment.
V	Rail layout & certain repairs revision. General Manager should have under review.	Cannot accept change that methods are obsolete. Agrees.	no comment. He has agreed see file on Revision of G.M's terms.

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It is exceedingly difficult to attempt to summarise briefly Mr. Pudworth Smith's report or to pick out salient points on which to comment. Mr. Smith himself in the course of his report insists that the report must be read as a whole, the various ^{as he sees them} ~~parts~~ ^{problems} ~~problems~~ in his mind ^{are} all so closely inter-connected that to attempt with any ^{or two} possible exceptions to pick out given separate considerations to any particular problem is to run the risk of reaching a conclusion which would be unqualified had not its bearing on ^{inter-} ~~relation~~ ^{relation} with other problems been considered. I have therefore to facilitate a perusal of the report prepared a digest of it, & the index of chapters gives an indication of the main ^{points} ~~problems~~ which are covered in it. The General Managers & limited comments take the report as a by word. and ~~from~~ my own comments I have also prepared a ~~two~~ digest of them too. After seeing the ~~of~~ ~~the~~ comments the former write a minute of his own on the subject.

- 57. Port Harcourt not popular. No need for it except as a cooling port.
- 58. Closing of unremunerative stations on Eastern line also desirable with ^{concentration of traffic} ~~at~~ ^{to concentrate traffic} ~~in line~~.
- 61. Possible saving of £148,000 p.a. by elimination of unnecessary stations etc, plus possible substituted
- 63. Substantial saving in station administration expenses.
- 64. Mr. Hoole suggested to undertake such reorganisation.
- 66. Railway versus road. need for decision in planning development of new areas.
- 67. Palm oil as a fuel in lieu of diesel oil.

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- 126
- ³
- ① ^{Ruin} ? Development up as far as Jebba
 & out - Bars as a port.
 - ②. African development might make
 a Borneo Borneo ^{transport} independent of
 northern traffic.
 - ③. Baco - Borneo ruin might become
 much more important.

44. Improvement of ^{the} River services.
 Cross River & Kaduna River.
 ~~with~~ motor feeder services. A survey
 desirable of the possibilities of improving
 river patches of Nigeria generally
 & linking them up with railway
 & road services. (? C.D. Fund, mo.)
 Aid of trading companies will be
 required.

45. The railway handling system is
 obsolete & it does not make use
 of the motor vehicle.

46. Technical efficiency ^{of Nigerian Railway} good!

48. Africanisation of railways successful.

49. Administratively railway management
 should have more freedom qua railway
 business & personnel.
 Rates policy should be left to railways
 but on a commercial basis.

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Dr. Brown

I am rather puzzled by this case.

The medical report in 48 said that a diagnosis of filariasis was confirmed by microscopic inspection, and Dr. Frey. observed the swelling of the leg to be filarial in origin 'though no filarial embryos were showing at present' in 1929.

See also 21. The medical report in 15 said that he had myositis & bronchitis during his tour.

In 85, Dr. Harrison - Baker. diagnosed thrombosis & not filariasis.

It was probably ^{secondary} due to a pneumo-coccal infection of his leg.

I am not clear whether this latter infection was due to the service in the Gambia, ^{apparently} or not.

This complication *fungus* has now been stopped see last para of 4.

Dr. Kilford is ^{of course} probably well aware of the original diagnosis see 70 on this file.

no 101 on this, it states clearly that his earning capacity is nil. I should imagine that the chances of his obtaining even sedentary occupation or of being able in his present condition to help to support himself are precarious if not out of the question. I should be grateful for your views etc.

arose out of the specific nature of his duties & whether as assistant Secretary or of risks connected therewith. I assume not.

29. Road system should be planned before we have port as well as railways and to compete with them

33. a new view of the minima Baro problem. Baro is the equivalent of Lagos. & should be regarded as one end of a through service and not instead of Bantu.

The water service from Baro to Bantu being equivalent part of the ocean service.

34. Through bills of lading expected.

37. need for ^{main} physical link to Baro from north.

Branch service only possible financially because of trunk services & tonnage coming from north to Baro.

38. Baro line could not be closed out full compensation to Bantu companies which would = the savings to advantage likely to accrue to the port by closing the line.

39. But Baro Line is profitable. Decision in favour of keeping it open inevitable. ^{suggest that}

41. International agreement as to distribution of world resources will require increased production in the north & make the Baro route more indicated for its evacuation.

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I assume that the proposal of adapted audits under existing local
audit arrangements and adding to the staff the only a full audit by
one of D.C.A.s visiting officers viz about £370 every other year.

his bill has come down in favour of
D.C.A.s view that the audit cannot be satisfactorily
conducted by the local staff in St Helena.
But he considers apart from the question
of the D.C.A.s certificate that biennial visits
would be sufficient in addition to audit by
the local staff. On these visits I assume
that from his remarks that he contemplates
that a full audit should be carried out by
the visiting auditor. I assume that in
alternate years D.C.A.s certificate
would be given on the basis of local
audit & examined him here of the accounts.
Before communicating further with the Treasury
I think that D.C.A.s view on his bill's
proposal should be noted. As to the
his bill's remarks, the difficulty in a
tiny place like St Helena is to find
any one to compose an independent
board of this character who keeps
the time etc and is competent to carry
out such surveys. There is of course
no provision on estimates this year
to cover the cost of an auditing visit
from here as the next financial visit
is not due till 1940.

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30396

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1940

~~1940~~

NIGERIA

30396

2

TRANSPORT IN NIGERIA

HARBOUR DUES

Previous	C.D.		R. 216 (D.)	28/3
	R. 295	1/5	302	
	R. 98	6.7		
	Mr. Thornley	6.7		
	Mr. Sidebottom	8/7		
Subsequent	R. 98	26.8		
1946.	Mr. Sidebottom	27/8		
1947	Mr. Duncan	30/8/40		
	Mr. Sidebottom			
R. 98	R. 295	11/9		
Library	R. 98	18/6	1-6-40	
Mr. Thornley	Mr. Sidebottom	18/6	7-46	
R. 98	R. 98	30/1/40		
R. 309	Mr. J.K. Thompson	1/2		
Mr. Thornley	Mr. Pelliam	4/2		
Mr. Sidebottom	M.S. 31	18/2		
Mr. Duncan	Mr. Thompson	18/2		
Mr. Sidebottom	R. 216 (L)	20/2		
R. 98	R. 302	27/2		
(1) Mr. Duncan	Capt. G. Millar	27/2		
(2) Mr. Williams	Mr. J.R. Williams	1/3		
C.D.	Mr. T.U. Davis (D)	1/3		
R. 295	Mr. Briggs (B)	4/3		
R. 295	C.D. (WA)	27/3		

FILE A.

(1345) W. 227/25 24,000, 8/20
N.P. Co. G. 482/77

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C.S. Maritime
Harbour (see Maritime)
Transport

Gov. No. 69. 2
26.1.60.
Seeks advice as to whether harbour dues can be
imposed at the ports to which the Convention of
St. Germain-en-Laye applies.

Riley
Pl. attach copies of
the Conventions &
Regulations referred to.
MHM
27.2.
Attached
AW
8/3

These papers have been held up while
the attached volume containing Lord Milner's
despatch No. 2109 of the 2nd December, 1919, was
being obtained from ~~Canada~~ ^{Caribbean}.

The Governor asks for advice, for
reasons clearly stated in his despatch, as to -

- (i) whether harbour dues can properly be
imposed at ports to which the Convention of
St. Germain-en-Laye dated 10th September, 1919,
applies, in view of the provisions of
Articles 5 and 6 of that Convention; and
- (ii) to which ports the Convention is to be
regarded as applicable.

The Governor goes on to state that,
as at present advised, it would appear that the
Niger Transit Regulations, 1924 (at p. ³⁰⁰ 299 of the
1925 Supplement attached) are at variance with
Article 6 of this Convention and asks for any
general observations the S. of S. may have to make
on this matter.

The questions raised at (i) above
and with regard to the Niger Transit Regulations
are purely questions of legal interpretation, and
I would suggest that the opinions of the Legal
Advisers and perhaps also of the F.O. should be
sought in the first instance. I would, however,
point out with regard to (i), that from the maps
available in this Office, Port Harcourt itself,
at which harbour dues are already imposed, would
seem to be situated at a point where one of the
branches of the Niger runs into the sea!

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If the answer to question (11) above really cannot be determined by the local authorities on the spot, then it would seem to be indeterminable. It is a question which can probably only ~~finally~~ satisfactorily be answered by survey and not one, I think, which could possibly be answered from records available either in this Office or in the Foreign Office.

W. Thornley
9/4

Mr. Duncan

*We should be grateful for your views.
If you consider it desirable to consult P.O.
in the first instance that can perhaps
be done.*

M. A. Williams
19/4

Mr. Sidebottom

As Mr. Thornley says, it seems doubtful whether either the Foreign Office or the Colonial Office could answer the question in paragraph 4 of No. 1 from the maps and records available here; and I shall not attempt to do so on the information at present before me.

With regard to the other question (see (1) of Mr. Thornley's minute of 9/4/40 above), it might perhaps be argued, as the Governor suggests in paragraph 3 of No. 1, that, since harbour dues are charged in respect of the use of a harbour for the embarking and discharge of passengers and

3
and cargo, they are not "based on the mere fact of navigation" within the meaning of Article 6 of the Convention of St. Germain-en-Laye of 1919, and are not therefore contrary to the first paragraph of that article - though it appears that such dues could not be said to be ~~equivalent~~ ^{as} equivalent for services rendered to navigation itself, since such services ^{at ports} are apparently covered by separate ^{charges} ~~charges~~ charters.

As to the point at X on page 2 of No. 1, Article 6 of the Convention of 1919 provides that the navigation shall not be exposed to any obligation "for compulsory entry into port", and I note the advice given to the Governor on the point. The Foreign Office will no doubt have a copy of the Paris Convention of 14/6/98. There appears to be no copy with these papers. ^{MR} I think that we shall have to ask the Foreign Office for their observations on No. 1; and, in doing so, we might comment on the lines of this minute.

Please let me see the draft letter to the Foreign Office in due course. (We should enclose a copy of the Niger Transit Regulations, 1924).

A. Duncan

15/4/40.

*D/R to F.O. a proposal by Mr. Duncan
who shd see D/R
O. G. R. Williams atone
19. 4. 40*

** See the third paragraph
of Article 6
A.O.*

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2 Jo. FO (w/c 1 + enc as dft) - cons - 11.5.40.

AM

3 G.O. (J.1404/2/00) _____ 5.7.40.
2. a copy of a letter addressed to Min. of Shipping requesting their views on the Gov. proposals.

Wait for P.O. reply to our letter. It will probably take time, as it is an awkward question.

? Put by
Whalley
27/8

J.B. Swinton
27/8

AM

4 F.O. (J.1795/2/00) _____ 24.8.40.
Consider that harbor dues may be levied at Nigerian ports except in certain circumstances. Is. copies of comm. with M. of Shipping.

Mr. Duncan. Unless you see any reason to dissent from the ^{views expressed} ~~address given~~ we hold we might tell the Gov that the 20/8 is so advised + send the Gov a copy of the 2 encl. for his info.

J.B. Swinton
27/8

Mr. Sidebottom

This is a matter in which I think we can be guided by the P.O. and when writing to the Governor and enclosing a copy of the P.O. letter of 11/7/40 and of Mr. A. G.S. letter of 16/8/40, should refer to that opinion and say that the G.S. "is of opinion that" (is continuing note lines 7 lines 2037/2044).
20/8/40 A. Duncan

5 2o Nigeria. No 491 - (w/c enc. m. 4) - 9
11 SEP 1940

6 Extracts from Nigeria tel. 539 dated 10.6.41

Information only.
Put by
J.B. Swinton
18/6 at once

AM

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65
4. I am also considering possibility of extending
harbour dues to all ports reference your despatch No. 491
of the 11th September 1940 in which case flat rate of 3s.4d.
per ton probably adequate, but I am not yet satisfied that such
a measure would not be contrary to Treaty obligations and to
principle that charges should be made only where services are
rendered. [I propose therefore to proceed as in paragraph 2
for the present.]

Extracted from Nigeria tel. 5395/10.6.41.
Orig. reg. on 18380/22/41 Econ.

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DRAFT.
Mr. Loch. 7/9

For Journal 9/9/40
Mr. D. G. R. Williams 9.9.

56

Downing Street,
11 September, 1940.

NIGERIA.

NO. 491.

Sir,

With reference to your despatch, No. 69 of the 26th of January regarding Harbour Dues in Nigeria, I have the honour to transmit to you, for your information, copies of ~~the~~ correspondence exchanged between the Foreign Office and the Ministry of Shipping on this subject.

2. I am of the opinion that, provided that, no dues were levied where a ship called merely to report and did not discharge or take on passengers or cargo, there should be no objection to the imposition of Harbour Dues ^{at} on other ports besides Port Harcourt and Lagos.

3. As regards paragraph 4 of your despatch, it appears that Lagos is probably outside the area covered by the Convention of St. Germain-en-Laye, and Port Harcourt probably inside it.

I have the honour to be,

Sir,

Your most obedient,

Humble servant,

(Sd) LLOYD

GOVERNOR,

SIR BERNARD BOUEDIENON, G.C.M.G., K.B.E.,

etc., etc., etc.

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In any further communication
on this subject, please quote
No. J 1795/2/60.
an address—
not to any person by name
but to—
"The Under-Secretary of State,"
Foreign Office,
London, S.W.1.

RECEIVED
26 AUG 1940
C.O. REG^y Foreign Office.
S.W.1.

24th August, 1940.

Sir,

2 With reference to your letter
No. 30396/2/40 of the 11th May
regarding Harbour Dues in Nigeria I
am directed by Viscount Halifax to
transmit to you herewith to be laid
before Lord Lloyd a copy of letters
exchanged with the Ministry of
Shipping on this subject.

2. Lord Halifax is of opinion that,
provided that no dues were levied
where a ship called merely to report
and did not discharge or take on
passengers or cargo, there should be
no objection to the imposition of
Harbour Dues at other ports besides
Port Harcourt and Lagos.

3. As regards paragraph 4 of your
letter it appears that Lagos is
probably outside the area covered
by the Convention of St.
Germain-en-Toye and Port Harcourt
probably inside it.

4./

The Under-Secretary of State
Colonial Office.

Copy sent to Nigeria - 5
Lagos

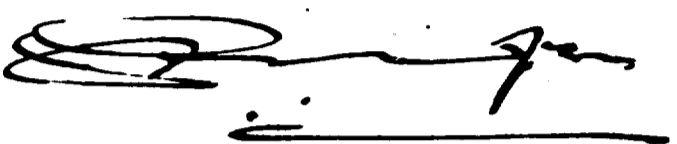
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4. A copy of this letter is being sent to the Ministry of Shipping.

I am,
Sir,
Your obedient Servant,



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COPY

(J 1464/2/60).

S.W.1. 8

2^c
1st July, 1940.

Sir,

I am directed by Viscount Halifax to transmit to you to be laid before the Minister of Shipping a copy of a letter from the Colonial Office enclosing a despatch from the Governor of Nigeria in which he seeks advice in certain matters relating to Harbour Dues at Nigerian ports.

2. Lord Halifax is of opinion that Harbour Dues could be imposed at any port not covered by the 1919 Convention of St. Germain-en-Laye. Moreover it appears that there is nothing in the terms of the Convention to prevent the imposition of Harbour Dues as such in the ports affected by it. What article 6 of the Convention does, however, in his opinion forbid is insistence on the payment of Harbour Dues based on the mere fact of navigation. It might be claimed with considerable force that the clause in the enclosed extract of the Nigerian Government's Regulations by making entry into port compulsory contravenes Article 6. Therefore it appears that the French and other Governments would have justifiable grounds for complaint if Harbour Dues were imposed and at the same time all shipping was compelled to put into port and to pay them.

3. It appears that the regulation requiring compulsory entry into port has been in force since 1924 and has given rise to no protest. Lord Halifax therefore would be glad to learn Mr. Cross's views both as to whether a practicable solution of the problem would be to avoid any alteration in the Regulations and to impose Harbour Dues at ports other than Lagos and Port Harcourt but to exempt from these dues all transit traffic, such as is mentioned in the enclosed extract from the Regulations as entering port to obtain clearances, seals, etc. and not to load or discharge cargo, and also generally upon the questions raised by the Colonial Office letter and the Governor's despatch.

4/

The Secretary,
Ministry of Shipping.

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4. With regard to paragraph 4 of the Colonial Office letter it might be of interest to Mr. Cross to know that as a result of enquiries made in this department it appears that Lagos is probably outside the area covered by the Convention of St. Germain-en-Laye but that Port Harcourt seems to be within the area covered by the Convention.

I am etc.
(Sgd.)-C.J. NORTON.

9
Telegrams—“SHIPMINDER, WESDO, LONDON.”
Telephone—ABBEY 7111.

Any further communication on this subject should be addressed to:—

The Assistant Secretary, Marine Division (address as opposite)

and the following number quoted:—

M.12172/40.

MINISTRY OF SHIPPING (X.J.),

BERKELEY SQUARE HOUSE,

BERKELEY SQUARE,

LONDON, W.1.

16th August, 1940.



Sir,

I am directed by the Minister of Shipping to refer to your letter of 1st July (JL464/2/60), respecting certain questions raised by the Governor of Nigeria relating to Harbour Dues at Nigerian ports.

The Minister is advised that none of the channels of the Niger River system would be used in any normal circumstances as a passage between sea ports, and, so far as can be ascertained from the Admiralty charts and sailing directions, any transit traffic using those channels would be proceeding to or from French territory. These same directions, however, indicate that, owing to navigational difficulties, the possibilities of seagoing vessels proceeding up river beyond the boundaries of Nigeria must be extremely limited, if indeed any exist. If in fact there is no such through traffic, then the problem is limited to that of goods in transit. This is a matter on which the further views of the Governor might be sought.

So far as goods in transit are concerned, it would appear that the ships carrying such goods must discharge them at a place appointed under No. 19 of the Transit Regulations 1924. Such places are presumably ports, at which service charges are levied, and if the ports in fact provide general facilities, it would appear equitable that a charge in the nature of a Harbour Due should also be levied. It would not seem that such a charge would be contrary to the Convention of 1919, seeing that it would not be based on the mere fact of navigation but on the facilities provided for handling goods or passengers. It is agreed, however, that no charge should be made where a ship merely calls to report without undertaking any other business.

There is a further point which appears to deserve consideration. It is observed that the Harbour Dues at Lagos and Port Harcourt are in all cases based on the amount of cargo or number of passengers or animals landed or embarked, and it would appear therefore that these charges would, according to the normal practice in this country, be more properly termed tolls, rather

The Under-Secretary of State,
Foreign Office,
S.W.1.

/than

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With the Compliments
of the
Under Secretary of State
for Foreign Affairs

COPY.
to Ref.
(J 1464/2/60)

tr 5 JUL 1940
The Under Secretary of State,
Colonial Office,
FOREIGN OFFICE, S.W.1.

310

2. [Ref. - G.O. letter No. 30596/2/40 of 11th May]

1st July, 1940.
RECEIVED
JUL 1940
REGD

Sir,

I am directed by Viscount Halifax to submit to you to be laid before the Minister of Shipping a copy of a letter from the Colonial Office enclosing a despatch from the Governor of Nigeria in which he seeks advice in certain matters relating to Harbour Dues at Nigerian ports.

2. Lord Halifax is of opinion that Harbour Dues could be imposed at any port not covered by the 1919 Convention of St. Germain-en-Laye. Moreover it appears that there is nothing in the terms of the Convention to prevent the imposition of Harbour Dues as such in the ports affected by it. What article 6 of the Convention does, however, in his opinion forbid is insistence on the payment of Harbour Dues 'based on the mere fact of navigation'. It might be claimed with considerable force that the clause in the enclosed extract of the Nigerian Government's Regulations by making entry into port compulsory contravenes Article 6. Therefore it appears that the French and other Governments would have justifiable grounds for complaint if Harbour Dues were imposed and at the same time all shipping was compelled to put into port and to pay them.

3. It appears that the regulation requiring compulsory entry into port has been in force since 1924 and has given rise to no protest. Lord Halifax therefore would be glad to learn Mr. Cross's views both as to whether a practicable solution of the problem would be to avoid any alteration in the Regulations and to impose Harbour Dues at ports other than Lagos and Port Harcourt but to exempt from these dues all transit traffic, such as is mentioned in the enclosed extract from the Regulations as entering port to obtain/

The Secretary,
Ministry of Shipping.

than dues. Harbour Dues as such are ordinarily levied on the tonnage of the ship, this being considered the proper measure of the service rendered to the ship by the provision and maintenance of the Harbour, being, so to speak, a charge for the occupation by the ship of a portion of the Harbour which is measured by the tonnage. There would appear, accordingly, to be no real difference in principle between the Harbour Dues at present charged at Port Harcourt and Lagos and the service charges levied at other ports, as mentioned in paragraph 3 of the Governor's letter of 26th January.

Subject to the above remarks, the Minister is in agreement with the course suggested in paragraph 3 of your letter.

I have the honour to be, Sir,
Your obedient Servant,

(Sgd.) C. H. BOYD

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obtain clearances, seals, etc. and not to load or discharge cargo, and also generally upon the questions raised by the Colonial Office letter and the Governor's despatch.

4. With regard to paragraph 4 of the Colonial Office letter it might be of interest to Mr. Cross to know that as a result of enquiries made in this department it appears that Lagos is probably outside the area covered by the Convention of St. Germain-en-Laye but that Port Harcourt seems to be within the area covered by the Convention.

I am,
Sir,
Your obedient Servant,

(Signed) C.J. Norton.

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1924-1901 WL 45767-68 20,000 2/10 IS 273

30396/2/40 NIGERIA.

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0
30 APR
11-
APR 1, 1940.

C. O.

- Mr. Whitcombe 23/4
- Mr. Duncan (v. min.) 26/7/40
- Mr. Williams 30/8
- Sir A. Burns.
- Mr. G. L. M. Clauson.
- Mr. C. J. Jeffries.
- Mr. A. J. Dawe.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Partly. U.S. of S.
- Secretary of State.

Adm. 3.
Crossed, 4.
Sir,

I am etc. to transmit to you, to be laid before Viscount Halifax, a copy of a despatch from the Governor of Nigeria, in which he seeks advice ⁱⁿ certain matters relating to Harbour Dues to the interpretation of the provisions ⁱⁿ Council with the General Convention of certain international conventions ⁱⁿ Nigeria. affecting the imposition of local harbour dues. A copy of the Niger Transit Regulations, 1924, referred to in the despatch, is also enclosed.

DRAFT.

THE U. S. OF S., FOREIGN OFFICE. *Taken in as lost paragraph on leaf.*

5. Mr. MacDonald would be obliged if he could be furnished with the views of Lord Halifax on the questions raised by the Governor.

Despatch from Gov. of Nigeria No. 69 of 26.1.40. (1)

Niger Transit Regls. 1924. See page 300 of Supplement to Laws of N.S. (? by will supply loose copy)

2. With regard to the question whether harbour dues can properly be imposed at ports to which the Convention of St. Germain-en-Laye ¹⁹¹⁹ ~~1919~~ ^{applies,} ~~applies, ^{perhaps} it might be argued, as the Governor suggests in the third paragraph of his despatch, that, since harbour dues are charged in respect of the use of a harbour for the embarking and discharge of passengers and cargo, they are not "based on the mere fact of navigation" within the meaning of Article 6 of the Convention, and are not, therefore, contrary to the first paragraph of that Article, ^{On the other hand,} although it appears that such dues could not be said to be "an equivalent for services rendered to navigation~~

FURTHER ACTION.

if charges at ports other than Lagos & Port Harcourt,

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navigation itself", since such services at these ports are apparently covered by separate charges.

B.3. As regards the provision of the Niger Transit Regulations 1924 requiring compulsory entry into port, it is observed that Article 6 of the Convention ~~of the 10th of September, 1910~~, provides that the navigation (of the Niger and its branches and outlets) shall not be exposed to any obligation "for compulsory entry into port", and it is noted that the Governor has been advised that the Regulations ~~are~~ in this respect ^{all} at variance with Article 6 of the Convention.

I am, etc.,

J. B. SIDEBOTHAM

4. There remains the question to which ports the Convention is to be regarded as ~~applying~~ applicable. This appears to be a matter of some difficulty, and Mr Macdonald doubts whether it is possible to answer the question from the maps and records available in this Office.

5. (Take in paragraph 5 ~~only~~).

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NIGERIA.

NO. 69

12
Government House,
Nigeria.
26 January, 1940.

RECEIVED
29 FEB 1940
C. O. COPY

Sir,

I have the honour to request your advice in certain matters relating to Harbour Dues which have for some time been engaging my attention in connection with the general problem of transport in Nigeria.

2. The present arrangement is that, with certain concessions and exemptions, harbour dues of 4/- are payable on every ton of all inward and outward cargo, and by every passenger at Lagos and Port Harcourt, and no harbour dues are payable elsewhere. The most important effect of this is the direct deterrent to the use by merchants and shipping companies of these two ports, which are those at which the greatest outlay has been incurred on improvements and which are the only ports served by the Nigerian Railway. It is clearly desirable for many reasons that as much as possible of the country's external trade should pass through the ports where it can be most expeditiously handled and where it will provide revenue for the Railway.

3. The simplest method of placing Lagos and Port Harcourt on an equal footing with the other ports would

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
&c., &c., &c.

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would be to impose harbour dues at all. I have been unable to decide, however, whether this action would be in accordance with certain international obligations. Articles 5 and 6 of a Convention signed at St. Germain-en-Laye on the 10th of September, 1919, of which a copy was forwarded under Lord Milner's despatch No. 2109 of the 2nd of December, 1919, require that "the navigation of the Niger, of its branches and outlets shall be entirely free. "The navigation shall not be subject to any restriction or dues based on the mere fact of navigation.... "Only such taxes or duties shall be collected as may "be an equivalent for services rendered to navigation "itself". The question which now arises is whether the imposition of harbour dues at all ports is compatible with these provisions. It could not be maintained that harbour dues at ports other than Lagos and Port Harcourt were no more than the equivalent of services rendered to navigation, since such services at these ports are covered by separate charges, but it appears that harbour dues, being charged in respect of the use of a harbour for the embarking and discharge of passengers and cargo, are not "based on the mere fact of navigation". I am advised that the compulsory entry into port required by the Niger Transit Regulations, 1924, which were made after consultation with the French Government in accordance with the Paris Convention of the 14th of June, 1898, is at variance with Article 6 of the Convention of St. Germain-en-Laye, and that the French Government would probably object to compulsory entry if harbour dues were imposed. I shall

T.S.
18/19
C.O. 63343/1919
Should have been filed
K.H.H.

I think the ship
have to have their
100: 100: 100: 100:
9.3

70/1/30
10/6/30/26

109w
15 of 1924
X

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4
60

shall be grateful for any general observations you may have to make in this matter and in particular for your advice as to whether harbour dues can be imposed at the ports to which the Convention of St. Germain-en-Laye applies.

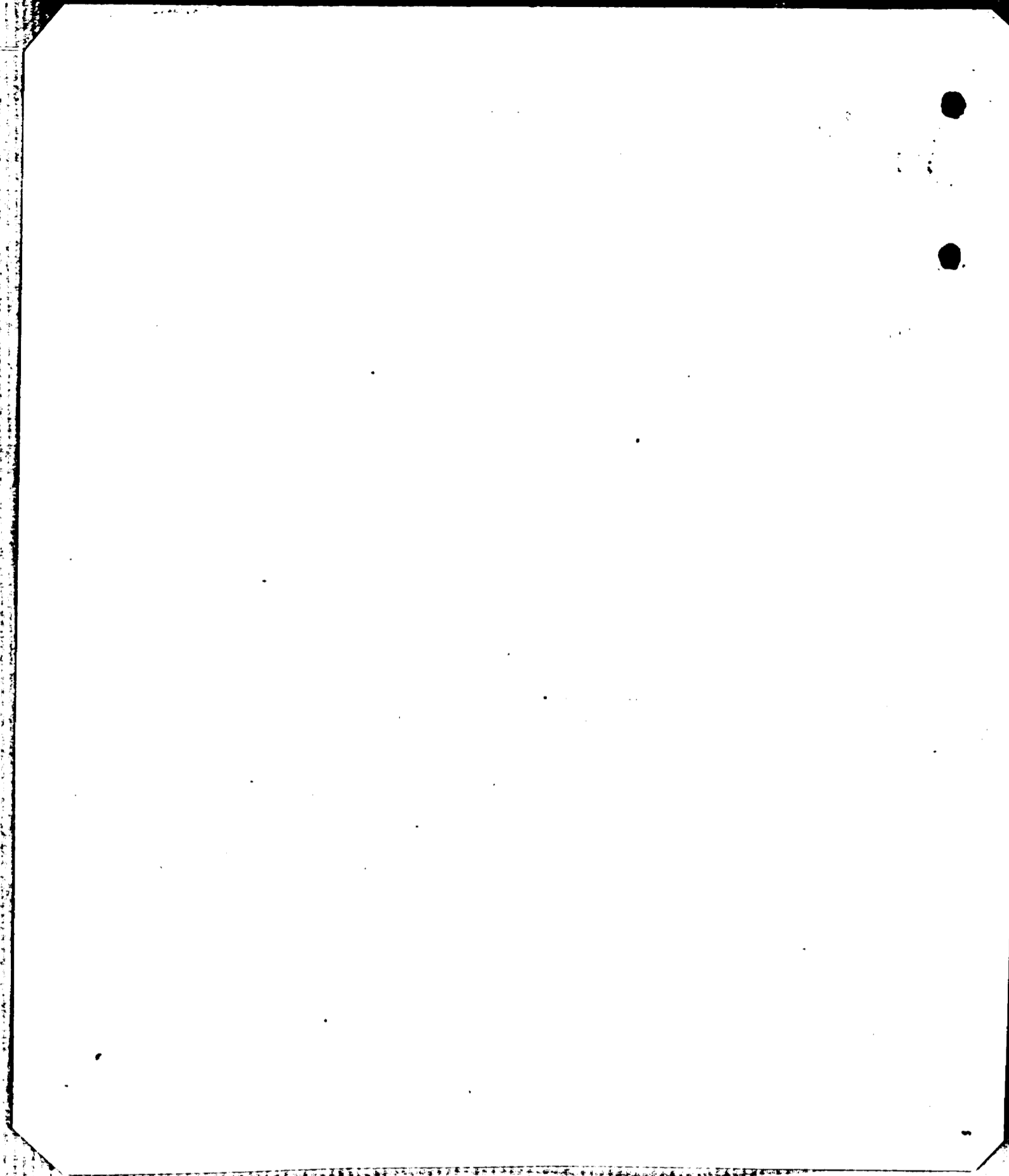
4. The system of rivers and creeks throughout the greater part of the coastline of Nigeria is such that the expression "the branches and outlets" of the River Niger is not free from doubt and I shall be glad if you will also inform me to which ports the Convention of St. Germain-en-Laye is to be regarded as applicable.

I have the honour to be,
Sir,
Your most obedient, humble Servant,

R. H. Hill

GOVERNOR.

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1940

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NIGERIA 1943

THE CHIEFTAINCY OF EFFON.

Previous 1939.	R 98	21/10.		
	Mr. Sidelotham	23/10		
	Mr. Duncan	30/10/40		
	Mr. Sidelotham and Mr. Sidelotham	5/11		
Subsequent 1942-43.	Mr. Hall	6/11		
	W. A. Daper	7/11		
	Mr. Duncan	8/11/40		
	Mr. Sidelotham	8/11		
	Mr. Sidelotham	9/11		
	Mr. Sidelotham	11/11		
A 98	21.5.40			
Mr. Thornley	10.6	295 D		
Mr. Sidelotham	11/6	48 R302	24/11	
Mr. Duncan	22/6/40	Mr. Farmer	29/11	
Mr. Sidelotham	24/6	Mr. Hayward	1/12	1-5-40
Mr. Williams	/	R. 301.	2/12	6-42-43
		216 D	3/12	
98.	26.6	302	26/12	
Mr. Thornley	28.6	Mr. Farmer.	27/12	
Mr. Sidelotham	27/6.	302		
Mr. Williams	2/7			
Mr. Thornley	6.7			
Mr. Sidelotham	✓			
R. 295 D	12/7			
R. 98.	25/7			
Mr. Thornley	25/7			

FILE A.

(1249) W. 2173/75. 24,000. 8750. S.P.C. G. 682/77a.

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b. s. Title
Revised (2)

1. *Gov. Deputy No. 312.*
Is copy of further letter from Sir W. Geary requesting that the question of the Chieftaincy of Effon may be referred.
2
26. 4. 40

Sir William Geary has again returned this claim by Mr. S.A. Adeshina to the Chieftaincy of Effon. It was first raised by Sir William in the letter enclosed with (1) on -/39. No details were given in that letter and in forwarding it to the Secretary of State, the Governor's Deputy wrote that "the Governor was satisfied that the present appointment was made in strict accordance with custom and in the best interests of the people". He went on to say that there had been no dissatisfaction in the district as was suggested and that "Mr. Adeshina's candidature was supported by some 400 irresponsible youths who left the district on the appointment of the rival claimant but who, with very few exceptions, returned within a few months." These statements by the Governor were accepted as a complete answer to the claim made by Sir William on behalf of Mr. Adeshina. Sir William raised the matter in a further letter enclosed with (3) on -/39, to which the Secretary of State replied that he had nothing to add to the reply which was given to the first letter.

In this most recent letter Sir William Geary supports his request for an official inquiry by information in greater detail concerning the ceremonies alleged to have been performed in connection with Mr. Adeshina's enstoolment and this is supported by two affidavits sworn by persons alleged to have taken part in these ceremonies. I have no doubt that something of the kind did take place and that the significance of these happenings has been exaggerated out of all proportion by those who supported Mr. Adeshina's candidature; but the fact remains that, after careful inquiry, the Governor has declared himself as completely satisfied that the present appointment was made in accordance with custom and the best interests of the people and, naturally, the Secretary of State has accepted this statement of fact as correct.

It would be interesting to have the Governor's explanation of the facts alleged in the documents accompanying (1) but there can, I think, be no going back now on the decisions taken on the first two letters from Sir William Geary, and I suggest a reply to the O.A.G. asking him to inform Sir William Geary that his letter and enclosures have been received and considered by the Secretary of State but that he has nothing to add to the reply which was given to his first letter on this subject.

W. Stanley
10. 6. 1940.

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X

Before proceeding further with this matter I should prefer to have some fuller explanation as requested at it in the 2nd enclosure minute. It is not I think reasonable to ask the G.O. to deal with petitions of this kind, without full explanation, and while the local authorities are so doubtful in the first instance by order - v. case it must be assumed fully substantiated. This contention that the present appointment was made in strict accordance with custom, on one occasion at any rate (I refer to the case of Sir William Gray) was found to be right although local practice was wrong.

J. M. Lubbock
11/6

I entirely agree with what you say at X above, and in our despatch of 17/12/35 (No. 10 on Personal 9164/19/35) the following passage occurs:

"You will, of course, appreciate that it is necessary, to enable us to form an opinion, that should be furnished in the Governor's despatch with comments covering the whole ground of any complaints which may form the subject of the petition which he is forwarding."

We should certainly ask the Governor to deal fully with the matters raised in the enclosures to No. 1.
22/6/40 H. Duncan.

While I regret having to convey the first matter on Sir W. Gray's representations I think we must ask for further info. to enable us to deal with them. [It is up to the G.O. if he wants to do so] that in general the less he can worry the first at times like these the better but so long as our present policy is maintained we must have proper information. We had better have a 2nd enclosure.

J. M. Lubbock
24/6.

2. O. A. G. No 403 10.5.40
Enc. a folder letter & encls. from Sir W. Gray for the reference of the question of the Chief Constable's office.

M. Goddard
I have written down his file from action in order to have (2) registered. I am sure that you will wish your remarks above also to apply to (2) and that we should deal with (1) and (2) together.

M. Williams
28.6
has then done not alter the need for further Enquiry. In proceeding as proposed in my minute of 24/6 above we should of course ask the despatch.

J. M. Lubbock

It is rather inconvenient for it to be written

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to send despatches about the question
whether or not a Obi has been enthroned
in accordance with custom - at a time
so grave as the present - but as
has been remarked on des file - it is
not right that this crisis should appear
to make us indifferent to a point of
justice. It may be that the Efon
business was carefully handled & that
the suggestions to the Chief was chosen strictly
in accordance with custom. But one would
at least have expected some comment
on the very explicit statements to the contrary
contained in these affidavits.

It was five or six of trouble & headache
me at a very anxious time, but I am
afraid that we must ask for fuller
information.

D.V. conim. atona
O.G.R. Ullman 2.7.40

Sgt. Cassan Lfr
Whamley
6.7

I would like to say that I share the Department's
reluctance to trouble a hard-worked Governor and his
staff in times like these with such a case; but the
point at A above is of great importance, and the fact

A

4

remains that, without fuller information, we
cannot properly deal with the matter.

X) As regards the attached draft despatch, in
view of the meaning which is commonly attached to
the phrase "functus officio", I think that it is better
to avoid using the Latin words "functus officio".
I appreciate, of course, that their literal meaning is
"having performed a duty"; but I think that my
amendment viz. "in pursuance of their duties in
the matter" is clearer.

9/7/40 J. T. Duncan.

25/1/40
20/7/40
J. T. Duncan

of Mr. Duncan,
Mr. Shonley has returned in a fortnight's time
J. T. Duncan
1077 atona
16/10
3 2 Nigeria No. 425 - Cons. 1 and 2 Annod.
12 JUL 1940

MM

4. Fr. sig. no. 686. 19.9.40.

This is not a very full despatch in reply to
No. 3, but on further information now furnished it seems
clear that Adeniran's selection for the Chieftanship
of Efon was made by the hereditary electors in
accordance with native law and custom, but that the
appointment of Sir William Geary's petitioner by his
followers was made quite irregularly, and that on the
petitioner's own admission the full rites were not
carried out in his case.

It is unnecessary and I think undesirable to
enter into any detailed discussion with Sir William
Geary at this stage and I should now reply that the
Secretary of State has received and considered his
letters of the 16th and 27th April in Nos. 1 and 2.

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For [] substitute.
"is informed by the Governor"
A.D.

See para. 2 of No. 2
on the 1939 file.
A.D.

on this file) on the subject of the Chieftaincy of Effon; that he [is satisfied] that the selection of the present Alaye of Effon was made by the hereditary electors in accordance with the constitutional procedure; and that with regard to the claims of Sir William Geary's client, Mr Adeahina, Lord Lloyd has nothing to add to the reply which was given to Sir William Geary in his original letter of the 2nd December, 1938 on this subject.

J. B. Sutherland
23.10.40.

Sir W. Geary said in his letter of 2/12/38 (enclosed in No. 1 on the 1939 file) ^{that} it is "impossible for the Colonial Office to go into the right or wrong of the election of a local chief"; and, in the circumstances, we can only rely upon what the Governor says at ^{and} X of No. 4. This is presumably all the information there is to be had on the subject.
I agree that we should reply on the lines suggested by Mr. Sidebottom, as slightly amended by me.

30/10/40 /t. Duncan.
I agree
D. G. R. Wellesley 5. 11. 40
GHA. 5/11/40 at Acc.

To Mr. S. H. S. (H. W. S.) - 11/11/40
2/1

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C. O.

85.
C. O.
9-NOV
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5 5

Mr. Loch 7/11
Mr. Duncan 8/11/40
Mr. L. de la Motte 8/11/40
Sir H. Moore.
Sir G. Tomlinson.
Sir C. Bottomley.
Sir J. Shuckburgh.
Perml. U.S. of S.
Parly. U.S. of S. ⁽⁴⁾
Secretary of State.

Downing Street.
11 November, 1940.

Sir,

I have etc. to acknowledge the receipt of your despatch No. 686 ^{of the 19th September} ~~of the~~ ^{concerning} ~~of the~~ subject of the Chieftancy of Efon.

2. I shall be obliged if you will ~~now~~ cause Sir William Geary to be informed that I have received and considered his letters of the 16th and 27th April on this subject; ~~and~~ that I am informed by yourself that the selection of the present Alaye of Efon was made by the hereditary electors in accordance with the constitutional procedure; ~~and that I am unable to add to the reply which I gave to his letter of the 2nd December 1938~~ ^{which I am unable to add anything} ~~to the reply given to Sir William Geary~~ ^{which is contained in} my despatch No. 72 of the 31st January, 1939, regarding the claims of his client Mr Adesina.

DRAFT.

NIGERIA
NO. 54 X
GOVERNOR

rel. to D
+ D

And that with regard to the claims of his client, Mr Adesina,

FURTHER ACTION.

② on 30/11/40

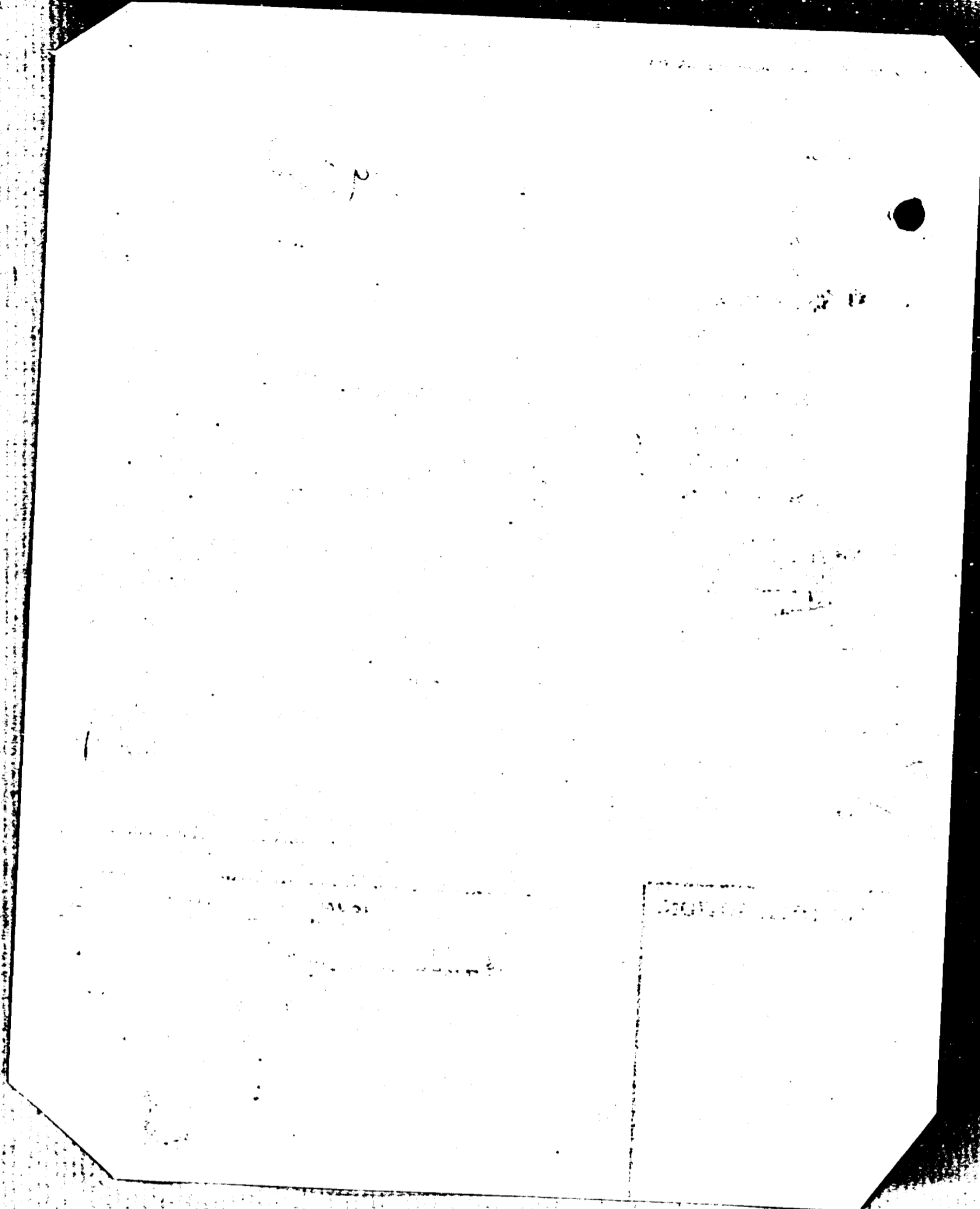
I have etc.
(Signed) LLOYD

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NIGERIA.

NO. 686

RECEIVED
19 OCT 1940
C.O. REG

Government House,
Nigeria. H

19 September, 1940.

My Lord,

I have the honour to refer to your despatch
3 No.425 of the 12th of July on the subject of the
Chieftaincy of Effon and to furnish the fuller
account for which Your Lordship has asked.

2. Appointment to the chieftaincy of Effon, a
town in Ondo Province with a population of rather
more than 7,000, is governed by traditional rules of
procedure. In 1936 however, when the chieftaincy
last fell vacant, the younger element in the town
sought to take the law into their own hands with a
view to securing a literate chief and, with complete
disregard of native law and custom, nominated as
their candidate Mr. S.A. Adeshina, a Government
employee in the Posts and Telegraphs Department.

*"Some four hundred votes for
Loubas" (see No. 1 on the
1939 file) - H.O.*

Meanwhile the hereditary electors, in consultation
with the District Officer and the Resident, followed
constitutional procedure and finally selected one
Adeniran as the proper person for appointment. Before
their deliberations were completed the supporters of
Mr. Adeshina tried to steal a march on the
constitutionalists by putting him in the Afin, which
is the Chief of Effon's official residence. Some
sort of ceremony appears to have taken place but

*Wm
P
X
Y*

THE RIGHT HONOURABLE
LORD LLOYD OF DOLOBRAN, P.C., G.C.S.I., G.C.I.E., D.S.O.,
SECRETARY OF STATE FOR THE COLONIES,
LONDON, S.W.1.

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Y | those responsible for conducting it acted without authority and it was therefore ultra vires.

3. Perhaps the clearest picture of what actually occurred is to be found in a petition which Mr. Adeshina himself addressed to me on the 8th of May, 1936. The following is his account :-

"That during the last Easter Holidays,
"Your Excellency's humble Petitioner was summoned
"urgently to Efon town, the urgent message stating
"that your Petitioner's child was seriously ill,
"and should be removed to the Hospital. That
"owing to the urgent nature of this message Your
"Excellency's Petitioner went in a specially
"engaged Car on Saturday with the intention of
"returning to Ibadan on Monday night (Easter
"Monday) to resume duty on Tuesday.

"On the return journey, Your Excellency's
"humble Servant's Car was mobbed by the populace,
"dragged out of his Car, and forcibly removed to
"the Palace of the Oba of Efon. The whole of the
"town became jubilant over the event and I was told
"that I have been chosen the OBA and that there is
"no hope whatever of my getting away.

"Your Petitioner was thus kept in the Palace
"for 13 days during which a few of the rites usual
"on such occasions were performed, one among such
"rites being that Your Excellency's most humble
"Petitioner had a severe beating and was dragged
"about, it being declared that the OBA must pass
"to his position through such tedious routes.

"That on the 13th day however some
"difficulties arose and Your Excellency's
"Petitioner

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"Petitioner was informed that the Head of
"the Chiefs, whose opinion the other junior
"chiefs would naturally side, had objection
"to Your Petitioner being installed as the
"CBA.

"That of all the Candidates open for
"this Stool there is not one who could claim
"to be superior in any manner to Your
"Excellency's humble Petitioner."

4. It will be observed that at that time, now
more than four years ago, Mr. Adeshina did not himself
claim that more than "a few of the usual rites on such
occasions" had been performed.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble Servant,

B. H. B. ...

GOVERNOR.

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30400/40 Nigeria.

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C. O.



DOWNING STREET.
12 July, 1940.

Mr. Thornley.
Mr. J. De la Motte
Mr. Duncan
Mr. Sidelham
Mr. Williams
Sir H. Moore.

Sir G. Tomlinson.
Sir J. Shackburgh.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

(1)
(2)

DRAFT. *Can/M*

NIGERIA
NO. 425.
O. A. G.

I have etc. to acknowledge the receipt of your despatches Nos. 372 and 403 of the 26th of April and the 10th of May respectively transmitting two further letters and enclosures from Sir William Geary on the subject of the Chieftaincy of Effon, and to inform you that in the absence of some explanation by you, I am unable to ~~my attention has been drawn to~~ disregard the various statements of fact concerning the ceremonies alleged to have been performed in connection with Mr. Adeshina's enstoolment which are contained in the affidavits enclosed with Sir William's letters. I note, in particular, that two of ~~these~~ ^{affidavits} the ~~statutory~~ Declarations purport to have been made by persons alleged to have taken part in these ceremonies ~~in pursuance of their duties in the matter.~~ ^{as *funati officio*.}

2. I have therefore to request that you will furnish me with a fuller ~~explanation~~ ^{in your reply to me} ~~of the ceremonies~~ ^(as to their validity and effect) alleged to have been performed in connection with the enstoolment of Mr. Adeshina so that I may be in a position to ~~draw my own conclusions as to the proper significance to be attached to them.~~ ^{as to be able me to give proper consideration to the petition}

I have, etc.

As, however, your despatches make no reference to these statements that the King no detailed explanation of what actually occurred.

FURTHER ACTION.

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NIGERIA.

NO. 403

RECEIVED
10 JUN 1940
C.O. REG²

10 2
Government House,
Nigeria.
10 May, 1940.

*dup. all except
last press cutting*

With reference to my despatch No.372 of the 26th of April on the subject of the Chieftaincy of Efon, I have the honour to forward at Sir William Geary's request a further letter, dated the 27th of April 1940, with attachments, on the same subject.

2. As was the case in regard to the sworn declarations transmitted with that despatch, the documents now forwarded throw no new light on the question of the Efon Chieftaincy and I recommend that Sir William be now advised that after careful consideration you still see no grounds for intervention and that your reply must be regarded as final, in the absence of any further representations which the Governor may see fit to make to you on the matter.

Ans'd - 3-

I have the honour to be,

Sir,

Your most obedient, humble Servant,

C.C. Wooley

OFFICER ADMINISTERING THE GOVERNMENT.

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
&c., &c., &c.

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GR

Here, There, And Yonder

BY TOM TINKLE

Good morning everybody! niran' and this general Here' comes Tinkle again and emphatic declaration this morning.

Tinkle reserves to himself duced. candidate's name was intro one policy; that is, "Fairness to all men."

"It eventually occurred to the Resident that the votes he investigates matters before by a show of hands. dealing with them.

Before attempting to hold "A small minority thus my promised serious converse voted for Adeniran whilst with my friend, the Oba some 4,000 hands went up in Clerk.—I call him Oba Clerk favour of Adeshina.

"At that juncture there seemed to be a complete impasse, and the Resident for the moment seemed to be in a state of dilemma when a happy thought struck him and he invited the Chiefs, the Advisory Committee, and the representatives of the supporters of Adeshina to follow him to the Rest House for awhile for a private deliberation.

"There, the Resident was said to have communicated to them the decision he had arrived at and that was to support the election of Adeniran by the Chiefs.

"On the Resident returning and resuming his seat, the surging crowd had increased by thousands and the precincts of the Court were one sea of heads.

"When the Resident delivered his final word and said he was in agreement with the Chiefs over the election of Adeniran, a mighty shout greeted him with the slogan:

"We do not want Adeniran as our Oba' and this reverberated in the distant woods as the Resident and party motored away."

This is the Newspaper cutting forwarded to me by my unknown friend in defence of Oba Adeshina.

It has instead, strengthened the case against him.

As I said before, thousands of his subjects could have left Efon, including important Chiefs, for life, in protest of what they consider a prostitution of Native law and custom, Mr Adeshina, instead of sitting complacently and quietly in a Government Office, drawing a fairly good salary, should prove himself a man by fighting, if not his cause, their cause, to see that these people are given satisfaction that they might once more return to their homeland.

"The Resident, it is stated, requested them to consider the claims of Adeniran but immediately thousands of voices shouted:

"We do not accept Ade-

Ta-ta everybody.

"At 11 a.m. the proceedings of the day commenced in earnest on the arrival of the Resident and the District Officer who were accompanied by an interpreter.

"The rival candidates for the office formed the chief topic of discussion.

"Of these, there were two, namely, Mr S. A. Adeshina at present an employee of Government in the Posts and Telegraphs Branch of the service, and Mr Adeniran.

"It would appear that the leading Chiefs of Efon led by Chief Obanla were in the act of installing an Oba in the person of the second named Adeniran, but the vast majority of the people of Efon stood solid for Mr Adeshina."

"The Resident, it is stated, requested them to consider the claims of Adeniran but immediately thousands of voices shouted:

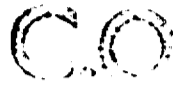
"We do not accept Ade-

Ta-ta everybody.

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Polish Independence

Continued from page 1

ful negotiation for the settlement of differences between Germany and Poland.

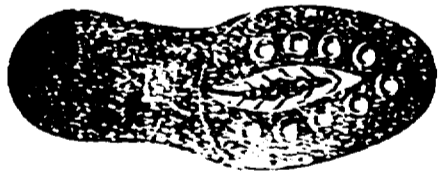
"In their opinion, there should be no question incapable of solution by peaceful means and they would see no justification for the substitution of force or threats of force for the method of negotiation."

Finally came the declaration of Anglo-French support for Poland.

The vital passage to which he added the intimation that he had been authorised to state that the French Government stood in the same position to the matter as did the British, was as follows:

"In order to make perfectly clear the position of His Majesty's Government, meantime, before those consultations are concluded, I now have to inform the House that during that period in the event of any action which clearly threatened Polish independence and which the Polish Government accordingly considered it vital to resist with discussions.

As regards Poland, Colonel Beck was arriving in London next week and there would be further discussions.



"A Trial Convinces"

OLD SHOES perfectly repaired with the best quality English Leather, Philip's Dorny Rubber (for Golf and business wear) and Durata.

Hundreds of Europeans and Africans have been satisfied and why not you?

Call today. Our records are open for inspection.

THE A & S TRADING CO.,

21, Victoria Road, LAGOS.

Hooper's Jubilee Sale

Why this craze of Jubilee sale?

What the motive behind it?

Why the low price for gold these hard days when it is known that gold is so dear?

Why demand half the workmanship for labour for the same work you usually charge full workmanship?

What is the mystery behind it all?

These and thousands of questions are what our friends put to us since the advert about our Jubilee sale appeared in the dailies.

HOOPER answers:

THE JUBILEE sale is an apology of my business life. It is not with any motive for gain or profit making.

It is a sale of restitution, a sale of restoration, yes, a sale of indemnification. It is not the Jubilee proper but a forerunner and a preparation for the Jubilee.

It is to give to our customers, old and new, part of what we have got from them in the past, (though rightfully and deservedly).

"Old Law or new, let us in all things give praise to God and say Glory Hallelujah!"

See Leviticus, the 25th chapter, the 8th verse:

"Thou shalt also number to thee seven weeks of years: that is to say seven times seven years....."

(preparation for the Jubilee)

Verses 13 and 14: "In the year of the Jubilee... When thou shalt sell anything to thy neighbour, or shalt buy of him: grieve not thy brother."

(For it is the year of the Jubilee).

Our Jubilee sale therefore is a boon to our customers, and to us a preparation for a new business life.

It is for you to take advantage of the situation. Nothing cheap in quality and reproduction. Otherwise it will be void of a fitting sacrifice.

SALE CENTRES

The Manufactory: **SURU LERE** Yaba.

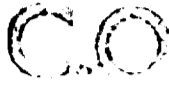
ORE-OFF TRADING CO.,

98, Denton Street, Ebute Metta

8, Tinubu Street, Lagos.

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From

Sr William Nevil M. Geary Bart
BARRISTER-AT-LAW, ENGLAND
BARRISTER-AT-LAW & SOLICITOR, NIGERIA.

157/40

No. 13

ORANGE HOUSE
19 Tinubu Street.

27th April, 1940
Telephone No. 209.
English Address :-
Oxon Hoath Tonbridge.

The Under Secretary of State,
London.

Sir,

Alaye of Efon

In continuation of my letter of 16th April No. 136/40, herein, I beg to enclose a further declaration from Princess Ademoile of Efon one of the Royal family of Efon which speaks for itself and declares, in supplement to the previous declarations already forwarded to you of the de jure right of Adeshina to be Alaye of Efon.

I submit as to previous letter that if Indirect Rule is to be a reality, African Native Customs should be observed.

I may cite a case told me by an Indian Official; a Rajah left two sons one by an Indian woman and one by an English woman. Man to man the latter was the best but his appointment would not have been according to Indian custom and so the Indian was preferred.

I appeal to the Colonial Office to give effect to these declaration previously sent and the herewith enclosed from person well qualified to declare what is African Custom.

I have the honour to be,

Sir,

Your obedient Servant,

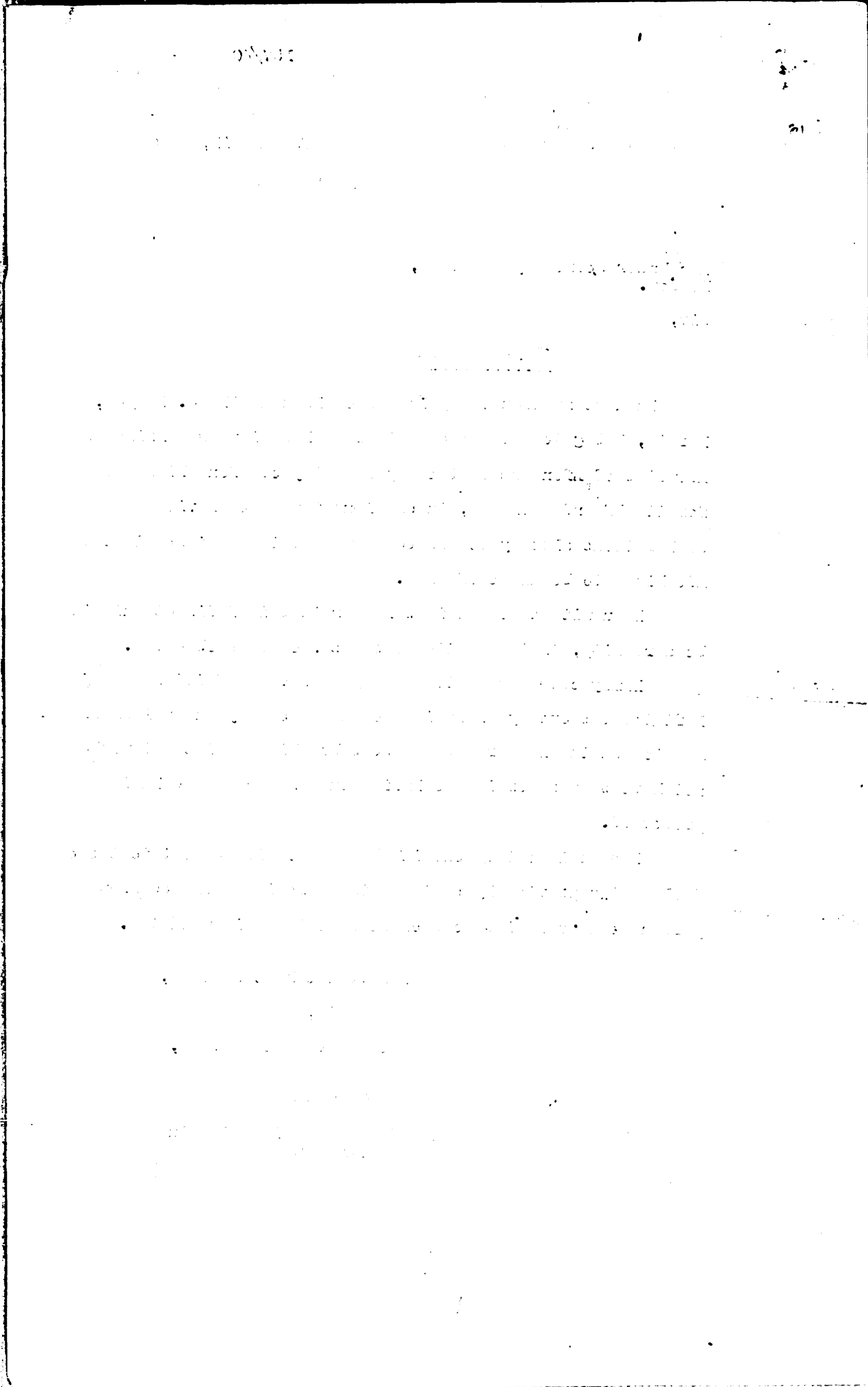
William Nevil M. Geary

Solicitor for Chief Oisikin and
Elemekan

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into sight

Readers' Views

(Continued from page 8)

AFFAIRS AT EFON

TO THE EDITOR

Sir—Since no matter is settled until it is settled right, and since Efon is still conspicuous by its not too smooth running of affairs, I feel inclined, being a native of the place, to make a few observations which may perhaps enlist both Government

and public sympathy with this town. It is now over three years since Obalaye "Agunsoye" died. Up till then things were in order as touching the affairs of chieftancy, since the question was handled in accordance with Native Law and Customs.

But what a change of affairs now! What are all these irregularities at Efon? Why should they occur at all those are fit questions on the lips of all sons of Efon abroad. The position is this: A chief died and left a vacant stool; there were several claimants to the stool; one by virtue of the rulings of Native Law and Customs was adopted by the Kingmakers. To-day as a writer recently put it, he is safely tucked up in a Government Department earning a big salary. In other words, the rightful "Oba" having been constitutionally installed and crowned by the Kingmakers, his candidature being the most popular choice of the majority of the populace, shirked his duty and deserted his people. If these allegations are true and accepted by the party concerned, then, I state without any fear of contradiction that it would have been better for such a person not to have been born, and the most surprising point, is that there is no record of abdication or destoolment.

The importance of the Chief Oisakin in the town is well-known by all Efon people. But this Chief has been compelled by the irregularities at Efon to leave the town, and he is still staying away. Over one thousand tax payers (men) left Efon in 1936 for Ibe alone, besides other countries, and all in protest against these irregularities. There is no unity among the people and not the least improvement could be seen in the town since 1936. There have been several petitions submitted to the Government by important chiefs and people of Efon quite apart from the press controversy that raged over the matter. My belief is that civilization is not the destroyer of native law and customs, but rather a means of bringing out the best of any law that has been laid down by the people of the land.

One who has been raised to the throne can never and must not be allowed to become a private person to the stipulations of Native

Law and Customs. This kind of irregularities now prevailing in the affairs of Efon is unprecedented in the annals of Yoruba History.

If therefore, we have an "Oba-Clerk" in one of our Government Departments, common sense should rather mysterious around the whole affair. And who should probe into the affair but the Government, because after all, the people of Efon pay

Lagos. DAVID ALO

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14
AN AFFIDAVIT.

I, Princess Ademoile of Efon in the Ekiti Division of the Ondo Province, aged about 80 years, make oath and state :

- (1) That I am a daughter of Aladeyomo, a son of Orudu and that my father was a brother of Ogbologo, the great grandfather of Mr. S.A. Adeshina.
- (2) That of all the Princesses of the three ruling houses in Efon, viz: Egboro, Orudu, Etutu, I am the oldest but one by name Elekolas, who is unable to visit Lagos owing to old age, but who has, with the full consent and approval of all the rest Princesses of Orudu House sent me to represent them.
- (3) That according to our (Efon) native law and custom Chief Obanla has no right to or claim in the choice of a candidate for the Alaiye of Efon, but must in conjunction with the rest Senior Chiefs accede to the popular choice of the people of Efon.
- (4) That Chief Oisinkin is the titular King Maker of Efon and that since I was born the following Alaiyes of Efon were installed in office both by the present Chief Oisinkin and his predecessors :-

Ajogede; Atewogboye; Arisubojaja; Agunloye and S.A. Adeshina,

to all of whose installation ceremonies I was an eye witness, and that according to our (Efon) established custom, whoever is not installed by Chief Oisinkin is not entitled to be called the Alaiye of Efon.

- (5) That when Oba Agunsoye died it turned to Orudu House to present a candidate and that all the Efon people wanted Ojo (Adeshina's father) but Ojo being too old to reign resigned all his rights to his son Adeshina and wrote to the Lieutenant-Governor and requested him - as the Ifa Oracle had chosen Adeshina's name among all the Omobas ~~mentioned~~ whose names were mentioned according to our custom - to allow his son Adeshina to reign in his stead.
- (6) That according to our (Efon) custom a son can be made an Alaiye of Efon if his father is alive, the only exception being that they must not see each other's face and must talk to each other ^{if} needs be between screens.
- (7) That Adeshina having been, according to our custom properly and constitutionally appointed and installed as the Alaiye of Efon, he is our Oba until he dies as he was installed by the Efon King Maker, Chief Oisinkin.

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- (8) That after the installation ceremonies by Chief Oisinkin Adeshina was taken to Chief Obanla's house by Chief Elemikan and Chief Elemesi from where they were joined by Chief Aragberi and brought to the Afin.
- (9) That on reaching the Afin the Alaiye of Efon (Adeshina) was handed to us, namely Princess Elekolae, myself (Ademoile) Erinle, Anasi (since dead) Omorin, Olaosebikan and many others for our own part of the ~~ceremonies~~ ceremonies which we duly performed. This consists of splitting kola nuts on each grave of Efon Obas and the tying of beads on his hands and feet; we celebrated the 3rd and 7th days and the attached photograph was taken.
- (10) That after all these ceremonies all the Efon people began to pay homage to Adeshina and that Adeniran was among the people who chose Adeshina as the Alaiye of Efon and he came and paid homage to him in the presence of all the people of Efon.
- (11) That on the second day Adeshina arrived at the Afin a whiteman came and made inquiry about who consulted the Ifa Oracle and he was answered by the Chief responsible for the consultation. This whiteman appeared quite satisfied as he told ~~me~~ ~~to~~ ~~be~~ ~~on~~ ~~our~~ ~~ceremonies~~ and drove away the first rival by name Adetuberu. This incident took place in the Efon Court Hall among all the Efon people.
- (12) That some days after this another whiteman came with Chief Obanla, with some policemen about 4 with guns and swords; on arrival this whiteman sent to Oba Adeshina to come down from upstairs which he did.
- (13) That on the Oba getting down stairs this whiteman told him to vacate the Iga (palace) and the Oba told him that as he had committed no offence and as his people had not dethrone him he did not know why he should leave the Iga; the whiteman went away.
- (14) That some hours after this the same whiteman again sent for the Oba Adeshina to meet him at the police station and that on the Oba reaching the ~~the~~ police station with his followers, myself included, he was immediately surrounded by about 24 policemen with guns and swords and the whiteman demanded the Sceptre of office (~~IRUKERE~~ IRUKERE) from the Oba and without a word from the Oba he marched him back to the Afin; on reaching the Afin the policemen and the whiteman went upstairs packed all the Oba's furniture in the house to a lorry already standing by and took the Oba and all these things away. And I followed them till we reached ADO.

That I make the above statements believing them to be true in substance and in fact and whoever disputes any or the whole of them should come forward to say so.

Princess Ademole of Efon

 DECLARANT.

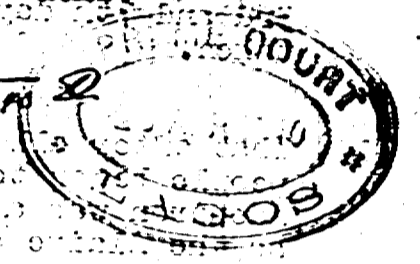
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Declared by within named Princess
Adamoile at the Supreme Court
Lagos the foregoing instrument
having been read over and explained
in Yoruba Language
Interpreter and appeared perfectly
to understand the same before
affixing her mark thereto this
26th day of April, 1940

Before me,

J. J. Williams
Commissioner for Oaths.

31/4 8947901



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This is the photograph referred to in paragraph 9 of the declaration sworn to by Princess Ademole Ilesha 26th day of April 1946

Before me
J. Johnston
Commissioner for Ondo
No 847241
26-4-46

COPY

Efon Alaye,
c/o P.O.Box 44,
Ilesha, 25. 4. 36. 16

Through The District Officer,
Ado Ekiti

copy The Resident,
Ondo Province,
Akure.

To: The Lieutenant Governor,
Enugu.

Sir,

I have the honour most respectfully to state the following facts to Your Honour.

It happens that my son Mr. S.A. Adeshina has right to the throne of Oba Alaye and he is being ignored because I am still living, more especially there is no recommendation of him from me.

Though, I am the right man for the post, but as I am too old and being ignorant of what is going on in the present world, I leave it for my son.

I honestly crave for your Honour's assistance to let the question of my being alive be forfeited and let my son be successful in holding up the post.

I beg honestly to show to your honour, the following history of our Grandfather, just to know how rightful I am to the post, if not on account of my old age.

Oba Orudu begot Oba Asupa and Oba Ogbologun then Oba Ogbologun begot Fapo and Agbetusa. Fapo was my real father and I am father to Mr. Adeshina who is now claiming this post, in addition the part from where Oba is to be chosen presently is Orudu part, our Grandfather.

Awaiting your favourable assistance and approval.

I have the honour to be, Sir,

Your obedient Servant,

(Sgd) Daniel Ojo Onilewo
His X Mark

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From Alaye,
c/o P.O. Box 44,
Lagos, S.S. A. 30.

1936

through the District Officer,
who writes

copy the Resident,
Ondo Province,
Alaye.

To: the Resident Governor,
Lagos.

Dear Sir,

I have the honor most respectfully to state the

following facts to your Honor.

It happens that my son Mr. S.A.A. Alaye has right to
the throne of Oba Alaye and he is being ignored because I am
still living, more especially there is no recognition of
him from me.

Though, I am the right man for the post, but as I am the
old and being ignorant of what is going on in the present

world, I leave it for my son.

I honestly crave for your Honor's assistance to deal
the question of my being alive or not being alive and let my son
be successful in holding up the post.

I beg honestly to show to your Honor, the following
history of our grandfather, just to know how right I am to
the post, if not on account of my old age.

Our Grandfather Oba Alaye and Oba Odegun were Oba
Odegun before Oba Alaye and Oba Alaye before Oba Odegun.
I am father to Mr. Alaye and Mr. Odegun and I have
in addition the part from where Oba is to be chosen presently
is from my grandfather, our grandfather.

Awaiting your favorable assistance and approval.

I have the honor to be, Sir,

Your obedient servant,

(Sgd) Daniel Odegun
Alaye

THE ALAYE OF EFON

Rival Candidates For Election

ADESHINA AND ADENIRAN

Public Meeting With Resident

MAJORITY VOTE FOR ADESHINA

(By a Special Correspondent.)

Efon Alaye -- April 28.

TODAY'S MEETING AT THE NATIVE COURT HALL OF EFON ALAYE WAS A BIG AND MEMORABLE
EVENT IN THE ANNALS OF THE DISTRICT. IT WAS SUMMONED OVER THE QUESTION OF
THE APPOINTMENT OF A SUCCESSOR TO THE VACANT STOOL OF OBA ALAYE FOLLOWING THE
DEMISE OF THE LATE OBA.

AT 11 AM THE PROCEEDINGS OF THE DAY COMMENCED IN EARNEST ON THE AR-
RIVAL OF THE RESIDENT AND THE DISTRICT OFFICER WHO WERE ACCOMPANIED BY AN IN-
TERPRETER. THE RIVAL CANDIDATES FOR THE OFFICE FORMED THE CHIEF TOPIC OF DIS-
CUSSION. OF THOSE THERE WERE TWO, NAMELY MR S A ADESHINA, AT PRESENT AN
EMPLOYEE OF GOVERNMENT IN THE POSTS AND TELEGRAPHS BRANCH OF THE SERVICE, AND
MR A DENIRAN. IT WOULD APPEAR THAT THE LEADING CHIEFS OF EFON LED BY CHIEF
OBANLA WERE IN THE ACT OF INSTALLING AN OBA IN THE PERSON OF THE SECOND NAMED
ADENIRAN, BUT THE VAST MAJORITY OF THE PEOPLE OF EFON STOOD SOLID FOR MR AD-
ESHINA.

THE RESIDENT, IT IS STATED, REQUESTED THEM TO CONSIDER THE CLAIMS
OF A-DENIRAN BUT IMMEDIATELY THOUSANDS OF VOICES SHOUTED "WE DO NOT ACCEPT
ADENIRAN" AND THIS GENERAL AND EMPHATIC DECLARATION WAS REPEATED AS OFTEN AS
THAT CANDIDATE'S NAME WAS INTRODUCED.

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IT EVENTUALLY OCCURRED TO THE RESIDENT THAT THE VOTES OF THE PEOPLE MIGHT BE TAKEN BY A SHOW OF HANDS . A SMALL MINORITY THUS VOTED FOR ADENIRAN WHILST SOME 4,000 HANDS WENT UP IN FAVOUR OF ADESHINA .

AT THAT JUNCTURE THERE SEEMED TO BE A COMPLETE IMPASSE AND THE RESIDENT FOR THE MOMENT SEEMED TO BE IN A STATE OF DILEMMA WHEN A HAPPY THOUGHT STRUCK HIM AND HE INVITED THE CHIEFS , THE ADVISORY COMMITTEE AND THE REPRESENTATIVES OF THE SUPPORTERS OF ADESHINA TO FOLLOW HIM TO THE REST HOUSE FOR A WHILE FOR A PRIVATE DELIBERATION . THERE THE RESIDENT WAS SAID TO HAVE COMMUNICATED TO THEM THE DECISION HE HAD ARRIVED AT AND THAT WAS TO SUPPORT THE ELECTION OF ADENIRAN BY THE CHIEFS . ON THE RESIDENT RETURNING AND RESUMING HIS SEAT THE SURGING CROWDS HAD INCREASED BY THOUSANDS AND THE PRECINCTS OF THE COURT WERE ONE SEA OF HEADS . WHEN THE RESIDENT DELIVERED HIS FINAL WORD AND SAID HE WAS IN AGREEMENT WITH THE CHIEFS OVER THE ELECTION OF ADENIRAN A MIGHTY SHOUT GREETED HIM WITH THE SLOGAN ; " WE DO NOT WANT ADENIRAN AS OUR OBA " AND THIS REVERBERATED IN THE DISTANT WOODS AS THE RESIDENT AND PARTY MOTORED AWAY .

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NIGERIA.

No. 372

4a 30400/39

Annex 3-

101 30400/39

19 /
Government House,
Nigeria.
26 April, 1940.

RECEIVED
20 MAY 1940
O.O. REGD

Sir,

dup. all

With reference to your despatch No. 289 of the 17th of April 1939 and to previous correspondence on the subject of the Chieftaincy of Effon, I have the honour to inform you that Sir William Geary has requested me to forward the enclosed letter dated the 16th April 1940 to which are attached two statutory declarations and copies of other correspondence on this subject.

2. Chief Elemikan and Chief Oisinkin, the signatories to the two statutory declarations, addressed a letter dated the 2nd January 1939 to the Chief Secretary (no petition dated 27th February has been received from these persons) supporting the claims of Mr. Adeshina. The signatories delivered this letter in person at the Secretariat where, at their own request, they were interviewed and my attitude as indicated in my despatch No. 1280 of the 23rd of December 1938, explained. On the 20th March this year I received a communication from Sir William Geary asking why no reply had been sent to the communication of the 2nd January 1939. Sir William was informed in reply that the persons concerned had been interviewed on the subject of their

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
etc., etc., etc.

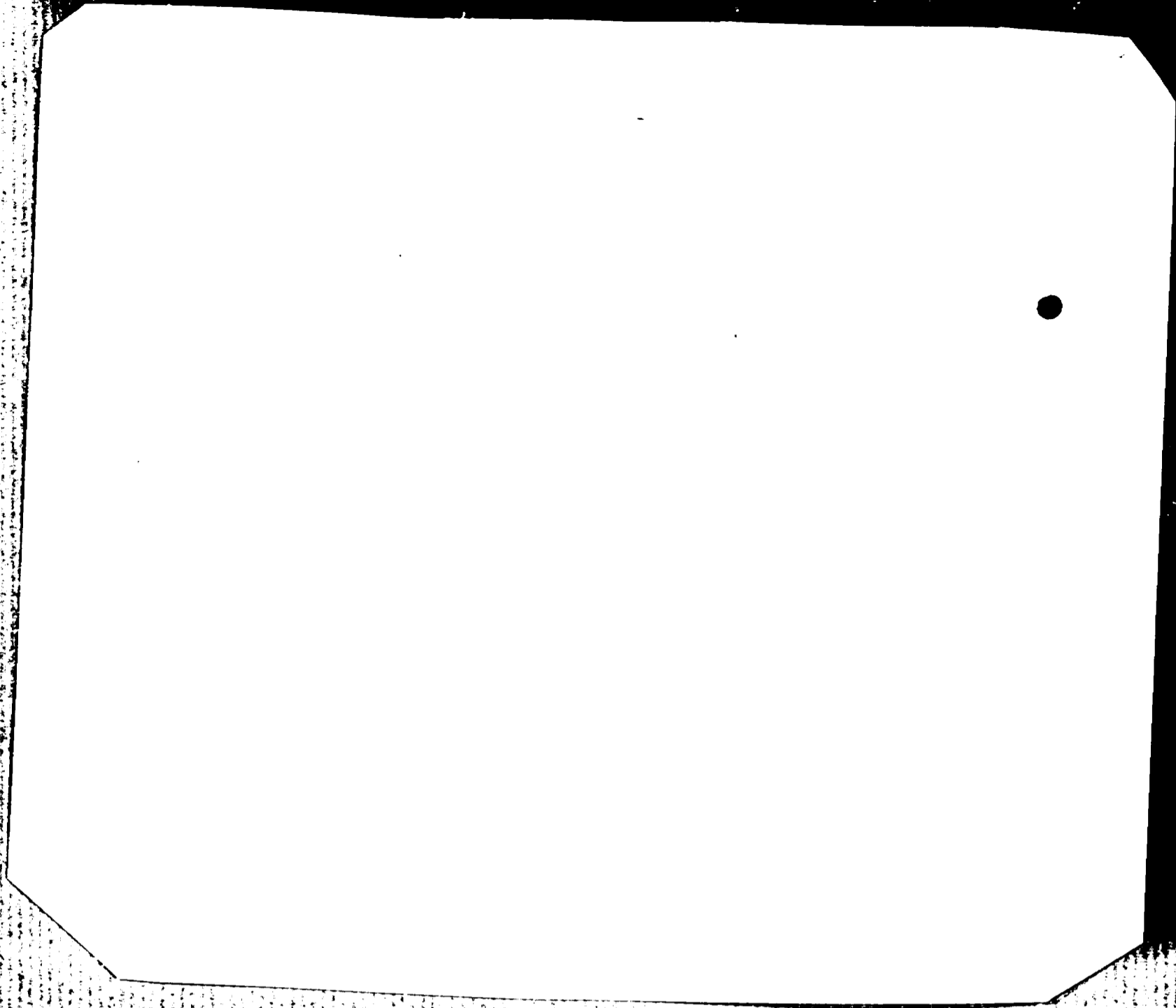
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136/40

No.....

From

Sr. William Noel M. Geary Bart
BARRISTER-AT-LAW, ENGLAND
BARRISTER-AT-LAW & SOLICITOR, NIGERIA.

ORANGE HOUSE
19 Tinubu Street. 21
Lagos. 6th April, 1940
Telephone No. 202.822
English Address:—
Oxon Hoath Tonbridge.

The Under Secretary of State,
L o n d o n.

Sir,

Alaye of Efon.
Adeshina.

I have already approached you hereon to my letters of 2nd
December 1938 No. 258/38 and 1st March No. 34/39.

But since then new facts have been brought to light by the
2 Statutory Declarations which I enclose. The declarants have nothing
to gain herein, but they wish the established constitutional usage
to be followed.

Departure herefrom causes trouble which may develop into years
and years of unrests.

For Adeshina, the de jure Alaye of Efon, he also has nothing
to gain, he has already a well paid appointment of over £200 a year,
but he prefers to be Alaye of Efon as his father was before him.

Surely the Gentlemen of the Colonial Office must appreciate
the motives of a person whether African or English who in disregard
of his material pecuniary interests prefers to live in his own home
and occupy his father's position, and this is the case of Adeshina the
de jure Alaye of Efon.

As to the other declarants, it may be that the gentlemen of the
Colonial Office reckon little of whether one African or another
be made a petty chief, but there declarants speak of old established
constitutional customs and usages wherefor I would ask your
serious consideration. These customs and usages do exist in Africa (
which I have known since 1894) and are not to be lightly set aside.
Indeed if "Indirect Rule" is to be a reality, I submit the Govern-
ment is bound to respect them unless of course they be contrary to n
natural justice and equity. The Colonial Office may remember the
disastrous results of the Government appointing "Warrant Chiefs".

it

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I will not trouble you with copies of my several letters to the Secretariat wherein I write accordingly instruction, but I do ask your attention to the following letters as Adeshina his supporters as de jure Alaye of Efon viz:-

- Letter of 1st May 1936 from Efon Natives at Ibadan
- Letter of 5th October 1936 from Chief Oisinkin
- Letter of Adeshina of 20th May 1937
- Letter numerously signed of 17th October 1938

The Government in the Secretariat letter of 8th March 1939, reference No. 23610/S574/82 appear to pooh pooh all questions of constitutional usage and custom and ignore and repudiate. Mr Adeshina's claim to be de jure Alaye of Efon whereto he was regularly installed;

In the public interest, and in regard of future peace and tranquillity and I submit this question should be reopened, otherwise grave injustice may result and a sense of dissatisfaction will be the ~~general result~~ *grievous sequel*

I have the honour to be,
Sir,
Your obedient Servant,

William Wale Gears

Solicitor for Chief Oisinkin & Elenikan
for Adeshina

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3

1

of several Efon natives to the Resident Akure, Oba Akere, to inform him of the
 I had, however, written to the Resident Akure, Oba Akere, to inform him of the
 and his attention to the following letter of the Efon natives to the Resident Akure, Oba Akere,
 - that we all in favour and agreed to election of Mr Samuel A. Adeshina as our "OBA" :-
 We therefore beg to state as follows :-

(a) We all know that he has full right to the election by birth and turn, being a Grandson of Orudu from whose house the ensuing Oba is to be chosen as the late Alaye was chosen from the house of Ogbemote being the grandson thereof.

(b) that his general conduct from youth among families, country people, and chiefs was very good; this created an extraordinary affections and desires for his choice as our "OBA" in all the male sons of Orudu.

(c) that we are proud of his good conduct not being limited to his country people, but to the general public, generally and exhibited in all countries where he has served the Government.

(d) that the experience of a man who has been in Government service for over 16 years, served important towns, and in them appointed as President of different Societies of men and women Chairman in many different clubs successfully and with good results, can not be denied to have acquired the quality, tact and patience to rule our country to the satisfaction of both Government, Native and general public.

(e) that he is liberal and a true christian of Church Missionary Society denomination a free giver or presentations to the four churches at Efon which behoves unanimity and progress of the country should we be privileged with his Obaship, the Towns people with the chiefs, we believe will suffer no hardship but peace.

(f) That the whole matter is placed in your hands, praying for due consideration of our choice as the failure will be a great discouragement to the youngmen and women both at home and abroad for the Chiefs depend on the people.

We are,
 Your obedient Servant,
 (Sgd) ZA Adesugbo,
 " E.O. Obasesin
 " E.O. Ojegale
 " D.B. Akimmole
 " E.D. Olowopejo
 " D.B. Ademiran
 " Eganu
 " Ajai

On behalf of all Efon Natives Resident at Ibadan.

G/O Mr J. S. Martins
 Manufacturers Agents
 Ibadan, Nigeria
 1st May 1936

23

The Honourable,
 The Resident Akure
 Dear Sir,

In addition to your humble petitioners telegram of 27th ultimo, we the undersigned on behalf of all Efon natives resident at Ibadan both Males and Females respectfully beg to submit for your kind consideration this our humble petition.

1. That we all in favour and agreed to election of Mr Samuel A. Adeshina, (though he does not apply himself) to be our "OBA" :- We therefore beg to state as follows :-

- (a) We all know that he has full right to the election by birth and turn, being a Grandson of Orudu from whose house the ensuing Oba is to be chosen as the late Alaye was chosen from the house of Ogbemote being the grandson thereof.
- (b) that his general conduct from youth among families, country people, and chiefs was very good; this created an extraordinary affections and desires for his choice as our "OBA" in all the male sons of Orudu.
- (c) that we are proud of his good conduct not being limited to his country people, but to the general public, generally and exhibited in all countries where he has served the Government.
- (d) that the experience of a man who has been in Government service for over 16 years, served important towns, and in them appointed as President of different Societies of men and women Chairman in many different clubs successfully and with good results, can not be denied to have acquired the quality, tact and patience to rule our country to the satisfaction of both Government, Native and general public.
- (e) that he is liberal and a true christian of Church Missionary Society denomination a free giver or presentations to the four churches at Efon which behoves unanimity and progress of the country should we be privileged with his Obaship, the Towns people with the chiefs, we believe will suffer no hardship but peace.
- (f) That the whole matter is placed in your hands, praying for due consideration of our choice as the failure will be a great discouragement to the youngmen and women both at home and abroad for the Chiefs depend on the people.

We are,
 Your obedient Servant,
 (Sgd) ZA Adesugbo,
 " E.O. Obasesin
 " E.O. Ojegale
 " D.B. Akimmole
 " E.D. Olowopejo
 " D.B. Ademiran
 " Eganu
 " Ajai

On behalf of all Efon Natives Resident at Ibadan.

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- Ukrainian
- Belarusian
- Polish
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- Slovak
- Slovenian
- Croatian
- Serbian
- Bosnian
- Montenegrin
- Albanian
- Greek
- Turkish
- Arabic
- Hebrew
- Yiddish
- Russian
- Ukrainian
- Belarusian

Posts & Telegraphs
Ibadan, Nigeria
20th May, 1937

24

The Honourable,
The Chief Secretary to the Government,
Lagos.
Thro' The Resident,
Ondo Province
and
The District Officer Ado Ekiti
copy The Post-master-General,
Lagos.

Sir,
I humbly beg to forward this letter to your honour explaining certain details in connection with my forthcoming vacation leave of which I have received a formal notification.
It is usual for me to spend my leave in my town, Efon Alaye, since I took up appointment under the Government.
A shocking point arose of late, however, which has completely embarrassed me. It is upon this that I am seeking your paternal advice, and, if possible, a thorough investigation into the cause of this conflicting problem.
The filling of the Vacant Stool of Efon Alaye created by the demise of the late Alaye "Agunseve" has caused a great rupture in the Town. The procedure is not only inconsonant with our traditions and Customs but very unfair and unjust considering the most irregular and shameful treatment given me.
When I heard that the said stool was vacated, I made no attempt to forward any application, although, I had (and still have) the love of country at heart and fully realised that I was every way eligible to fill the Vacancy. In spite of this, however, a delegate soon arrived from home and delivered the message of the Chiefs, and all the people of the Town to me touching my election to the said stool. He said this conclusion was arrived at after full consultation of oracles and sightseers according to the native procedure in election of a new Oba; and all the oracles thus consulted confirmed my election.
Simultaneously with this message came letters and appeals from friends, well-wishers, various groups and societies asking me to consider the matter.
It happened just about that time I went home on a private and urgent matter, but whilst I was returning my Car was stopped by a dense crowd headed by the Chief Elemikan, one of the Chiefs who delivered the official message from the Chiefs and people of Efon to detain me. Moved by their sincerity I yielded myself to undergo all the preliminary procedure leading up to the tying of Beads and wearing of Crown. My head was tied with white cloth and 3 parrot's red feathers pinned to it by the Chief Elemikan (this being his official duty). The whole Oba servants were present, and their Chief "Elemese" in the Afin handed me the sceptre and discharged their duties; the whole councillors of the Town were present; and my junior Cousin who is now unceremoniously regarded as the Alaye of Efon was with me from the place of my detention up to the palace.
Immediately after detention, I was taken to the house of the Chief Osiikin who is solely responsible for the performance of the ceremonies in connection with newly elected Obas. He discharged his duties which must have been with the agreement of the other Chiefs and people of the Town. He handed me the native Fan which I met in his hand and which he should give only to a nominated Oba as a symbol. The said Fan is up to the present in my possession.
From the Chief Osiikin, we proceeded to Chief Obaola who ordered the people to take me to Isawo and from there to the Afin. At the Afin, all the Oba-Obas were present, and performed their duties of tying Beads and Crowning on the 5th and 7th days respectively. They also showed me all the secret places in the Afin. Many of them have performed these ceremonies for 5 or more Obas before me, and are living witnesses to the truth of my statements. The enclosed photograph which was taken at the palace is also an eloquent testimony.
All these ceremonies performed, it came as a great surprise to me that I had to be removed from the palace on the fourteenth day.

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day without any justifiable cause known to me. Although the majority of the people insisted that I should remain unremoved it is therefore clear that when I was removed from the palace it was in the capacity of a Chief. I had been crowned; I had been cheered "Kabiyesi"; I had possessed the symbolic fan of recognition; and I had incurred great expenditure as a Chief.

As far as I am aware, I committed no crime either against Government or the Natives.

From the foregoing, it will be realised that I have been subjected to the basest treatment in a town where I was born, educated and respectably esteemed in the past. Now that I desire to proceed leave it does not in the least occur to me that I should suffer additional punishment by abandoning my native place as this will not be only result in an irretrievable loss to, but in a serious blemish on my children. On the other hand, I have great apprehension as to what might be outcome of my presence in the town.

I am therefore most respectfully appealing to the Government for a thorough investigation to be made into this matter and such a fair and reasonable step taken as will be in the interest of the public.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd) S. A. Adeshina.
1st Class Clerk Posts & Telegraphs
Ibadan, Nigeria.

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From The Chief Osinkin
At Ige Nigeria
5th October, 1936

26

The Chief Commissioner
of Southern Provinces
On Tour Ibadan.

Respected Sir,

I have the honour most humbly and respectfully to bring before Your Honour the following complaints:-

That your humble servant duly and respectfully beg to state the following facts:-

1. That I am the chief Osinkin the original foundation of Efon town.
2. That my duty as a chief is to perform the necessary ceremonial rite pertaining to nay new Oba elected in the town.
3. That the ceremonial rite used to take place at the hour of 5 to 6 O'clock in the early morning.
4. That I performed ceremonial rite for one S. A. Adeshina at the hour stated above when the people caught him and severely beaten him and brought him to me according to the Native Law and custom.
5. That at the same time the people took him to the Chief Obanla's house the senior Chief who ordered them to take him to Afin.
6. That on the next day, I received a message from the Chief Obanla who wanted my presence in the Court Hall and there I was enforced to perform other ceremonial rite to one Mr Adeshina at 4 o'clock p.m.
7. That at the juncture, I told the Chief Obanla the senior chief that to select two oba in the town is contrary to our Native Law and custom.
8. That at this stage, the chief Obanla got annoyed that he would treat me with impertinence to his order.
9. That on this point I merely showed him to the people without home ceremonial rite pertaining to an new Oba.
10. That His Honour the Chief Commissioner most respectfully may be pleased to enquire through the History Officer Ado Ekiti as the above statement are already repaired in the Town History.
11. That the cause of my migrating is that, I will not break my father's covenant the rightfully elected man who received ceremonial rite according to the Native law and customs was Mr S. A. Adeshina.

I have the honour to be,
Sir,

Your obedient Servant His thum
(Sgd) Ajari Chief Osinkin mark

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From The District Officer
Ado Ekiti
17th October 1938

The Chief of Efon Alaye
Ado Ekiti

Through the District Officer,
Ado Ekiti
To the Resident
Akure

May it Please your Residency,
We the undersigned, representative of all shades of the vast majority of the population of Efon Alaye town and District, who are opposed to the selection of ADEHIRAN, as Alaye of Efon, and believing in the Seated principles of the British Empire of Fairplay etc., respectfully submit this petition craving for enquiry, justice and fairness.

1. That the choice of Adeniran as Oba of Efon Alaye since 1936 which did not meet with the assentment of the whole number of people in Efon Alaye and districts has, from that time been causing anxiety unrest, and great commotion in all various sections of the inhabitants of the town of Efon Alaye and districts.
2. That at the time of selecting Adeniran as Oba of Efon Alaye there had been a candidate selected before him, whose choice met with the great acclamation of the vast majority of the whole population of Efon Alaye.
3. That the candidate selected before Adeniran's selection, was installed as Alaye of Efon, according to the ancient customs obtaining in our country, by the Chief Osinkin, whose duty it is to perform the necessary ceremonial rites to any new Oba elected.
4. That after this ceremony, the Oba-Elect was taken to Chief Obanla's house, the Senior Chief who gave order that the Oba Elect should be taken to Afin.
5. That on the following day after the ceremony, there was a message from the Chief Obanla, that Chief Osinkin should present himself at the Court Hall, and with threats and all forces at the Chief Obanla's power, he, Chief Obanla turned the takle to suit his own choice, a system contrary to the Ancient Customs prevailing in Efon Alaye.
6. That the whole country was astir and not satisfied with the choice of Chief Obanla, and when things were on the verge of great collapse, the then Resident who convened a general public meeting on the 28th of April 1936 suggested that votes of the people should be taken by show of hand (See Daily Times Vol. X No. 4097 of 8th May, 1936).
7. That the then Resident was convinced when some 4,000 people pointed their hands skywards in favour of the selection of the candidate before Adeniran.
8. That as it was very necessary that great attention should be paid to the choice of the majority, the then Resident observing that some Chiefs who favoured the selection of Adeniran as Oba of Efon Alaye, were on the minority and wading in an unfamiliar water when the show of hands in favour of Adeniran was in the minority wisely suggested that the chiefs, the Advisory Committee and the Representatives of the first Candidate before Adeniran's candidature should accompany him to the Rest House for a deliberation- This done- and owing to under current, the table turned when the Resident was made to depart from the popular choice and associated himself reluctantly with the choice of the chiefs discountenancing the choice of the whole majority.
9. That as this was much against the principle of Efon Alaye Town and against the minds of the chief Osinkin and in order that he might create no shedding of blood in his fatherland he took timely precaution and left the country for Ile-Ife

Efon Alaye
P.O. Box No. 44
Ilesha 17th October 1938

27

Through the District Officer,
Ado Ekiti
To the Resident
Akure

May it Please your Residency,

We the undersigned, representative of all shades of the vast majority of the population of Efon Alaye town and District, who are opposed to the selection of ADEHIRAN, as Alaye of Efon, and believing in the Seated principles of the British Empire of Fairplay etc., respectfully submit this petition craving for enquiry, justice and fairness.

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2. That at the time of selecting Adeniran as Oba of Efon Alaye there had been a candidate selected before him, whose choice met with the great acclamation of the vast majority of the whole population of Efon Alaye.
3. That the candidate selected before Adeniran's selection, was installed as Alaye of Efon, according to the ancient customs obtaining in our country, by the Chief Osinkin, whose duty it is to perform the necessary ceremonial rites to any new Oba elected.
4. That after this ceremony, the Oba-Elect was taken to Chief Obanla's house, the Senior Chief who gave order that the Oba Elect should be taken to Afin.
5. That on the following day after the ceremony, there was a message from the Chief Obanla, that Chief Osinkin should present himself at the Court Hall, and with threats and all forces at the Chief Obanla's power, he, Chief Obanla turned the takle to suit his own choice, a system contrary to the Ancient Customs prevailing in Efon Alaye.
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7. That the then Resident was convinced when some 4,000 people pointed their hands skywards in favour of the selection of the candidate before Adeniran.
8. That as it was very necessary that great attention should be paid to the choice of the majority, the then Resident observing that some Chiefs who favoured the selection of Adeniran as Oba of Efon Alaye, were on the minority and wading in an unfamiliar water when the show of hands in favour of Adeniran was in the minority wisely suggested that the chiefs, the Advisory Committee and the Representatives of the first Candidate before Adeniran's candidature should accompany him to the Rest House for a deliberation- This done- and owing to under current, the table turned when the Resident was made to depart from the popular choice and associated himself reluctantly with the choice of the chiefs discountenancing the choice of the whole majority.
9. That as this was much against the principle of Efon Alaye Town and against the minds of the chief Osinkin and in order that he might create no shedding of blood in his fatherland he took timely precaution and left the country for Ile-Ife

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2.
where he is uptill the present moment and from where he forward-
ed a petition to the Chief Commissioner of Southern Provinces
on Tour at Ibadan on the 5th October 1936, imploring the
intervention of the Commissioner to the matter. 28

10. That the Chief Osinkin now resident at Ile Ife on account of prevention of commotion at Efon Alaye, because of the improper actions of the Chief Obanla, who was then told that he should not depart from the right path, but who followed his own will and influenced all other chiefs to associate them with himself is a singular example.
11. That fourteen(14) of the cattles of the Chief Osinkin had been stolen on account of the ruthless intervention the people of the Oba Adeniran are indulged in, and nothing was done to it by the Oba Adeniran selected by the Chief Obanla, therefore, this is another instance of dissatisfaction which is obtaining at large in the country.
12. That there is no limit in the provocative actions of the people on the side of Oba Adeniran.
13. That one Mogaji was beaten in that one of his teeth was broken and taken out, and the tooth taken out is kept and still in his possession, and could be produced for verification and certification.
14. That any son of the soil who returns to town from abroad on leave or otherwise, will be required to state on whose side he is, and if he refuses to state which side he belongs to, he will be subjected to every mean and contemptible treatment that is within their reach and finally ask him to leave the country for Oba .
15. That a case recently in point is that of Caleb Ajai to pay Tax immediately he reached hom after 13 years away from his Birthplace is another inst ance of a glaring injustice meted to law abiding subject.
16. That Caleb Ajai was refused explanation, notwithstanding the repeated appeals he placed before them.
17. That one Timothy Boiki on his return to town, was summoned to prove on whose side he was and when he entered plea of Neutrality, he was taunted to yield to intimidation and tauntings failed he was forced to leave the town of Efon Alaye the place of his birth.
18. That as the Loyal subjects of His Majesty's the King Emperor we submit that we are undergoing very great hardship from the influence of Oba Adeniran and his Minority Associates at the expense of being straight in our actions to our town and we pray that Your Honour may see to this in order that we might not be provoked beyond human capacity and thereby incur Your Honour's displeasure-which God forbid.
19. That the whole town of Efon Alaye irrespective of creed are stoutly opposed to the Obaship of Adeniran as Alaye of Efon. and the whole community with one voice appeal to Your Honour's broadmindedness for public inquiry and reformation
20. That we still hold that Adeniran was not properly elected as Oba of Efon Alaye and we respectfully submit that his candidature and acceptance was entirely not in order. and we submissively and specially pray for public inquiry into the matter.
21. That several petitions had been got up and forwarded to various Authorities to investigate, consider and reform and up to the moment, we are being assured that amicable settlement would be effected.

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22. That with deep and acute sense of vigilance possessed by Your Honour and upon matter of so great magnitude and consequence now before your august personage, we believe in Your Honour's honesty of purpose and integrity that you will vindicate the ways of justice as the True-Representative of His Most Gracious Majesty the King Emperor, posted to our Area for protection and Administration of Justice, though Heavens should fall.
23. That as we believe in the ardent, indefatigable and unconquerable spirit of Your Honour against any cheap popularity, we pray that the result of our petition may be the repose and prosperity of our noble country which is entitled to all our love and for the safety of which we are answerable to our consciences, to the meory of future ages, to the Judge of all hearts.
24. That we submit with obedient heart and without any air of arrogance that the popular acceptance of the whole town is the candidate with 4,000 votes.
25. That we submit with all respects imaginable that as no matter is settled until it is settled aright we loyally await to see the machine of justice set aworking

We are
Loyal Subjects of His Most Gracious
Majesty the King Emperor
For ourselves and on behalf of the vast
majority of the Population of Ifon Alaye and
Districts.

- | | |
|------------------|--------------------|
| (Sgd) Sany Ajoka | L.A. Oluleye |
| J.F. Ojo | Michael Ololaju |
| M.F. Pluleye | Isiah Babalola 1. |
| J.O. Oluwafemi | Aburami Owoeye |
| Sanusi Bisi | Isaiah Babalola II |
| Joshua Ojo | Jacob Ola |
| Isaac Erinle | Isaac Alo |
| Sanu Aloko | Eman Afuye |
| Sam Adetuberu | Samuel Ojo Ikiran |
| Samuel Ojo Ojodi | Isayaola |
| Dan Ojo Adam | Peter Gbabiaka |
| Israel Foluwasho | David Owoeye |
| Moses Ladaiye | Abren Bolarin |
| Gabriel Oni | |
| Joe Popoola | |
| Solomon Mojai | |

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AN AFFIDAVIT.

30

In consequence of the Acting Chief Secretary to the Government of Nigeria's letter No. 23610/S574/102 of 4th April 1940, which is purported to be a reply to our joint petitions dated the 2nd January and 27th February 1939 re Mr. S.A. Adeshina who was appointed and installed as the Alaiye of Efon on the 13th day of April 1936, I, IBIDAPO, Chief Elemikan, now residing in Ile Ife on protest of Government's refusal to listen to our grievance, ~~make~~ make oath and state :-

1. That I am the Chief Elemikan of Efon in the Ekiti Division of the Ondo Province.
2. That my chief duty is when Ifa Oracle has been consulted for the selection of a candidate for the Alaiye of Efon to go and bring the candidate and that when Ifa Oracle chose Mr. S.A. Adeshina among all the Omobas eligible to reign and whose names were mentioned in 1936 when consulting the Ifa Oracle it was I whom the whole Efon people sent to bring Mr. Adeshina.
3. That I took Adeshina and made the necessary marks on him, i.e. tied round his head a white linen and put 3 parrot feathers on his head horizontally; in that condition and according to custom I took him to Chief Oisinkin's house, who is the ~~Maker~~ King Maker of Efon and Chief Oisinkin performed all the requisite ceremonies according to Efon native law and custom on Adeshina and made him the Alaiye of Efon and up till to day Mr. S.A. Adeshina is the properly installed Alaiye of Efon.
4. That after the ceremonies I took Adeshina according to Efon custom to Chief Obanla's house from where Chief Aragberi joined me and followed me and the new Oba and the whole Efon people, including Adeniran, the locum tenens to the Afin where he (Adeniran) paid homage to Adeshina in the presence of all the people, ~~there~~
5. That Chief Aragberi opened the doors of the Afin and received the new Oba Alaiye of Efon (Adeshina) according to Efon custom.
6. That on ~~reaching~~ reaching the Afin and according to our custom I handed the ~~new~~ Oba Adeshina to Chief Eyelomunle (female), Chief Anasi (female), Princess Elekola, Princess Ademoile, Princess Erinle, Iya Egbe, and all the princesses who received him and should remain with the new Oba Adeshina for three months.

AND I make the above statements believing them to be true in substance and in fact and whoever disputes any or the whole of them should come forward to say so.

Idedapo (Chief Elemikan)
.....
Chief Elemikan of Efon, Declarant.

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Declared by within named Chief Elemikan
 at the Supreme Court Lagos the foregoing having been read over and explained to him
 in youruba language by *me*

Interpreter and appeared perfectly to understand the same before affixing his mark thereto, this
 15th day of April 1940.

Before me,
M. O. Ode
 Commissioner for Lagos
 15 APR 1940
 LAGOS

[Faint, mostly illegible text in Yoruba script, likely the body of the affidavit or a translation.]

[Handwritten signature]
 Commissioner

AN AFFIDAVIT.

In consequence of the Acting Chief Secretary to the
 Government of Nigeria's letter No. 23610/S574/102 of 4th April 1940

which is purported to be a reply to my petition dated the 2nd
 of January 1939, re the appointment and installation of Mr.
 S.A. Adeshina as the Alaiye of Efon, I, Ajari, Chief Oisinkin
 in the Ekiti Division of Ondo Province
 of Efon, now residing at Ibe life on protest of Government's
 refusal to listen to our grievance make oath and state :

- A. That according to Efon native law and custom and in virtue of my office, which has been handed down to me by my ancestors, I am the King Maker, i.e. one who has to perform all the necessary ceremonies before anybody can become the Alaiye of Efon.
- B. That the following are the Chiefs of Efon with the functions appertaining to each :-
 - i. Chief Obanla is next in rank to the Alaiye of Efon. He sees to the welfare of the people of Efon whenever an Oba dies but has no right or claim in the choice of a successor.
 - ii. Atewogbade is one of the servants of Chief Elemikan and his duty chiefly is to take the Oba's crown from the Afin to Apare during the Okun festival which takes place annually, besides running other errands. In 1936 when Adeshina was installed the post was vacant.
 - iii. Chief Aragberi keeps the keys of the Afin whenever an Oba dies; opens the Afin and receives the new Oba when one is installed.
 - iv. Chief Elemikan represents the IJOKA who are the controllers of the Afin and who manage the Afin's affairs.
 - v. Chief Oisinkin, whose first ancestor founded the town of Efon is the King Maker, i.e. who has to perform on appointment of an Alaiye of Efon all the requisite installation ceremonies. He also keeps the records of all the reigning kings of Efon, keeps the keys of all the gates entering Efon town, makes sacrifices in all these gates at the time of new yams, hence Chief Oisinkin is called 'Emi ni Efon' (meaning in English, 'I AM THE EFON').

2. That to mention a few names, the following Alaiyes of Efon were installed by ^{my} predecessor in office, OJOEKUN, my uncle :-

Ajogede, Atewogboye, Arusuboja & Agunsoye, to all of whose installation ceremonies I was an eye witness.

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1	2	3	4	5	6

Reference - C.O. 583 / 252

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3. That the following Alaiye of Efon was installed by me :- S. A. Adeshina.

4. That the following is the system of appointing an Alaiye of Efon :

When an Alaiye of Efon dies, and according to Efon native law and custom governing the method of selection, the following Chiefs consult the Ifa Oracle, Alaayo, Aragberi, Oisajigan in either Alaayo or Oisajigan's house and the names of all the Omobas eligible to reign are mentioned and that whose name Ifa chooses is presented to the people and having been unanimously accepted is in turn presented to me for installation.

5. That on the demise of the Oba Agunsoye, the late Alaiye of Efon of the Ogbenuote House, one S.A. Adeshina of the Orudu House, whose House it was its turn to present a candidate, was, after the Ifa Oracle had been consulted and Adeshina's name chosen among all the Omobas mentioned, presented to me by Chiefs Elemikan and Elemese and all the Efon Royal Household, including the Adeniran, the locun tenens, for installation and that having satisfied myself selected that the said S.A. Adeshina was constitutionally and was in everyway eligible according to our custom, I, by virtue of my office as the King Maker of Efon did perform all the requisite ceremonies on the said S.A. Adeshina on the 13th day of April 1936, made him the Alaiye of Efon and gave him the symbol of his office. This symbol he still has in his possession up till this day.

6. That the said S.A. Adeshina is the properly and constitutionally installed, according to Efon native law and custom Alaiye of Efon to-day as no one who is not presented to and installed by me is entitled to be called the Alaiye of Efon.

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33
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7. That to my knowledge and belief the following is the correct genealogical tree of the Orudu House of Efon Obaship :-

Orudu begat Ogbologu; Ogbologu begat Fafolurin and Atewogboye (not by the same mother); Fafolurin - who was older than ~~Atewogboye~~ - begat Ojo and Ojo was the father of Adeshina; Atewogboye was in fact the father of Adeniran, the locun tenens.

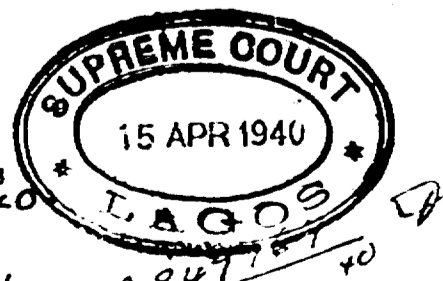
8. That according to our native law and custom it is not constitutional to allow both Atewogboye and his son Adeniran to reign and to disallow Adeshina, (who is older than Adeniran), as neither Adeshina's grandfather, Fafolurin, who did much for Efon, having been killed in action during the Efon War, nor his father Ojo, who was ~~xxx~~ too old to reign, ever occupied Efon throne.

9. That Efon custom admits that a son can be made a king during his father's lifetime if the father is too old to reign as in the case of Ojo (Adeshina's father) and he ~~xx~~ resigns his rights to his son, the only precaution being that they must not see each other's face and must, if needs be, talk to each other between screens.

10. AND I make the above ~~xxxxxxx~~ statements believing them to be true in substance and in fact and whoever disputes any or the whole of them should come forward to say so.

Ajari his
Quark.
.....
Chief Oisinkin of Efon, Declarant.

Declared by within named Chief Oisinkin at the Supreme Court Lagos the foregoing having been read over and explained to him in youruba language by me Interpreter and appeared perfectly to understand the same before affixing his mark there to this 15th day of April 1940 Before me.



M. Adeniranmi. Commissioner for Oaths
15 APR 1940

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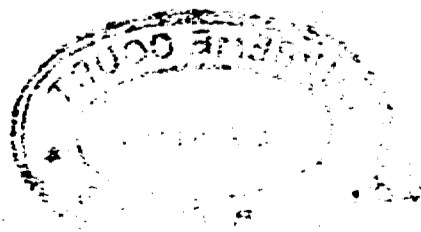
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30402

1940

30402

NIGERIA

NIGERIA - DAHOMEY BOUNDARY REDELIMITATION.

Previous				
	1939.			
Subsequent				

R98 17.3.60
 Mr. Thornley 19.3
 Mr. Lodebolham 20/3
 R96 20/3
 295 (D) 27/3
 R. 98 28/3
 Ref.
 Mr. Thornley 29.3
 Mr. Lodebolham 29/3
 R98

FILE A.

(1345). W.L. 25737/35. 21,000. 8/39. N.P.Co. G.22,77a.

PUBLIC RECORD OFFICE
1 2 3 4 5 6

Reference -
F 23 / 202

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C.S. Boundary
Dehoney

1. F. O. (C. 3458/3458/17) _____ 2
12.2.60
The copy of letter from French Ambassador agreeing to
postpone the boundary delimitation until after the war

? Now send copies of the records:
(22) on -/39 file and (1) on this
file to the C.A.G. for his
information ref: (20) on the -/39
file and take this opportunity
of acknowledging receipt of (16) on the
-/39^{file} and saying that when the
time comes the description of the
boundary contained in Annex?
of the 1966 Agreement - the one which
should be followed when the
time comes to make the
inspection (see minutes of 17/10
and 8/11 ~~and~~ and the 1st Libellon's
minute of 19/10 refer)

X

Ch. Dehoney
19.3

To save copying send instructions of
inform for by despatch that the French part
concern in the proposal to defer the
proposed boundary delimitation until
after the war, and add as at it in
the Dehoney minute.

Jt Dehoney
J. M. Whitte
20/3/60

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Reference -					
C.O. 583 / 252					
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2. To Nigeria 103.

27 MAR 1940

? Copy (2) 16 90 to F.O. for inf. I don't think there is any need to send a copy of (2) to F.O.
? Lukley.

Chewley
.. 29.3

J. B. Smith
29/3. above

only.

PUBLIC RECORD OFFICE					
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				2	
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32

C. O.

Mr. Whitcombe. 20/3

Mr.

Mr.

Mr. C. J. Jeffries.

Mr. A. J. Dawe.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Handwritten initials and a stamp: "RECEIVED" with a date "27 MARCH 1940".

27 March, 1940.

Sir,

Sir G. Bondillon's

With reference to your

(18 on the 1939 file)

despatch No.1052 of the 5th of

October last, regarding the

proposed permanent demarcation

of the boundary between Nigeria

and Dahomey, I have etc. to

inform you that the French

Government have signified their

concurrence in the proposal to

postpone ~~delay~~ the delimitation of the

boundary until after the war.

2.

DRAFT.

NIGERIA.

NO. 163.

O.A.G.

FURTHER ACTION.

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference :-					
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2. I take this opportunity of
acknowledging the receipt of ^{the Governor's} your
despatch No.952 of the 30th of August (16 on the 1939 file).
last on the same subject, and of
informing you that the description of the
boundary contained in Annex I of the
1906 Agreement is that which should be
followed when the time comes to
undertake the inspection of the boundary.

I have, etc.,

(Sgd.) MALCOLM MacDONALD

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In any further communication on this subject, please quote
No. C 3458/3458/17
and address—not to any person by name, but to—
“The Under-Secretary of State,” Foreign Office, London, S.W. 1.

4
1

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.

Foreign Office,
12th March, 1940.

RECEIVED
15 MAR 1940
C. O. 583/252

Reference to previous correspondence:

22 on 30402/39. F.O. letter No. C17689/856/17 of 13 Nov. 1939 ?

Description of Enclosure.

Name and Date.	Subject.
From the French Ambassador No. 103 of 4 th March.	Redelimitation of the Nigerian Dahomey Boundary

Similar letter sent to _____

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Reference —
C.O. 583/252

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5

No. 103

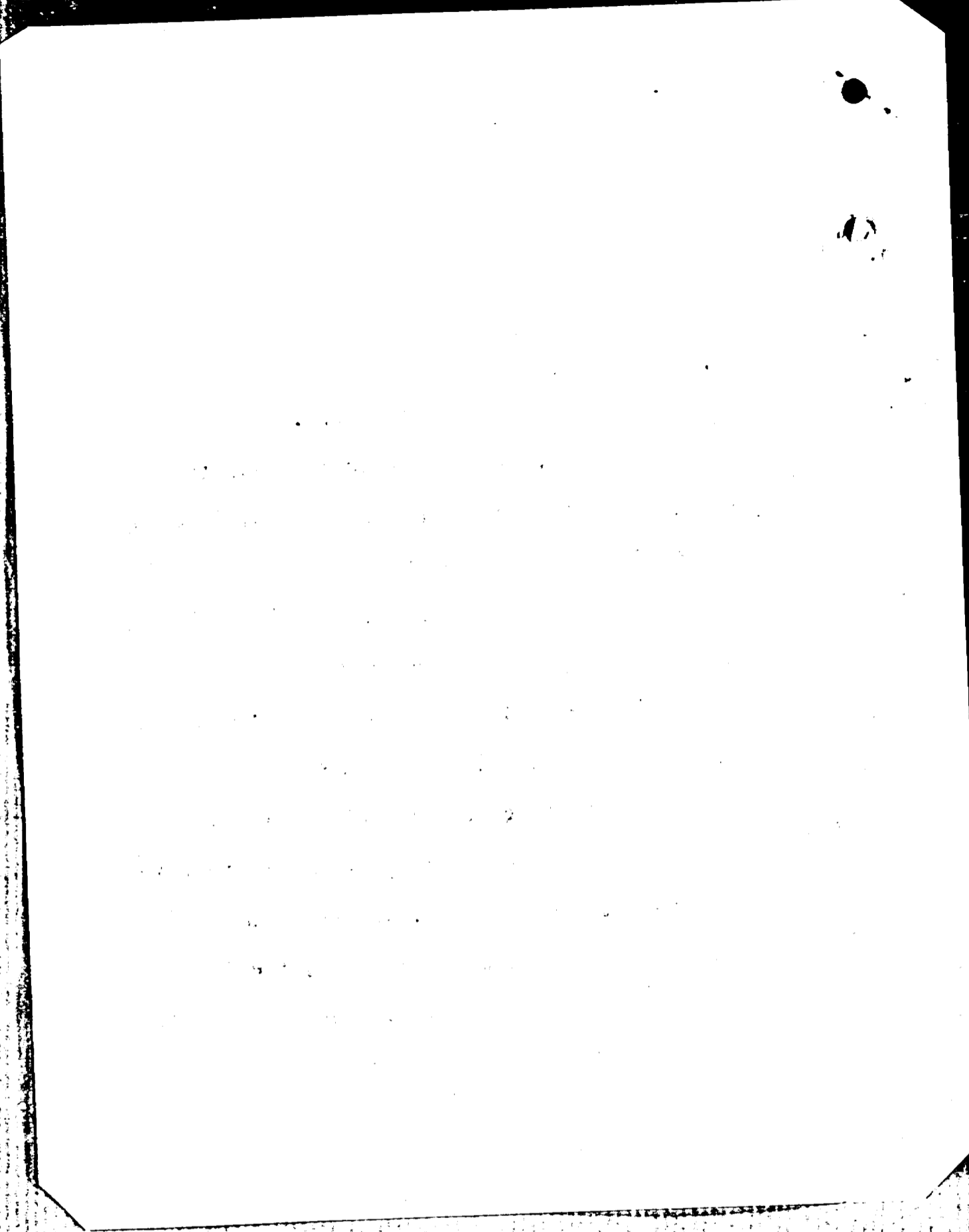
Par lettre no.C.17689/856/17
 du 10 Novembre, Votre Excellence a bien voulu
 me faire savoir qu'après avoir consulté le Gouverneur
 de la Nigeris, le Gouvernement de Sa Majesté esti-
 mait préférable de différer, jusqu'à la fin des
 hostilités, les opérations de réarmement entre
 cette colonie britannique et le Lahomey et Elle
 me priait de lui faire connaître le sentiment du
 Gouvernement français à l'égard de cette suggestion.

J'ai l'honneur de faire savoir
 à Votre Excellence que M. le Président du Conseil,
 Ministre des Affaires Etrangères, vient de m'indi-
 quer qu'il partage l'avis du Gouvernement de Sa

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6
150

Majesté. Les opérations envisagées sont donc
différées jusqu'à la fin de la guerre. /.

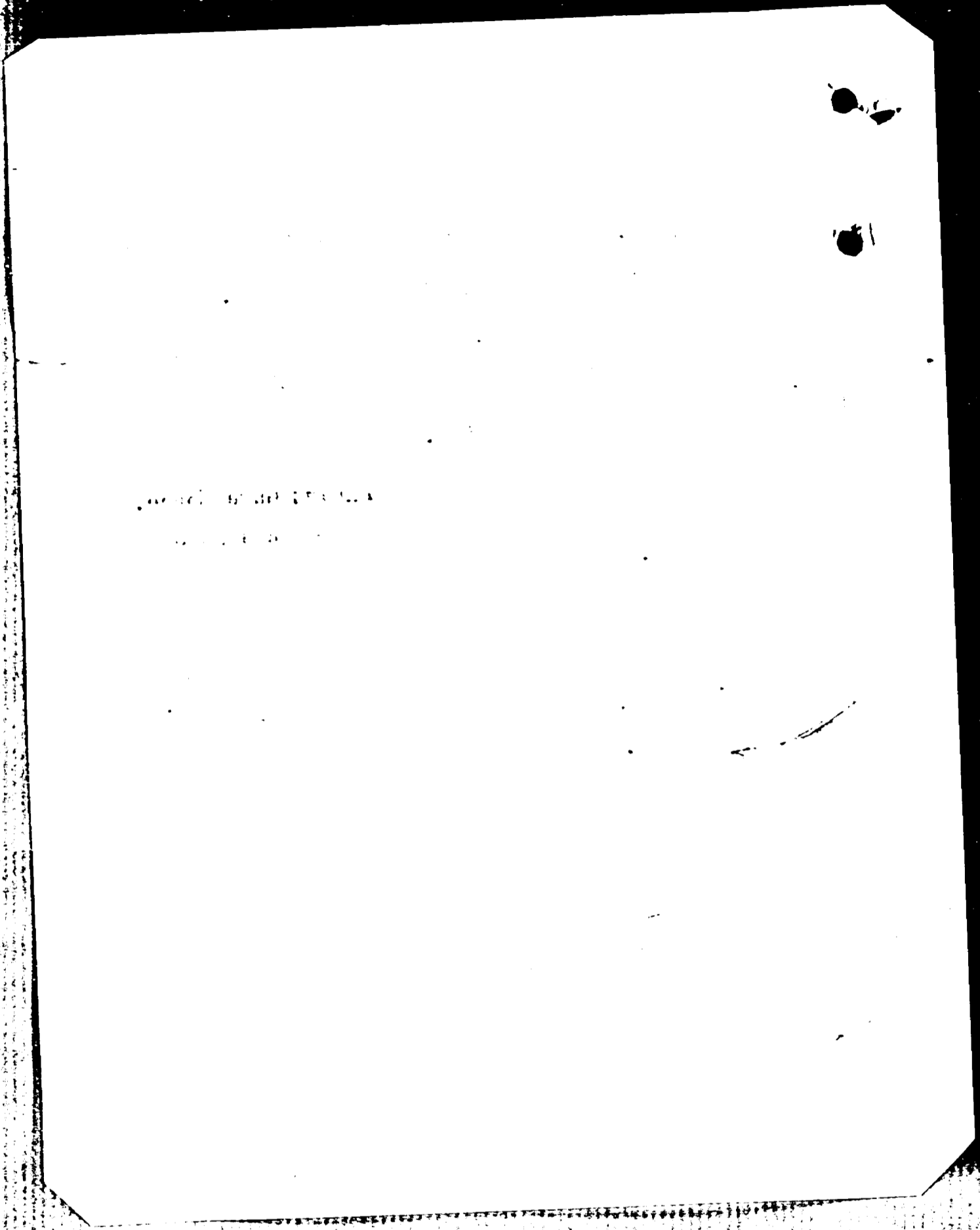
M. Corbin saisit cette occasion
pour renouveler à Lord Halifax les assurances de
sa haute considération.

Albert Gate House.
4 mars 1940

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Reference
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30408.

1940

Nigeria

Aliens Ordinance

note

for 1940 correspondence
see 1941-42 file.

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Reference					
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30412

1940

30412

NIGERIA

MEMORIALS TO H. LATE M. KING GEORGE V AT GUMEL AND HADETIA.

Previous	1939.				
Subsequent					
	R98	11.3.40			
	Mr. Rowley	R.3			
	Mr. [unclear]	1/73			
	Mr. [unclear]	1/73			
	Mr. Williams	2/73			
	R96	30/3			
	R295	"			
	98.	11/4			
	96	13/4			
	298 J	16/4			
	98.				

FILE A.

(1945) W.L. 23737/35. 24,000. 8/50. N.P.Co. G.582.77a.

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Reference: F.33 / 252

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C. F. Title.

Gov. No. 119. _____ 9.2.40
Submits indent and drawings of the tablets for
General & Hadajia. Requests that H.M.'s approval
may be sought.

The Crown Agents informed last year that enquiries were being made by the Dy. Resident, Kano with regard to the cost of erecting these Memorials (See 1939 file).

The design for these tablets is the same as that which was approved last year for use by the Kano N.A. The inscription for the General memorial also is similar to that used by the N.A. This is also true of the Hadajia memorial except that in this case the year during which the building was erected is omitted from the inscription.

In view of the terms of Mr. Purnell's minute of 28/3 in the -/39^{file} and of the almost identical nature of the indents with that of the Kano Adm. which was approved last year, it would seem that formal submission to H.M. is not necessary in this case.

I think we can assume (altho' it is not stated in the despatch) that these proposals are approved by the Governor and I have no reason why we should not reply to (1) to the effect that H.M. has been graciously pleased

See End: L(14)
on 30398/39
attached

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Reference -
C.O. 583 / 252

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to approve of the use by the Council
and Kaduna Native Administrations
of the portrait of his late Majesty
King George VI designed by the
Bronsgrrove Guild on a tablet to
be erected in his late Majesty's
memory.

We shd: I think, send a
copy copies to C/A inf: L.F. ref:
(4) a - 13c file.

Atkinson
11/3

Sergeant to the Police Inspector I think we
might find a proposal. H.M. has
already approved the various flags
which is to be used in 6-50595/24

27 June
11/3

J.J. Parnell
11/3

J. Parnell
18/3

Laetia & draft
'2.

Atorco

O.G.R. Williams

28. 3. 40

2. In Nigeria. 191. (1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

4/14/40

16.4.40 ³

3. to C.A. w/c 1+2

Atkinson The C/A ramp up today back
whether they shd: await receipt
of the indent from Nigeria whether
we had intended to include an
copy with the L.F. to them.

I think there is no doubt that
the Governor will forward the original
of the indent in due course. So far
as he is aware we might never
have communicated with the C/A
at all! I suggested that they
shd: wait as the Mr. Galt had
certainly not had time since
receiving (2) to approach them yet.
They agreed and made it clear
that they had only wished it to be
clear that they were not expected
to take any action pending receipt
of instructions from Nigeria.

Put by *Atkinson*
J.S.
Atkinson

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1 2 3 4 5 6

Reference: C.O. 583/252

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4

C. O.

Mr. Whitcombe. 30/3
Mr.
Mr. C. J. Jeffries.
Mr. A. J. Duce.
Sir H. Moore.
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

30 MAR 1/4

SS

Sir,

I have etc. to ack. the receipt of Sir Bernard Bourdillon's despatch No. 118 of the 9th^y February and to inform you that His Majesty has been graciously pleased to approve of the use by the Gumel and Hadejia Native Administrations of the portrait of His Late Majesty King George V, designed by the Bromsgrove Guild, on a tablet to be erected to His Late Majesty's memory.

DRAFT.

(1)

3

any EA. M

NIGERIA.

NO. 191.

O.A.G.

FURTHER ACTION.

Copy corres. to
C.A. l.f. (4) on
- /39.

(Sgd.) MALCOLM MacDONALD

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2
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(Sgd.) MALCOLM MacDONALD

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5

Government House,
Nigeria.

9 February, 1940.

NIGERIA.

NO. 119

REC'D
-18 MAR 1940
C. O. REGY

Sir,

7 on 30398/39.

Referring to your despatch No. 243 of the 25th of March, 1939, regarding the placing of a tablet to the memory of His late Majesty King George the Fifth on the tower of the Kano Native Administration Offices, I have the honour to inform you that the Native Administrations of Gumel and Hadejia, both in the Kano Province, wish to erect similar tablets, the former on the Native Administration Offices and the latter on the School building. Copies of the two indents which it is proposed to submit to the Crown Agents for the Colonies are attached, together with a drawing of the frontage of the Gumel Native Administration Offices and a plan and elevation of the Hadejia Native Administration School.

=====
=====

Handwritten:
A. Macdonald
(2)

2. I should be obliged if you would seek the approval of His Majesty the King for the erection of these tablets.

Handwritten:
copy to CA (3)

I have the honour to be,

Sir,

Your most obedient, humble Servant,

Signature: B. H. Au dill

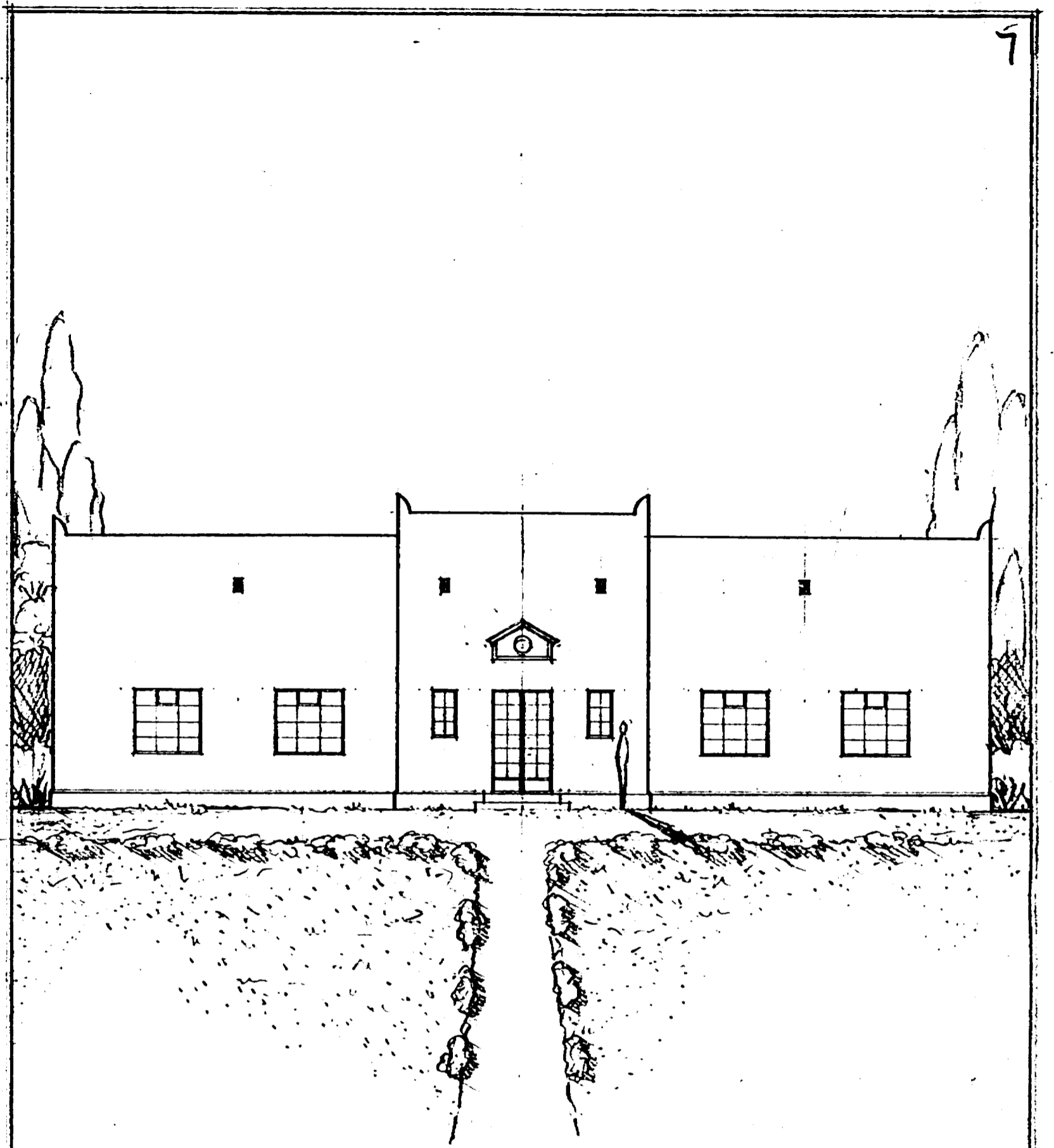
GOVERNOR.

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
Ref SECRETARY OF STATE FOR THE COLONIES,
etc., etc., etc.

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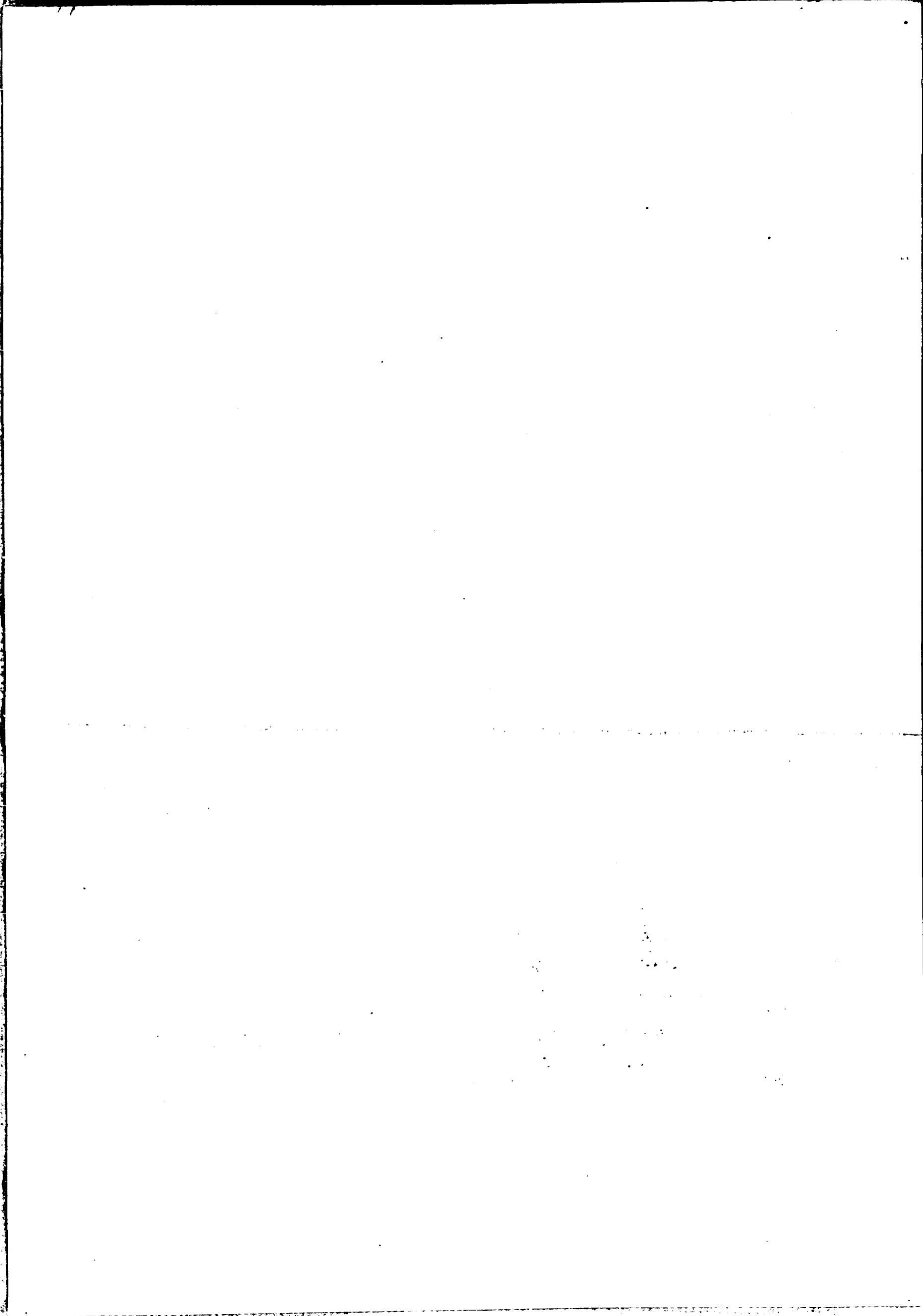
NATIVE ADMINISTRATION OFFICES,
GUMEL.

Scale: 1/8 inch = 1 Foot.

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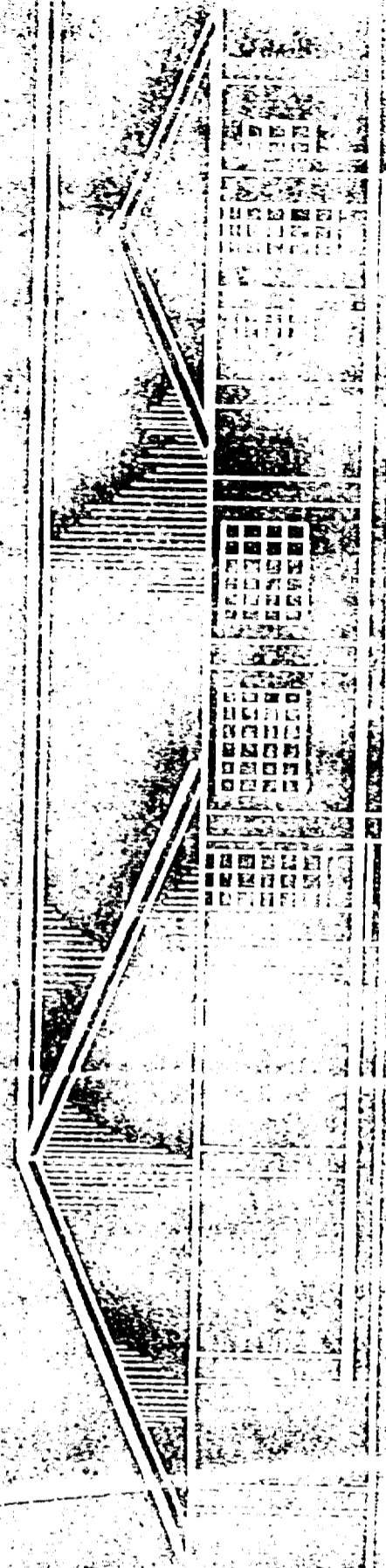


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PLAN

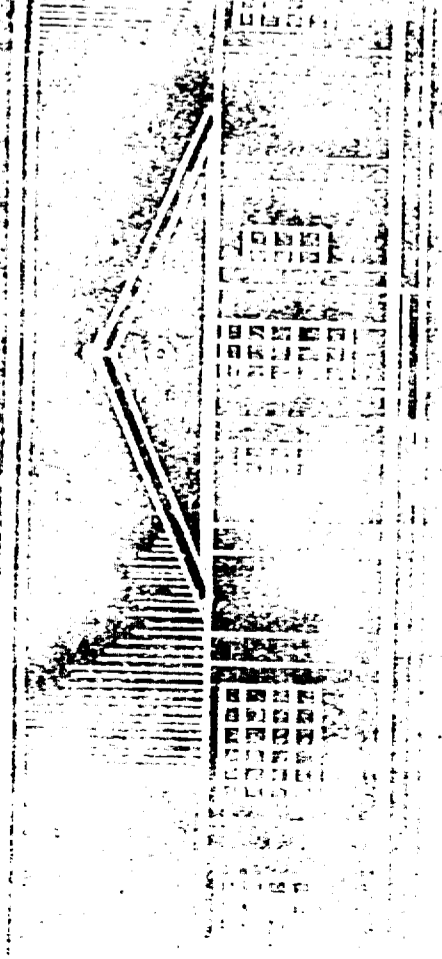


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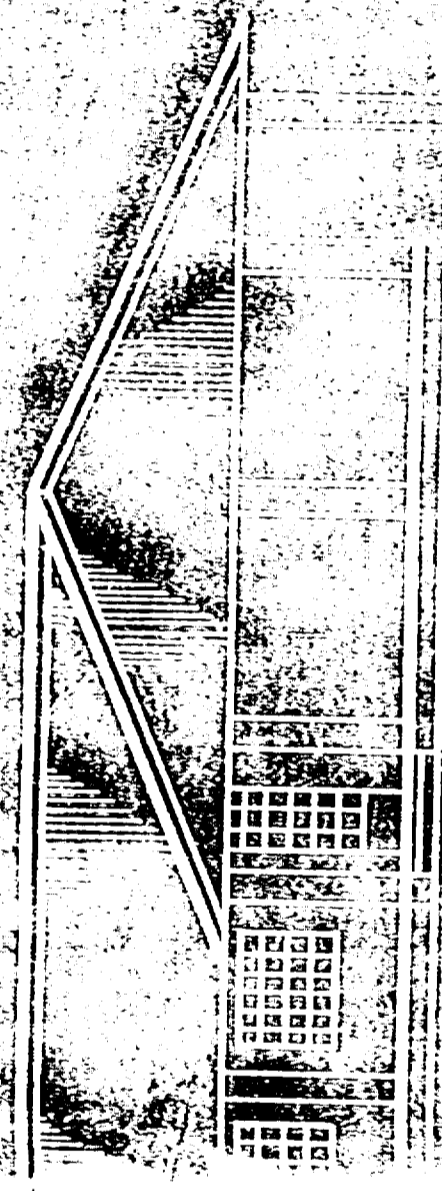
SCOTT, BROWN & TOWNSEND

ELEMENTARY

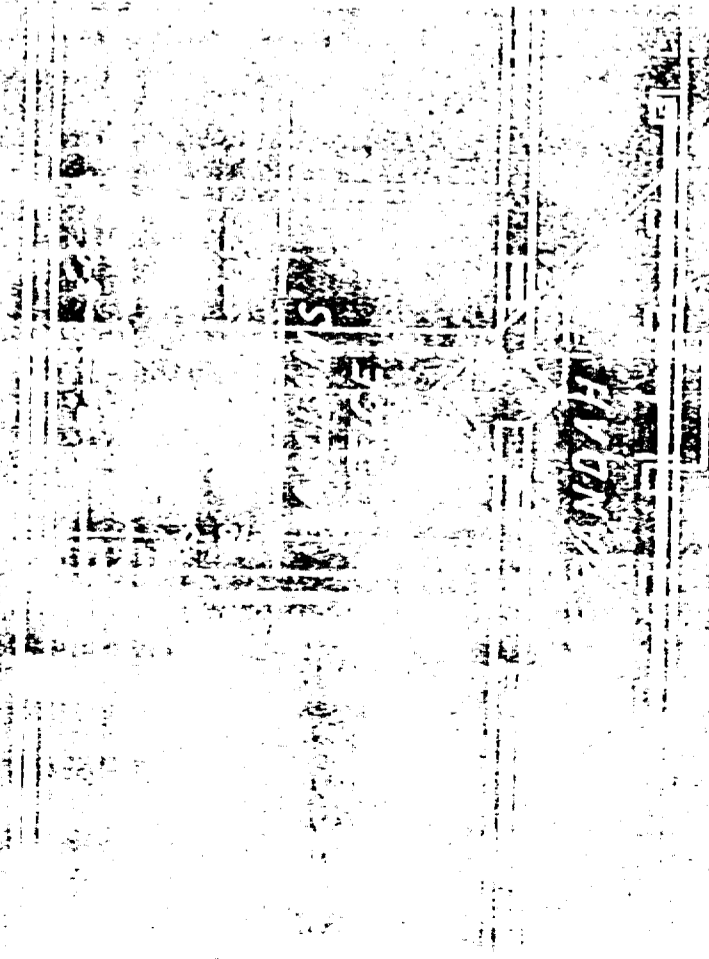
HADEJIA NA



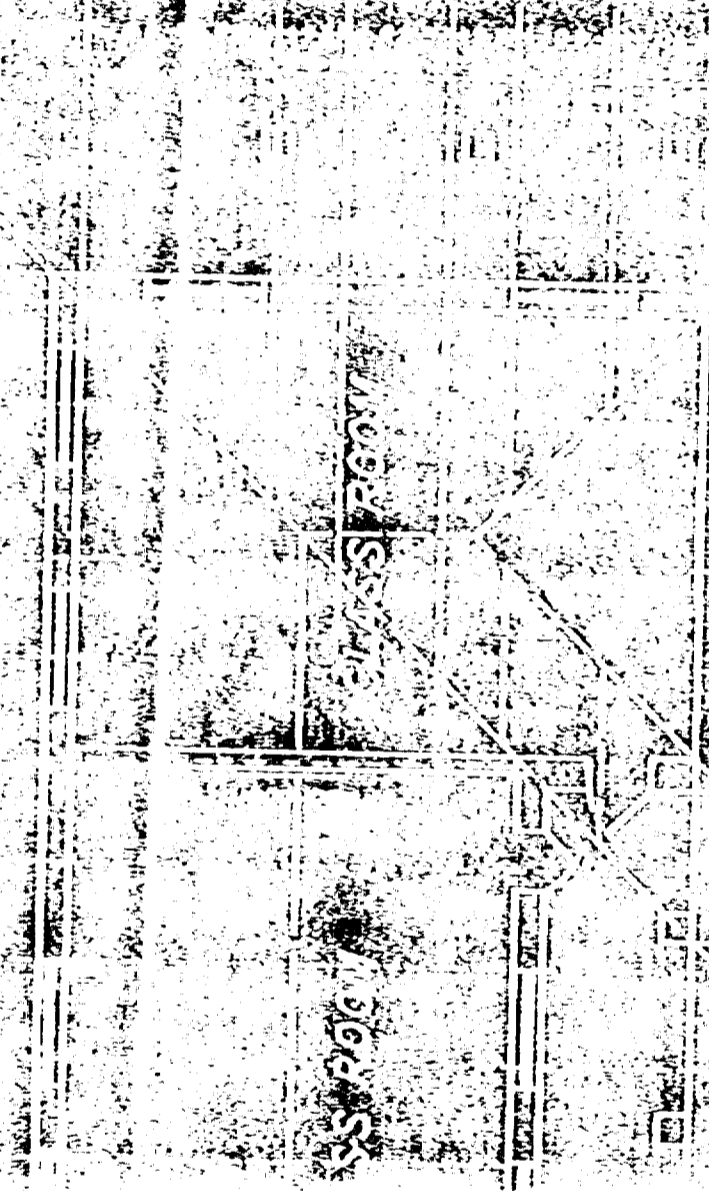
ELEVATION



ELEVATION



ELEVATION



ELEVATION



ELEVATION

MENTARY SCHOOL

HADEJIA N.A.

LEED
CHECKED

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near walls
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 1932 on G.



SECTION

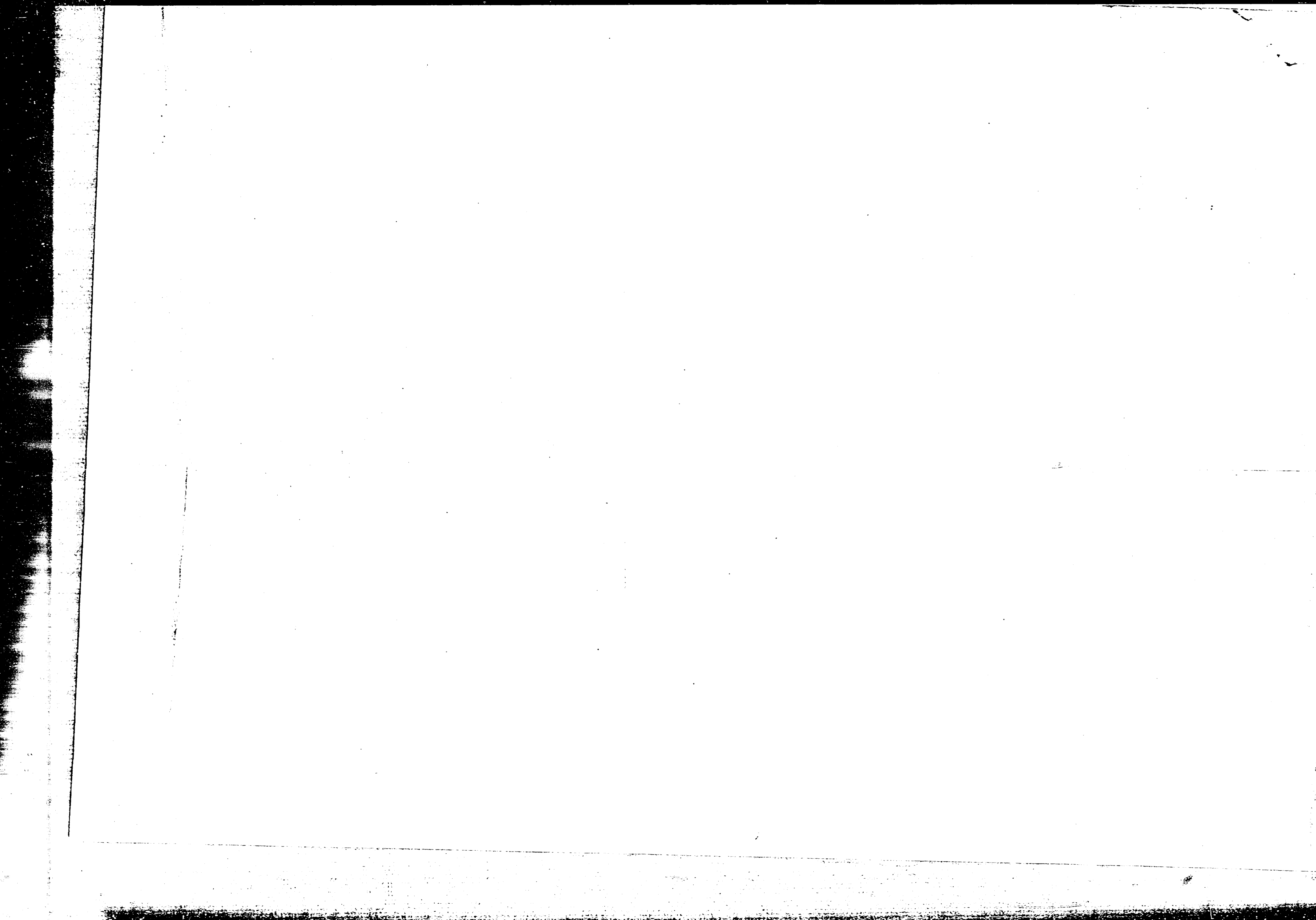
KANO N.A.
 984D

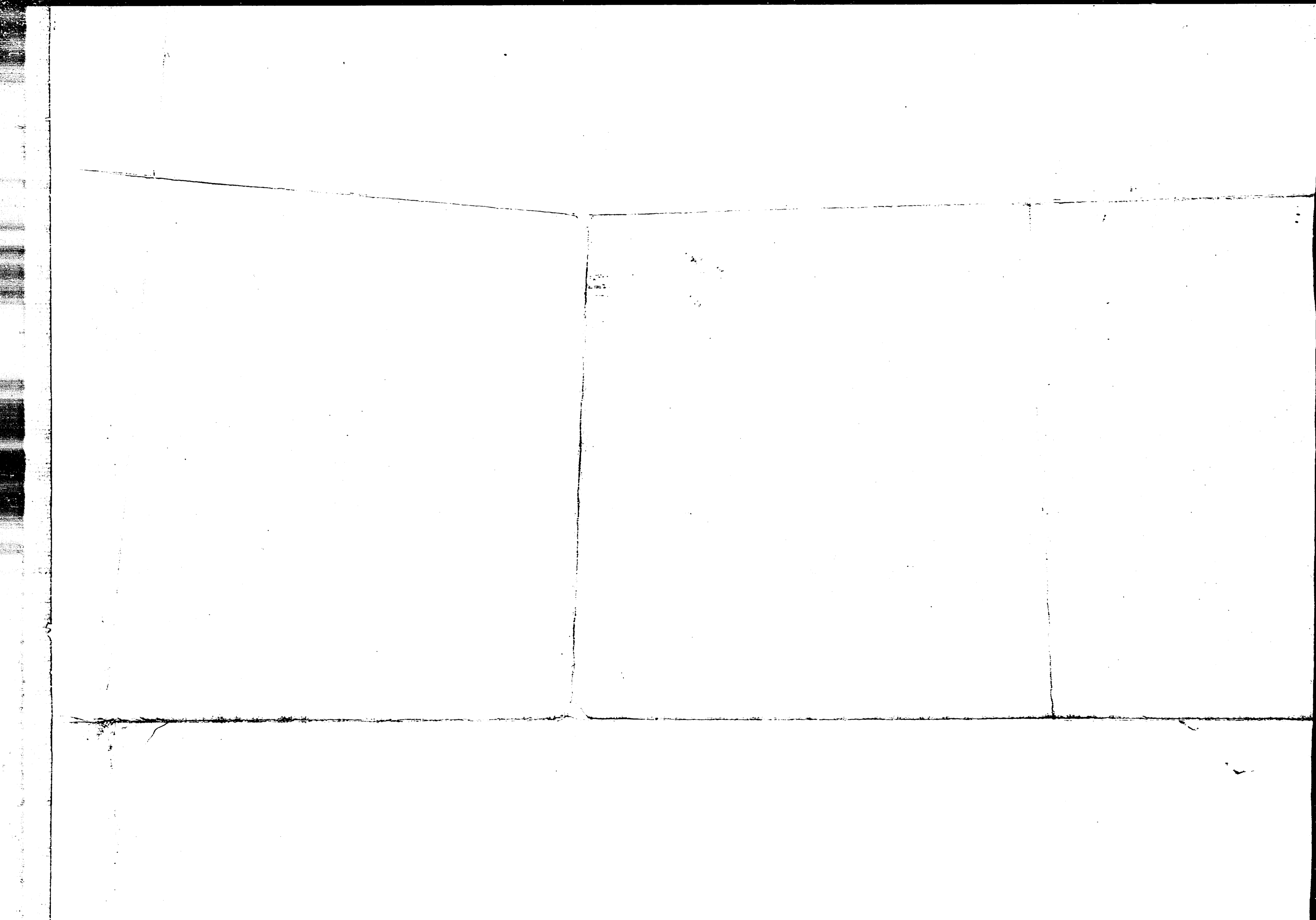
APPROVED

DATE

BY

CHECKED





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NIGERIA.

Gen 20 ⁹

N. A. Indent No.* _____ Date* _____ 19

CAST BRONZE
Indent on the Crown Agents for the Colonies for MEMORIAL TABLET
TO HIS LATE MAJESTY KING GEORGE THE FIFTH

required by H A D N J I A Native Administration.
ADDRESS.

O.H.M.S.
Requisition Hadejia N. A.,
C/A e/o Resident, Kano
via Apapa.

Parcel Post Address || Hadejia N. A., Mallam Madari,
Kano Province, Nigeria.

Weight and size limit (if any) for individual packages
or any convenient size.

If necessary that goods be shipped by a fixed date or by a particular vessel enter instruction here and briefly indicate reason for necessity

Estimated total cost in sterling exclusive of packing and freight
£ 54. 0. 0.

Special account with the Crown Agents to which the Cost is to be charged

Any other instructions to the Crown Agents as to the execution of this indent as a whole

Head XVII Item 3 R.I.E. No. 199-40 N. A. Estimates.

Vote on Estimates } £90. Balance available } £67. Estimated Total cost of Indent } £67.
(inclusive freight)

M. Sadau (Native Treasurer. Turakin Hadejia. Native Authority (or delegate)

Indenting Official M. S. Divisional Officer NORTHERN DIVISION. [initials.]

J. Radu Resident KANO PROVINCE.

APPROVED this _____ day of _____ 19

G.P., Kaduna. 766/35 for Secretary, Provinces.

* Give No. and date to be used in correspondence with the Crown Agents.

† Brief description of the goods required.

‡ Give here the exact abbreviated marks to appear on packages.

§ If parcel post likely to be used state how packages to be despatched should be addressed.

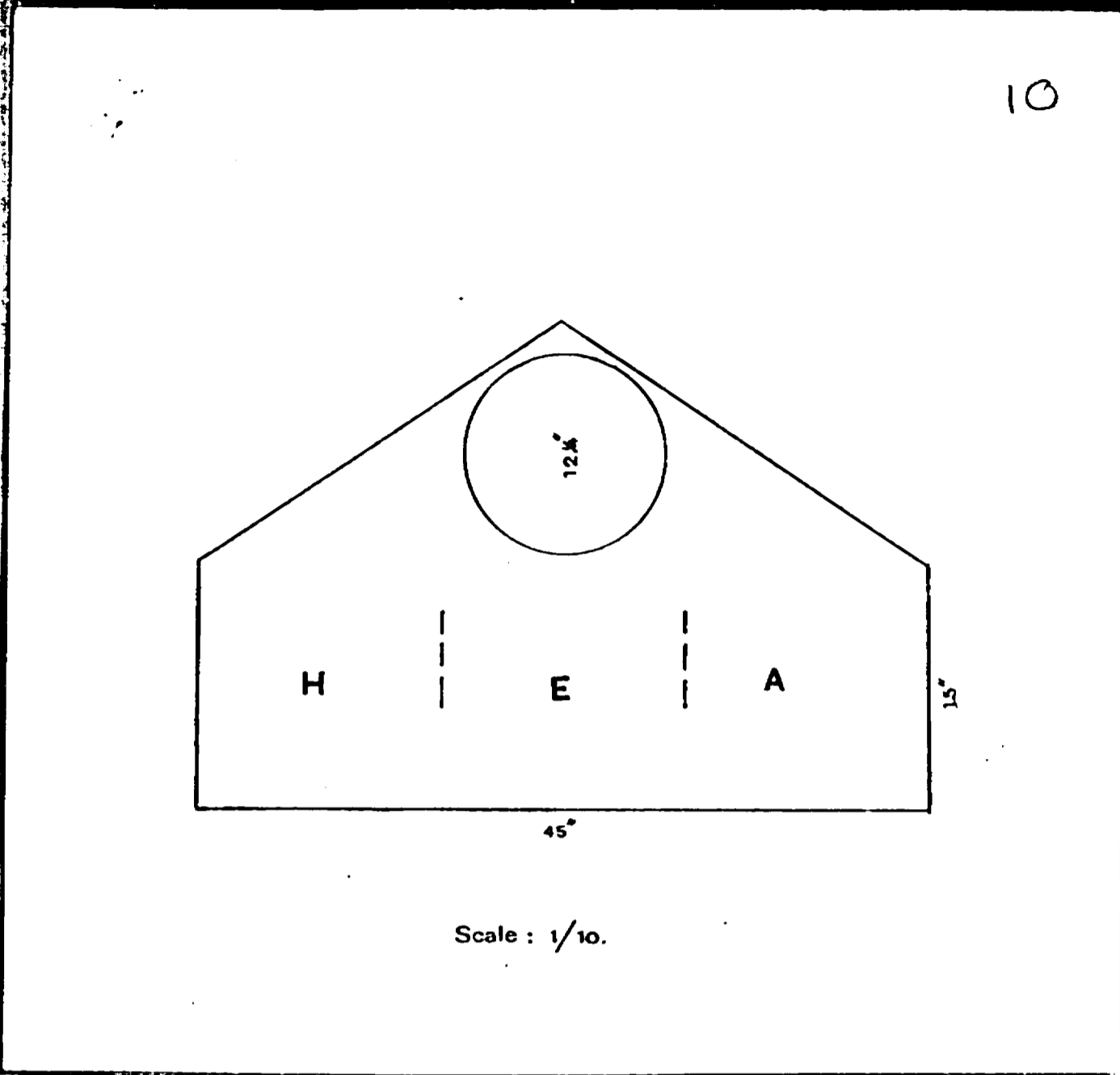
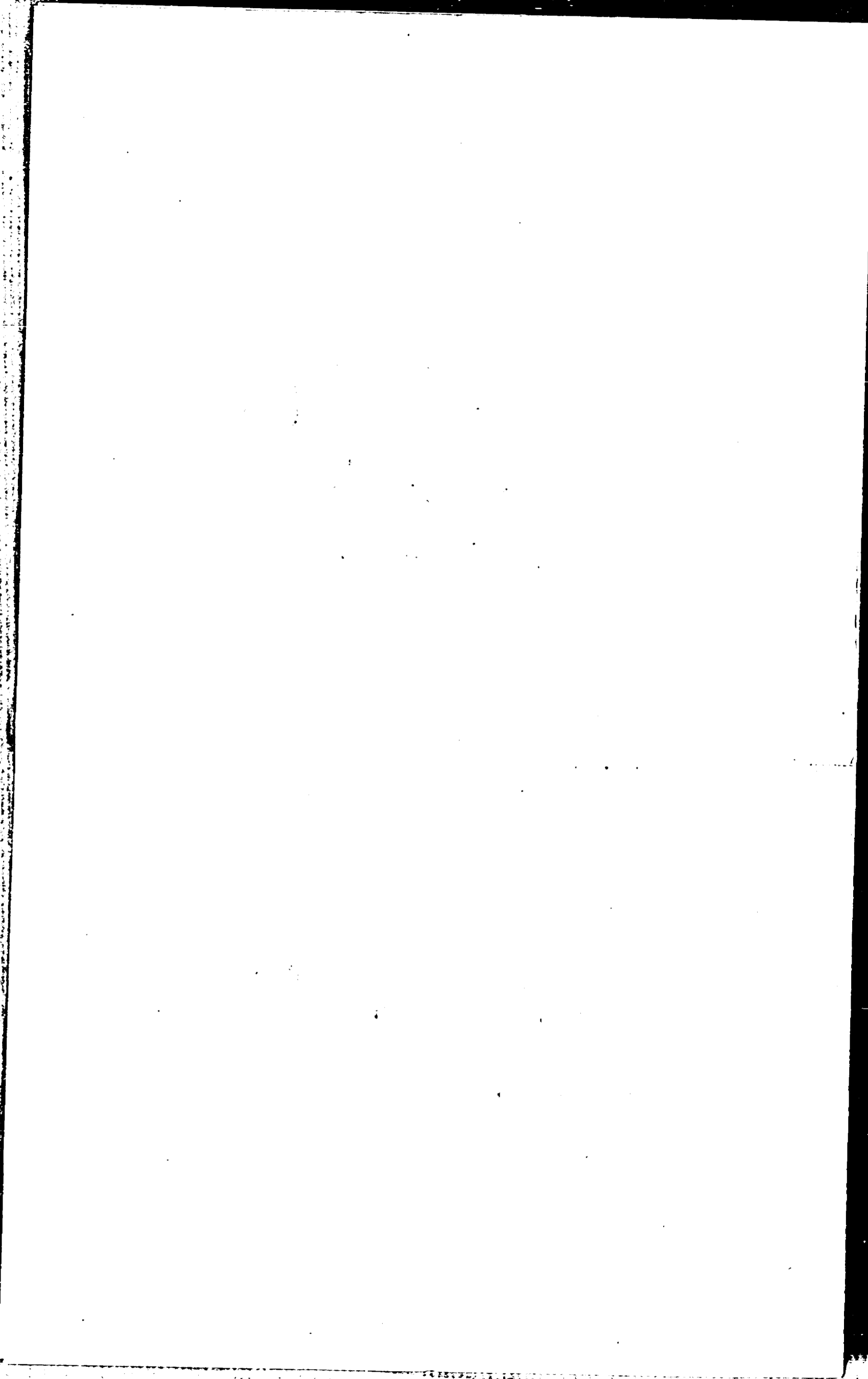
¶ If this is not filled in the cost will be charged to the general account of the Colony

Where there is a covering R.I.E. the signatures of the Native Authority and Native Treasurer may be omitted, but the R.I.E. number should be quoted.

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1 2 3 4 5 6

Reference No.
C.O. 583/252

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(INSIDE SHEET.)

NIGERIA.

Gen. 21.

ORIGINAL
DUPLICATE.

Provincial }
Number }

Departmental }
Indent No. }

Page

ITEM No.	QUANTITY.	DESCRIPTION OF ARTICLES.	ESTIMATED COST IN ENGLAND.			REMARKS or references to specifications or special notes (if any) on separate sheets.	
			Rate.	Total.			
				f	s	d.	
1	1	<p>xxxxxxxxxxxx ...</p> <p>Only Cast bronze memorial tablet 45" x 30" (including triangular pediment), as indicated in the appended sketch (Scale 1/10).</p> <p>The pediment to embody circular portrait-plaque of the late King George V, as specified in Messrs <u>Bromsgrove Guild's</u> letter (GHV/DMP) dated 11th March, 1937 addressed to Crown Agents, reference <u>W/Nigeria 3452</u>.</p> <p>The rectangular area (45" x 15") below the pediment to bear the three inscriptions shown on the sheet attached hereto, the spacing of which is indicated on the sketch - viz:</p> <p>(H) left (Hausa) (E) central (English) (A) right (Arabic).</p> <p>The whole tablet to be complete with the necessary fixing lugs for attaching to the wall of a building. Estimated cost</p> <p>Packing, freight, insurance etc.</p>					
		xxxxxxxxxxxx Carried forward Total ...		54	-	-	
				13	-	-	
				67	-	-	

PUBLIC RECORD OFFICE

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NIGERIA.

General 20.

13

Indent No. _____ Date _____ 19__

Indent on the Crown Agents for the Colonies for Cast Bronze
Memorial tablet to His Late Majesty King George the Fifth.
required by the Comd. Native Administration.

ADDRESS.

O.H.M.S.
Comd. N. A.
Requisition Comd. N. A.
C/A § C/O Resident, Kano.
via Apapa.

Parcel Post Address || Comd. N. A. Gagarawa.
Kano Province, Nigeria.

Weight and size limit (if any) for individual packages
or any convenient size.

If necessary that goods be shipped by a fixed date or by a particular vessel enter instructions here and briefly indicate reason for necessity

Estimated total cost in sterling exclusive of packing and freight
£ 54

Special account with the Crown Agents to which the cost is to be charged || _____

Any other instructions to the Crown Agents as to the execution of this indent as a whole _____

Head XVII Item 7 Page _____ of 1939-40 N. A. Estimates.

Vote on } £67 Balance } £67 Estim } £67
Estimates } available } cost of }
(inclusive of freight)

Zakariya Native Treasurer Comd. N. A. Native Authority.

J. O. O. District Officer.

Zakariya Indenting Official. Comd. N. A. Resident.

Approved this _____ day of _____ 19__

for Secretary, Northern provinces.

G.P.D. Lagos. 147021

Give No. and date to be used in correspondence with the Crown Agents.

Brief description of the goods required.

Department of the Colonial Government ordering the goods.

Give here the exact abbreviated marks to appear on packages.

If parcel post likely to be used state how packages so despatched should be addressed.

If this is not filled in the cost will be charged to the general account of the Colony.

PUBLIC RECORD OFFICE

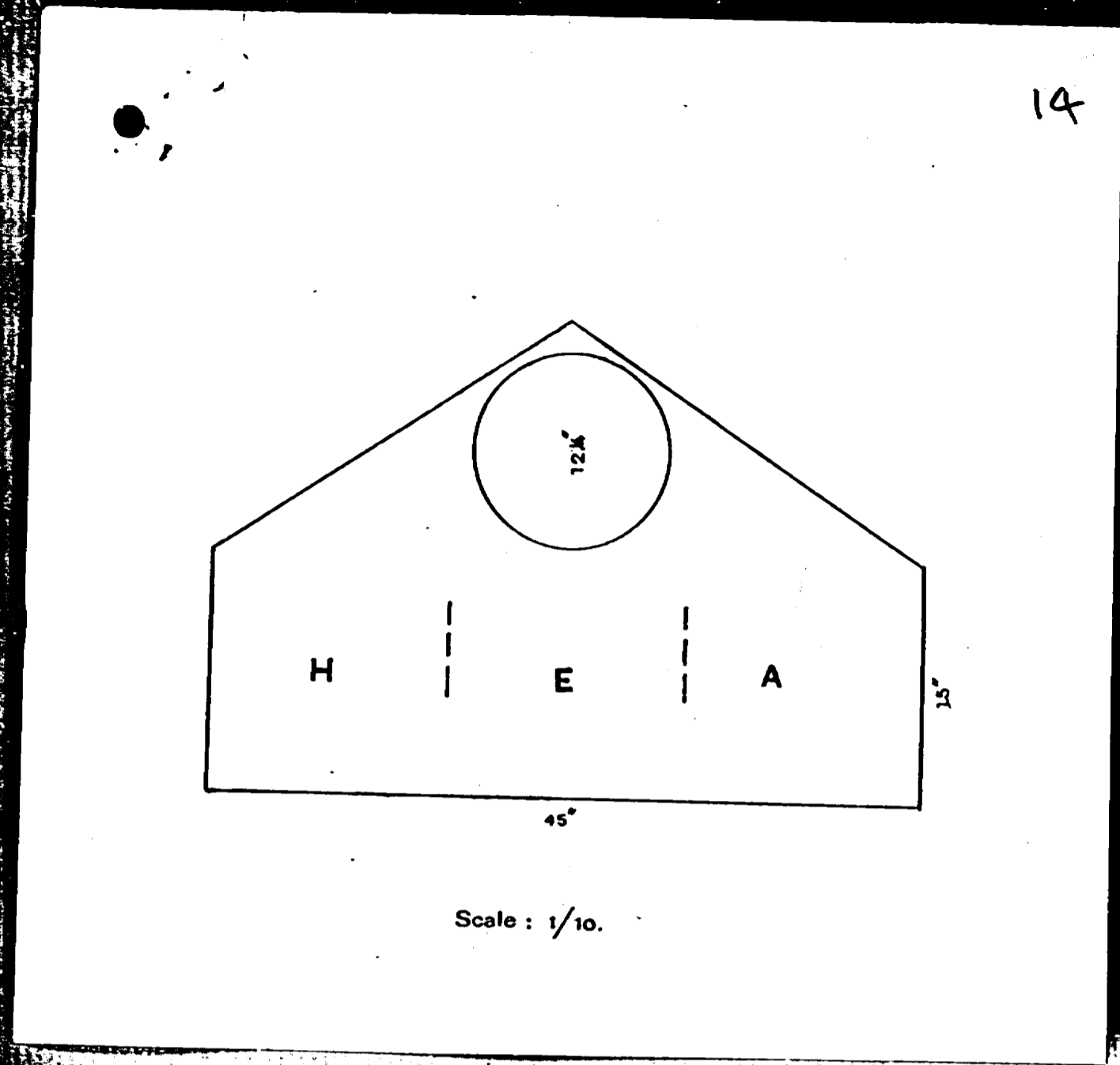
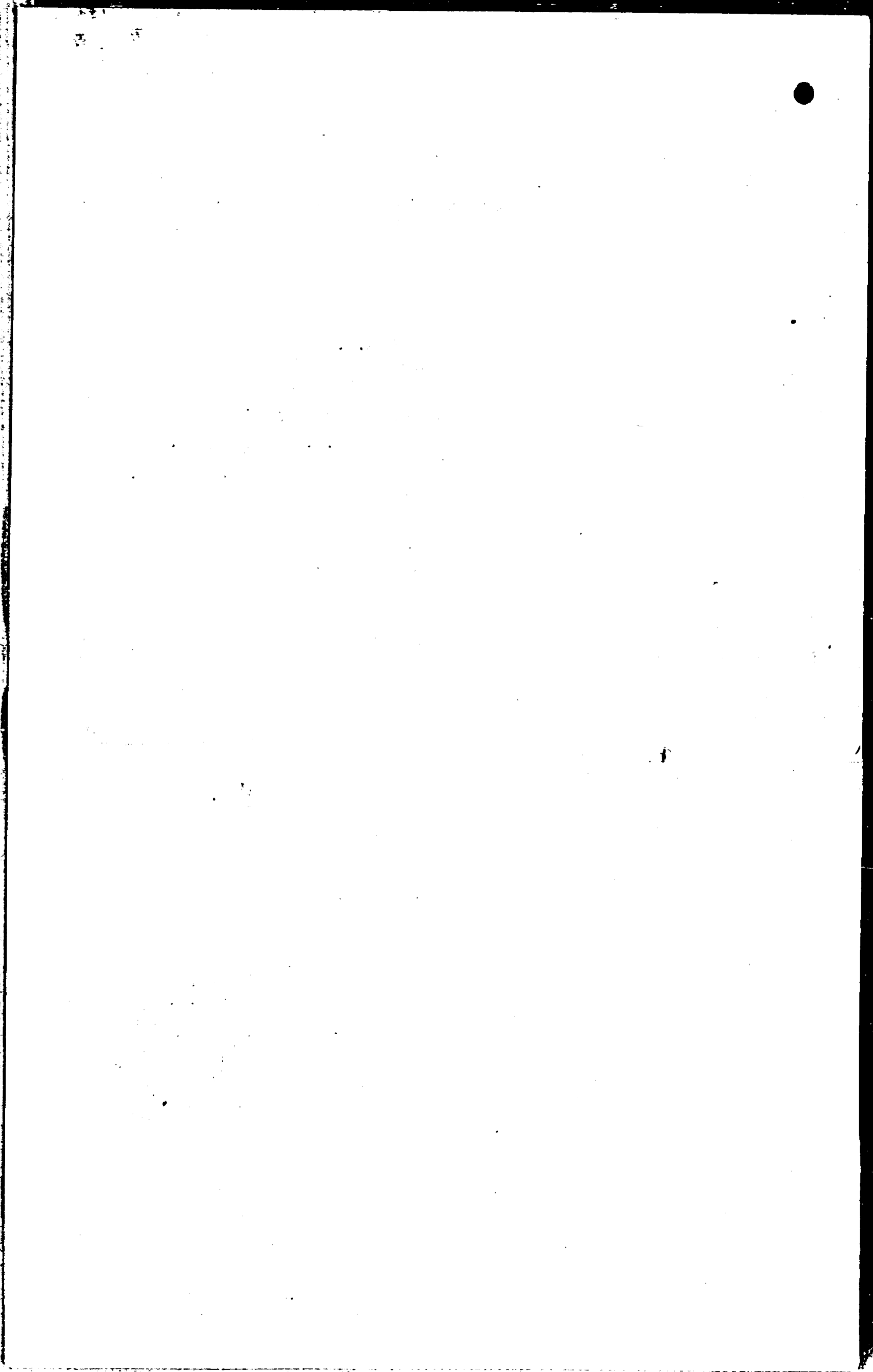
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(INSIDE SHEET.)

NIGERIA.

Gen. 21.

ORIGINAL
DUPLICATE.

Provincial }
Number }

Departmental }
Indent No. }

Page 1st & last.

ITEM No.	QUANTITY.	DESCRIPTION OF ARTICLES.	ESTIMATED COST IN ENGLAND.			REMARKS or references to specifications or special notes (if any) on separate sheets.
			Rate.	Total.		
			£	s.	d.	
1	1 only	<p>Cast bronze tablet 45" x 30" (including triangular pediment), as indicated in the appended sketch (Scale 1/10).</p> <p>The pediment to embody circular portrait-plaque of the late King George V, as specified in <u>Messrs Bronsgrove Guild's</u> letter (GXV/IMP) dated 11th March, 1937, addressed to Crown Agents, reference <u>V/Nigeria 3452.</u></p> <p>The rectangular area (45" x 15") below the pediment to bear the three inscriptions shown on the sheet attached hereto, the spacing of which is indicated on the sketch - viz:</p> <p>(H) left (Hausa) (E) central (English) (A) right (Arabic).</p> <p>The whole tablet to be complete with the necessary fixing lugs for attaching to the wall of a building.</p> <p>Estimated cost Packing, freight, insurance etc.</p> <p>Total</p>				
			54	-	-	
			13	-	-	
			67	-	-	

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DEPARTMENT OF
ARCHAEOLOGY
Lagos

NIGERIA

Provincial
Number
Departmental
Inventory No.

1937

1937

DESCRIPTION OF MONUMENTS

XXXXXXXXXXXX

East house tablet 48" x 30" (in-
cluding triangular pediment) as
indicated in the appended sketch
(Scale 1/10).
The pediment to embody a relief in
portraiture of the late King
George V. as specified in Messrs
Browne & Gilchrist's letter (G.M.
1937) dated 11th March, 1937.

addressed to Crown Agents, tele-
phone W 1863.

the rectangular area (48" x 30")
below the pediment to bear the
three inscriptions shown on the

sheet attached hereto, the spacing
of which is indicated on the

sketch - viz:

- (H) left (Hausa)
- (E) central (English)
- (A) right (Arabic).

The whole tablet to be complete
with the necessary fixing lugs for

attaching to the wall of a building.
Estimated cost
Packing, freight, insurance etc.

Total XXXXXXX

1937

Q U N N L

English
Inscription

This building was erected in 1938 and is
dedicated to the memory of His Majesty, King George V,
during whose reign the Gwari Emirate has prospered and
progressed. Thanks be to God.

Hausa
Inscription

Am yi wannan gini chikin shekara 1938. Aka
keɓantad da shi saboda tunawa da Sarkin Turai GEORGE V,
mai-girma da daraja, wanda a chikin zamani mulkinsa
kasar Gwari ta shi gaba chikin aiki da alhewi.
Kun gode wa Allah.

Arabic
Inscription

من ابناء امينيتة في عام ١٩٣٨ م
لسطان تورن جوج الخامس صاحب الشرف
والعزة وهو الذي في زمركه اوفى غملا زرقا
وتقدمت بحمد الله ونشكره على ذلك

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Sumat N.A

Just signed setting out of the Arabic inscription
for the plaque for ~~Sumat~~ Native Administration Office

١٧ FMP
Space available for Arabic inscription is 1.1' x 9.5'
(Rough sketch design No. 26039
for response Sumat Ltd.)

Top

هذ البنتا . بنت بنت جع
تفطيمها وتذ طرة لسيطها
الني صاحب الشرف والبر
وهو السذ . في زمس ارض فمزل زفك
وتفده نك نجه الله ونشكره على ذلك

Bottom

508

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Paragraph 23. Not a particularly rosy picture for the Cameroons, where the prominent feature was the shortage of cash and consequent diminution of small loans on the part of the Co-Operative Marketing Union Committee. There was a substantial decrease in membership (paragraph 24) of over 40%.

Paragraph 25. The indebtedness of farmers in the mandated territory is not being satisfactorily coped with.

Subject to further obsons. this file may (?) be put by after it has been circulated to Mr. Garson & Dr. Tempary with the nine copies herewith for distribution to the Colonial Advisory Committee on Agriculture and Animal Health.

J.P. Webb 17/1

Not a very convincing report. I have marked in blue pencil marginally passages which appear to me of special interest? The report will be circulated to C.A.C. on A & AH & Econ Dept should also see. Subject to any comments I should propose to publish.

J.P. Webb
16/11

a copy for the committee

J.P. Webb

3
This report is discouraging; the impression that I get is that insufficient attention may be paid to the necessity for economy in the working of Societies as a whole and particularly that it is not sufficiently realised that when prices are low economies in working must be effected even though they may create some hardship and cause loss of efficiency.

See Thus it seems to me all wrong that no matter what the price of produce, the cost for working expenses must be maintained at its original value. The example quoted in paragraph 3 shows what is likely to happen in such circumstances, but in such an event obviously the first consideration should be the reduction of expenditure by all possible economies with the object of ensuring that the grower gets the maximum possible; if in such circumstances he gets less than he can obtain from the ordinary dealer the demise of the cooperative institution is a foregone conclusion.

A glance at the accounts of the Cacao societies leads to the impression that considerable sums are being paid away in entertainment and travelling expenses, such items should be rigidly cut in times of low prices, while expenditure in other directions should be capable of curtailment.

I admit the difficulty of supervision with the limited staff available, but the conclusion remains to my mind inescapable both in regard to Nigeria and elsewhere that the successful operation of cooperative institutions among peasants in the Colonies demands the provision of the most rigid scrutiny and control of the working of the cooperative bodies.

H. King
16/11/40

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This report certainly presents a gloomy picture
and I agree with Dr. Trumpany that the expenditure
of societies on working expenses, maintenance
& travelling expenses are too high. Members of
societies also are not loyal to them & often sell
their produce outside. Outstanding loans also
are not infrequently overdue.

The Cocoa purchase scheme may this year present
new difficulties to societies and special concessions
have been made to enable them to operate. It
therefore seems unnecessary to make special
comments on the position as revealed by this
report.

J. A. Shinkdale
2/1

Little wonder the Co-operative movement comes
in for so much criticism by the
the merchant firms!

Rutley

Alton

O. B. R. Holmes

7. 2. 40

[Handwritten signature]

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NIGERIA.

NO. 1235

Government House,
Nigeria.

7 December, 1939.

RECEIVED
11 JAN 1940
C. O. REGY

41

Sir,

I have the honour to transmit, under separate cover, twelve copies of the Report on the Progress of Co-operation in Nigeria for the year 1938-39.

2. Copies of this Report are being forwarded to the Institutions and persons contained in the attached distribution list.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

B. H. Au du

GOVERNOR.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, M.P., P.O.,

SECRETARY OF STATE FOR THE COLONIES,

etc., etc., etc.

M.L.

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2.

6

23. The Director of the Tropical Services Courses,
at Oxford and Cambridge 2.

24. The International Missionary Council, London 1.

25. The Carnegie Corporation of New York,
552, Fifth Avenue, New York, U.S.A. 1.

26. C.F. Strickland, Esq., C.I.E., Goldhill Manor,
Lower Bourne Farnham, England. 1.

27. The League of Nations, Economic Section 1.

28. " " " " International Labour Office 1.

29. " " " " International Institute of
Agriculture, Rome 1.

30. The Co-operative Union, Manchester 1.

31. The Horace Plunkett Foundation, London. 1.

32. The Royal Institute of International Affairs, London 1.

33. The International Institute of African Languages and
Culture, London 1.

34. The African Society, London. 1.

35. The School of Economics, London University 1.

36. Professor R. Coupland, Professor of Colonial History,
Oxford 1.

37. Professor A. Zimmern, Professor of International
Relations, Oxford 1.

38. Lord Hailey, K.C.M.G. 1.

39. Lord Lugard. 1.

40. Dr. J.H. Oldham. 1.

41. Miss M. Perham. 1.

42. Colonial Secretary, Malta 1.

43. Director of Agriculture, Kampala, Uganda 1.

44. Colonial Secretary, Freetown, Sierra Leone 1.

45. Registrar of Co-operative Societies, Union of South
Africa, Department of Agriculture, Union Buildings,
Pretoria 1.

46. Colonial Secretary, Gambia 1.

47. The Secretary, Horace Plunkett Foundation,
10 Doughty Street, London, W.C.1. 1.

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Issued as Sessional Paper No. 37 of 1939



NIGERIA

Report on the Progress of Co-operation in Nigeria, 1938-39

Printed and Published by the Government Printer, Lagos
To be purchased at the C.M.S. Bookshops, Lagos and Port Harcourt; the S.I.M.
Bookshop, Jos; and the Crown Agents for the Colonies, 4 Millbank, London, S.W.1

Price : Two Shillings

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Report on the Progress of Co-operation in Nigeria, 1938-39

LAGOS :
Printed and Published by the Government Printer

1939

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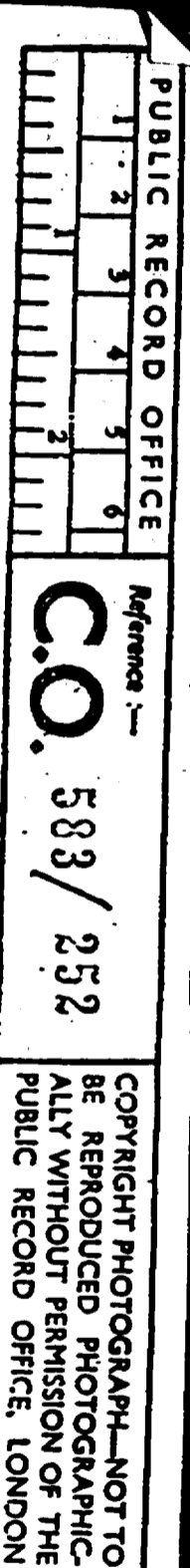
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the Co-operative Movement and raised the hopes of members. In the Legislative Council on the 15th of March, 1939, His Excellency the Governor announced that a Committee would be appointed to consider the recommendations of the Commission and to make recommendations as to the action which should be taken to give effect to such of the Commission's proposals as appear to be practicable and advisable in the interests of the cocoa industry. Representations in writing were made by this office to the Committee, which sat after the conclusion of the period under review.

5. The main area of Cocoa Sale Societies (excluding Cameroons) is shown on the Map (Appendix 21). The name underlined in red denotes the presence of a Co-operative Cocoa Society or Union. The area is divided into following districts for purposes of supervision:—

Province, Division or District.	No. of Societies.	No. of Marketing Unions.	No. of Active Members.	Tonnage sold 1938-39.
Abeokuta Province ...	6	...	384	359.74
Ijebu ..	3	...	136	88.62
Ibadan and Oyo Divisions	49	1	3,268	2,151.18
Ife District ...	7	1	1,087	675.22
Ilesha District ...	9	1	545	248.41
Ondo Province ...	31	...	1,752	846.64
Benin ..	2	...	59	15.11
Warri ..	4	...	75	12.58
	111	3	7,306	4,417.50

Note:—15 embryo societies not included.

In July, 1938, the supervision of the Ife and Ilesha District and Warri was taken over from the Agricultural Department, leaving only the six societies in Abeokuta and the Cameroons in their care.

6. A high standard was insisted upon before registration was granted and consequently few societies were registered. The big event of the Co-operative year was the ceremony at which His Excellency the Governor presented the certificate to the Ibadan Co-operative Cocoa Marketing Union, Limited. Seven primary societies were registered during the year, making a total of one Union and thirteen Primary Societies up to 31st March, 1939.

7. In Abeokuta Province the six societies decreased in membership from 546 to 384, but the fewer members sold almost the same quantity of cocoa—359.74 tons as against 363.23 in 1937-38. Only 1.62 tons of this was Grade II. Ijoko collapsed through faulty management by the Committee, bad accounting by the secretary (who had to be dismissed) and losses of funds. The decreases in other societies were partially offset by an increase of membership and tonnage in Ibogun. The Agricultural Department, already overburdened with their own work, pressed for the Co-operative Staff to take over this area. It was physically impossible for one man to cover so much ground and we reluctantly had to refuse their request.

8. In the Ijebu Province the number of societies remained the same, membership decreased from 168 to 136 but the tonnage of cocoa sold was about the same. The average weight of cocoa sold per member rose from .52 to .64 tons. Actually Aredi and Mamu fell away whilst Ojowo improved. The quality was good, only 5.37% being Grade II. All the societies on the Ibadan-Ijebu Road faced a difficult period very well. The European firms set up buying agencies all along the road and entered into competition

with middlemen. Prices rose and the premia obtained by societies consequently dwindled. It became difficult to deduct sixpence levy and show any profit to members. Some societies reduced the levy to threepence, which caused a deficit in their profit and loss accounts. Others held out steadily. This price war affected the Oyo Province societies on the Ibadan-Ijebu Road as well as those in Ijebu Province.

9. The societies in the Ibadan and Oyo Divisions are all affiliated to the Ibadan Co-operative Cocoa Marketing Union, Limited, but the seven on the Ibadan-Ijebu Road do not find it economic to transport their cocoa to Ibadan as it is normally exported through Ijebu-Ode to Lagos. The quantity of cocoa marketed by the Ibadan Co-operative Cocoa Marketing Union, Limited, and its affiliated societies in 1938-39 was—

	Tons.
Sold through Ibadan Co-operative Cocoa Marketing Union, Limited ...	1,558.85
Sold by seven societies on the Ibadan-Ijebu Road ...	415.80
Sold by sundry societies directly in congestion periods ...	176.53
	<u>2,151.18</u>

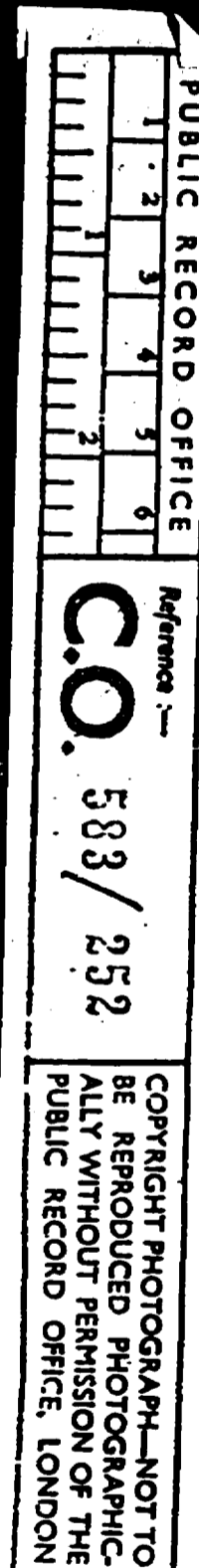
This is about 5.4% of the cocoa inspected by the Produce Department in Ibadan area.

10. In the 1937-38 Report the deterioration in the quality of cocoa sold was adversely criticised. The fault has been slightly accentuated in 1938-39. In 1936-37 the proportion of Grade I cocoa to total cocoa sold was 81%, in 1937-38 it fell to 68% and in 1938-39 to 66%. This was a reduction of 15% in two seasons. Examination of the details shows that 10% of this was due to the increased quantity of Light Crop Grade II. Formerly this was sold outside the societies, which therefore lost the levy. Light Crop Grade I is difficult to produce and often commanded no premium over Grade II. The 5% decline in Main Crop quality may be considered small when it is realised that Grade I only gained a premium of ten shillings per ton over Grade II. It is doubtful whether this covers the cost of extra labour involved plus the loss on all defective beans picked out and excluded. The ratio of Grade I will not improve unless there is a definite market which requires it and will pay a premium of at least £1 per ton to get it.

11. The development of this area appears to be steady and sound. The two weak societies at Ago-Owu and Apomu died natural deaths. Eight new societies were formed and, of these, two made a remarkably good start. The society at Moniya, which did not function last year, came to life spontaneously and did quite well. The advance in tonnage from 1,724.99 to 2,151.81, an increase of 426.19, corresponds with the increase in membership from 2,800 to 3,268. In 1937-38 the average cocoa sold per member was .616 tons compared with .658 in 1938-39.

12. The membership figures can be analysed as follows:—

Increase by new societies ...	468
Decrease by defunct societies ...	10
	<u>458</u>
Net increase in old societies ...	10
	<u>468</u>



Two old societies, Inu-Odi and Araromi, had big decreases in active membership and six societies had appreciable decreases. The majority of old societies had small increases.

13. Financially Oyo area Societies had a fair year. On the turnover of £36,224 they made a net profit of £423. This would have been greater if they had been more economical in their expenditure on entertainment, fares and miscellaneous. These items have increased year by year. For instance entertainment was 7.4d. per ton in 1937-38 and 9.1d. per ton in 1938-39, fares increased from 1s. 6.2d. to 1s. 8.7d. per ton and miscellaneous from 1s. 0.8d. to 1s. 3.1d. per ton. The total increase this year over last year in expenditure on these items was 6.5d. per ton. On 3,084 tons this means a loss of about £83.

14. Paid up share capital rose by £346, but 946 members did not pay their shilling annual subscription. A few societies could not meet their dues to depreciation fund, and some were unable to replace money spent from it, but the total of Reserve Funds of registered societies increased by £95.

15. A marked feature was the increase in value of buildings and equipment. About £780 was spent on this item. This does not include a great deal of voluntary labour given by members. The large increase in paid up share capital during a year of low prices and the co-operative spirit shown by members in their efforts to acquire stores and equipment is a sure sign that they really appreciate co-operation and mean to advance.

16. The loan policy of many societies appears to become increasingly unsound. The following figures demonstrate this:—

	Loans made during the year.			Loans outstanding.			Loans overdue.		
	£	s.	d.	£	s.	d.	£	s.	d.
1937-38	519	13	2	408	6	0	119	6	7
1938-39	660	7	0	476	15	5	305	8	10

Twenty-four societies out of forty-eight had overdue loans. One large unregistered society had £52 overdue and others £33 and £30. The tendency is to blame poor prices whereas the real fault lies in lack of thrift. Large unregulated credit was given by firms and middlemen, and committees felt that a refusal to grant a loan would drive weak members to borrow from middlemen and pledge next year's crop in repayment. Many applications for loans had to be refused because funds were not available. A bad feature was the number of applications made in February and March, 1939, when the main crop season was just finishing. Farmers must be taught to budget properly.

17. Ife and Ilesha were separated into two groups with the idea of having a proper union for each. Ife made good progress, two new societies being formed and all the old societies increasing their membership, the total rising from 498 to 1,087 and the tonnage of cocoa sold from 306.14 to 675.22. The quality of cocoa deteriorated considerably. In 1937-38 the percentage of Grade I to total cocoa sold was 93% but in 1938-39 it was only 76%. The average quantity of cocoa per member was .62 tons each year. Formerly the Oni of Ife refused permission for the Union to trade in Grade II cocoa, but the decline in premium on Grade I was causing such hardship that he allowed them to sell Co-operative Grade II.

18. Financially this group is very sound. All societies operated at a reasonable profit and set aside funds for depreciation. £208 3s. 8d. was given out on loan and only £23 9s. 3d. remained

outstanding and overdue on 31st March. There was no rush to apply for loans in March. The five old societies were practically up to registration standard.

19. At Ilesha the situation was very different. The Ilesha Farmers' Association was a large body serving the whole area. It was not truly co-operative. Started as a means of contact with and education of the farmers, it had outlived these objects. Its affairs were in such a bad state that the Agricultural Department would have closed it down if they had not been handing over. An appreciation of the situation resulted in a resolve to form primary societies in the villages and convert the Association into a proper Union. At first considerable opposition from members interested in the Association had to be overcome. From the wreckage of a one time financially sound body only £49 could be rescued. It was difficult to restore the confidence of many of the farmers and convince them that a real co-operative organisation would be entirely different from the Association. In spite of these difficulties nine societies operated during the season and twelve others were organised ready to start in 1939-40. Ifetedo, which had formerly operated with Ondo Province came into this group. Membership increased from 360 to 545 and tonnage of cocoa sold from 163.90 to 268.41. When prejudice and distrust are overcome progress should follow. The financial position will have to be built up gradually.

20. The Ondo Province has suffered from lack of supervision. For the whole Province there was only one Native Administration Co-operative Inspector, who was partially trained but could not be relieved for further training. The Registrar visited the area five times. The societies at Ilara and Ire were closed down, Ifetedo was transferred to Ilesha and five new societies were started. There was thus a net increase of two to make thirty-one, not including three embryo societies ready to operate next season. Membership increased from 1,486 to 1,752 and tonnage of cocoa from 566.27 to 846.64. This looks as though a big advance had been made, but in many societies there was a lack of soundness and real co-operative spirit. Through disloyalty a number of societies found it difficult to be self-supporting. In these cases it was usually the secretary who suffered to make ends meet. Native Administrations assisted by making grants of £3 each to ten weak societies. An attempt was made to introduce group sales, but proper supervision could not be given and they were not successful. The Ikare, Ajegunle, Oke-Igbo, Aponmu-Akure and Irun societies were registered during the year. The quality of cocoa sold was good, 96% being Grade I.

21. Financially the position was about the same as last year. Only £5 10s. share capital was paid in 1938-39, making a total of £342 16s. 7d. out of £435 10s. due, and 271 members did not pay their annual subscriptions. The net profit of £63 18s. 8d. on a turnover of £11,420 17s. 6d. was small because too much was spent on entertainment and miscellaneous. Entertainment increased from 10.7d. per ton to 1s. 4.6d. and miscellaneous from 10.8d. to 1s. 4d. per ton. These mistakes have been explained to societies so that they can correct them in 1939-40.

22. In Benin two embryo societies with fifty-nine members sold 15.11 tons of cocoa and in Warri four societies with seventy-five members sold 12.58. Cocoa is not plentiful in these areas at present.

23. Co-operation in the Cameroons suffered a set back this season. At Kumba the season opened late in July with local prices of £8 10s. to £9 10s. In spite of a good season in 1937-38

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farmers seemed to be hard up and demanded big loans. With prices so low only limited loans were safe and the Kumba Co-operative Marketing Union Committee only issued small loans. Farmers appeared disgruntled and cocoa did not come in. Evidently farmers made up what they needed by selling for cash outside the Union. Funds became exhausted and this stopped even small loans. At its first sale the Union obtained £18 10s. for 1st Grade and £17 10s. for second, but the quantity was only twenty-seven tons. These prices would have stimulated business, but the Union had no funds from such a small sale to give advances and loans. Farmers evidently needed hard cash because they sold their cocoa outside at much lower prices. So it was all the season. Lack of funds prevented the Union giving adequate advances and sound loans, and therefore it could not compete with the free credit given by firms.

24. Membership fell from 2,335 to 1,358 and cocoa sold from 751 to 509 tons. The number of drying sheds decreased from ninety-three to thirty-four and the farmers bringing in wet cocoa from 1,790 to 628.

25. The Balongs of Victoria Division provided an example of the uselessness of redeeming a farmer's land unless he has changed his way of living and made an effort himself to pay off his indebtedness. In 1937-38 the Kumba Union redeemed cocoa farms for a number of Balongs, who then made co-operative sales of twenty tons of inferior cocoa. In spite of, or perhaps because of, owing £120 these people sold no cocoa through the Union this season and all efforts to recover the debt have been unsuccessful.

26. In Mamfe Division the Administrative Staff have continued to supervise co-operative work. There was a small decrease in membership and cocoa sold, which were 813 and 136 tons respectively.

27. The staff of the Co-operative Office on 31st March, 1939, consisted of:—

- 1 Registrar of Co-operative Societies (on leave).
- 1 Assistant Registrar of Co-operative Societies, acting as Registrar of Co-operative Societies.
- 4 Government Co-operative Inspectors.
- 3 Clerks.
- 1 Office Messenger.
- 4 Co-operative Assistants.
- 4 Native Administration Co-operative Inspectors.

From April to July, 1938, the Assistant Registrar was on leave. When he returned he took over supervision of Nigeria to the East of the Niger until the departure of the Registrar on leave in February, 1939, left him in charge of the whole movement.

W. J. W. CHEESMAN,
Acting Registrar of Co-operative Societies.

Co-operative Office,
Moor Plantation,
Ibadan. 20th July, 1939.

APPENDIX 1.
COMPARATIVE STATISTICS.
1938-39 SEASON COMPARED WITH FIGURES OBTAINABLE
FOR OTHER SEASONS.

	Oyo Province	Ondo Province	Cameroons	Ijebu Province	Abeokuta Province	Benin and Warri Provinces.	Totals.
Total number of Active members of Societies:—							
1933-34	1,859	995	1,833	190	—	—	4,877
1934-35	2,266	826	2,480	179	526	—	6,277
1935-36	3,127	875	2,141	—	188	—	6,141
1936-37	3,027	1,334	1,568	166	414	—	6,509
1937-38	3,658	1,486	3,210	168	546	260	9,348
1938-39	4,900	1,752	2,162	136	334	134	9,468
Total Quantity of cocoa sold, Tons:—							
1933-34	717	446	367	48	—	—	1,608
1934-35	930	328	640	50	241	—	2,189
1935-36	1,379	379	353	—	50	—	2,161
1936-37	2,142	713	456	94	293	—	3,698
1937-38	2,193	566	911	88	363	5	4,126
1938-39	3,094	846	645	88	359	27	5,059
Total Cash Received:—	£	£	£	£	£	£	£
1933-34	3,076	4,985	4,155	597	—	—	18,813
1934-35	14,873	4,948	10,313	811	3,963	—	34,908
1935-36	21,756	6,378	5,000	—	853	—	33,987
1936-37	92,266	30,365	18,345	4,206	13,058	—	158,240
1937-38	36,288	8,904	17,701	1,515	6,629	94	71,131
1938-39	35,927	11,329	10,279	1,176	4,957	413	64,081
Total Reserves of Societies:—							
1933-34	372	205	—	—	—	—	577
1934-35	426	216	—	15	47	—	704
1935-36	810	294	—	—	14	—	1,118
1936-37	2,481	812	—	147	283	—	3,723
1937-38	2,789	735	—	228	404	—	4,156
1938-39	2,952	764	—	205	421	2	4,344

Percent-
Increase
+35
-1
+70
+12
+22

APPENDIX 2.
STATISTICS BY SOCIETIES.
SEASON 1938-39.

Co-operative Cocoa Sale Societies.	Number of active members.	TONNAGE OF COCOA SOLD.				Average price paid to members for Grade I.	No. of Sales.	Secretary.	Scale.	Score.
		GRADE I.		GRADE II.						
		Main Crop.	Light Crop.	Main Crop.	Light Crop.	£ s. d.				
SUMMARY BY PROVINCES.										
Abeokuta	384	357.90	0.22	1.62	...	...	70	6	5
Benin	59	15.11	...	...	...	...	2	1	...
Ijebu	136	80.62	5.25	4.75	...	...	37	3	2
Ondo	1,762	803.86	4.80	35.73	1.45	...	313	32	15	
Oyo	4,900	2,116.91	40.05	638.08	32.77	...	1,836	63	34	
Warri	75	1.66	5.80	...	5.12	...	2	1	1	
Total	7,306	3,576.06	53.92	651.18	336.34	...	2,260	112	61	

4,417.50 tons.

APPENDIX 2—continued.
STATISTICS BY SOCIETIES.

SEASON 1938-39.

Co-operative Cocoa Sale Societies.	Number of active members.	TONNAGE OF COCOA SOLD.				Average price paid to members for Grade I.	Number of Sales.	Secretary.	Scale.	Store.
		GRADE I.		GRADE II.						
		Main Crop.	Light Crop.	Main Crop.	Light Crop.					
AREKUTA PROVINCE.										
1. Abalabi	125	103.69	...	...	£ s. d.	12	1	1	1
2. Afilete	80	106.32	...	...	...	15	1	1	1
3. Illogun	46	43.89	...	...	13 10 0	15	1	1	1
4. Igbogila	50	81.75	...	...	13 8 9	7	1	1	1
5. Ijoko	29	12.85	...	...	13 13 4	15	1	1	1
6. Ilugun	14	9.40	22	1.40	13 13 4	6	1	1	1	
Total	384	357.40	22	1.62	...	70	6	5	5	
359 74 tons.										
BENIN PROVINCE.										
1. Ora Oke	48	13.97	...	...	13 10 0	1	1	1	1
2. Odighi	11	1.14	...	...	13 0 0	1	1	1	1
Total	59	15.11	...	...	...	2	1	1	1
15.11 tons.										
IJEMU PROVINCE.										
1. Aredi	36	21.04	3.25	3.50	13 5 0	19	1	1	1	
2. Mamu	35	16.04	...	1.25	13 10 0	9	1	1	1	
3. Ojowo	65	43.54	...	...	13 13 4	9	1	1	1
Total	136	80.62	3.25	4.75	...	37	3	2	3	
88.62 tons.										
ONDO PROVINCE.										
1. Ado	45	18.94	2.25	1.00	12 4 9	17	1	1	1	
2. Adun	32	16.02	...	1.17	13 17 3	6	1	1	1	
3. Afin	44	16.20	...	5.70	13 6 8	7	1	1	1	
4. Aisegba	27	16.20	...	75	11 2 4	9	1	1	1	
5. Ajeunle	83	46.19	...	...	13 5 0	2	1	1	1
6. Akure	78	49.80	...	...	12 15 3	11	1	1	1
7. Akungba	50	14.24	...	2.71	13 13 5	7	1	1	1	
8. Alade Idanre (R)	161	87.25	...	...	13 10 0	2	1	1	1
9. Aponmu-Akure (R)	40	28.86	...	...	12 0 0	6	1	1	1
10. Aponmu-Idanre (R)	86	66.44	...	...	14 0 0	2	1	1	1
11. Idoani	64	15.45	...	...	12 2 6	3	1	1	1
12. Ido-Faboro	45	3.50	0.25	...	12 2 0	7	1	1	1	
13. Igbara-Odo	18	3.26	...	...	12 2 0	5	1	1	1
14. Igbara-Oke	17	8.05	...	2.93	12 3 0	14	1	1	1	
15. Igbebo	57	17.75	0.43	0.49	10 18 11	8	1	1	1	
16. Ijan	18	6.60	...	1.90	12 6 9	4	1	1	1	
17. Ijare (R)	111	88.25	...	...	13 15 0	10	2	1	1
18. Ijare	34	11.40	...	2.60	12 11 0	13	1	1	1	
19. Ikole (R)	53	25.94	...	...	12 6 0	15	1	1	1
20. Irun (R)	35	37.20	0.49	...	12 6 3	95	1	1	1	
21. Itapa	24	6.00	...	...	12 8 9	4	1	1	1
22. Ogotun (Agawon)	20	3.05	...	...	12 4 0	8	1	1	1
23. Ogbagi	120	43.50	...	0.74	13 10 3	7	1	1	1	
24. Oka	43	6.49	...	0.10	13 5 0	8	1	1	1	
25. Oke Agbe	100	54.90	...	1.75	13 19 6	13	1	1	1	
26. Oke Igbo (R)	38	11.18	...	1.48	13 0 0	5	1	1	1	
27. Omuo (Omu Oke)	82	66.49	...	...	13 17 6	4	1	1	1
28. Owo	48	16.74	...	14.41	13 14 2	3	1	1	1	
29. Owena-Idanre	41	6.35	...	...	11 10 0	6	1	1	1
30. Oye	43	7.69	1.18	...	11 7 9	9	1	1	1	
31. Usi	43	7.69	1.18	...	11 7 9	9	1	1	1	
Total Ondo	1,752	803.86	4.60	36.73	1.45	313	32	15	14	

846.64 tons.
Ilara and Ire defunct.

APPENDIX 2—continued.
STATISTICS BY SOCIETIES.

SEASON 1938-39.

Co-operative Cocoa Sale Societies.	Number of active members.	TONNAGE OF COCOA SOLD.				Average price paid to members for Grade I.	No. of Sales.	Secretary.	Scale.	Store.
		GRADE I.		GRADE II.						
		Main Crop.	Light Crop.	Main Crop.	Light Crop.					
OYO PROVINCE.										
A. Ife Group.										
1. Akinlala	64	2.72	...	8.06	£ s. d.	11 15 0	2	1	1	
2. Edunabon	216	78.45	...	15.46	13 0 0	18	1	1	1	
3. Ife	252	145.64	16.69	46.29	15.2	12 18 8	44	2	1	
4. Ipetumodu	238	117.67	...	19.08	12 15 10	19	1	1	1	
5. Lakoro	115	67.83	6.27	18.68	12 7 6	21	1	1	1	
6. Modakeke	145	52.95	...	46.41	13 0 0	18	1	1	1	
7. Toro	57	23.22	81	7.31	14 0 9	30	1	1	1	
Total	1,087	488.48	23.77	161.29	1.68	152	8	7	5	
675.22 tons.										
B. Ifesha Group.										
1. Ajido	28	2.40	...	2.36	11 15 0	3	1	1	1	
2. Ere	19	3.70	...	1.75	11 14 2	9	1	1	1	
3. Ifetedo	133	68.06	5.27	3.46	13 4 6	5	1	1	1	
4. Ifewara	41	8.40	...	3.25	11 15 0	5	1	1	1	
5. Ijamba	21	1.35	...	2.25	11 16 8	4	1	1	1	
6. Ifesha	211	111.55	...	32.50	12 18 4	18	5	2	1	
7. Ipetu Ifesha	77	12.05	...	2.35	11 16 8	8	1	1	1	
8. Odogbo	15	...	...	2.76	...	3	1	1	1
9. Okebode	...	...	...	...	...	1	1	1	1
Total	545	207.51	5.27	50.68	4.95	50	10	7	4	
268.41 tons. Returns not available.										
C. Ibadan-Oyo Group.										
1. Abioduro	24	5.29	...	2.20	12 5 0	16	1	1	1	
2. Adigun	16	...	...	40	11 5 0	4	1	1	1
3. Aiyekale (Oke Alagu- tan)	30	6.87	...	10.10	12 18 4	39	1	1	1	
4. Akanran	98	26.92	...	7.45	13 0 0	49	1	1	1	
5. Akingbale	119	28.03	...	3.02	12 15 0	16	1	1	1	
6. Alata	69	14.79	...	10.57	12 17 6	15	1	1	1	
7. Apadi	105	20.18	...	19.70	12 18 4	54	2	1	1	
8. Araromi	113	76.02	...	18.05	31.98	134	2	1	1	
9. Araromi Ago-Owu	66	93.00	1.26	17.95	22.81	11 10 0	38	1	1	
10. Asejire	23	9.00	1.10	7.00	12 0 0	31	1	1	1	
11. Atan and Imini	12	4.00	...	0.3	12 13 4	4	1	1	1	
12. Ayorinde (R)	108	60.15	...	18.65	27.00	13 10 1	97	1	1	
13. Badeku	74	41.30	...	5.30	3.70	13 0 0	46	1	1	
14. Dalley (R)	62	28.00	...	10.00	30.00	15 10 0	50	1	1	
15. Egbe	48	18.96	...	4.74	12 10 0	24	1	1	1	
16. Egbada	14	...	...	2.20	3.00	...	9	1	1
17. Fidi I	97	22.15	...	2.13	0.4	12 8 4	16	1	1	
18. Fidi II	39	7.20	...	90	...	11 17 11	11	1	1	
19. Gambari (R)	148	63.75	...	30.00	25.45	13 2 6	55	1	1	
20. Gbada	26	5.25	...	35	10	12 10 0	10	1	1	
21. Gbedun (R)	289	203.30	95	33.95	77.80	13 6 8	99	2	1	
22. Gbongan	47	50.10	...	6.90	3.56	12 18 4	20	1	1	
23. Gbongboogunna	51	17.77	4.98	13.83	1.25	13 10 0	55	1	1	
24. Idi Oya	64	14.95	3.30	...	...	13 12 1	45	1	1
25. Igbo-Elerin	56	27.30	...	4.29	...	13 0 0	7	1	1	
26. Ikija	18	5.57	...	6.80	2.60	12 10 0	38	1	1	
27. Ikiro	132	37.70	20	10.25	2.25	10 0 0	39	1	1	
28. Ikoyi	19	9.70	...	2.50	3.40	10 0 0	28	1	1	
29. Inu-Odi	60	58.10	...	19.50	7.5	12 16 8	25	1	1	
30. Iroko	56	12.14	1	1	
Carried forward	2,083	967.49	10.79	265.98	263.42	...	1,100	32	18	

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APPENDIX 2—continued.
STATISTICS BY SOCIETIES.
SEASON 1938-39

Co-operative Cocoa Sale Societies.	Number of Active Members.	TONNAGE OF COCOA SOLD.				Average price paid to members for Grade I.	No. of Sales.	Secretary.	Scale.	Store.
		GRADE I.		GRADE II.						
		Main Crop.	Light Crop.	Main Crop.	Light Crop.					
Brought forward ...	2,083	967.49	10.79	265.98	263.42	...	1,100	32	18	16
OYO PROVINCE—continued.										
31. Iware ...	53	25.59	...	10.26	23	12 15 0	...	1	...	...
32. Kato ...	68	33.35	...	6.10	10.50	13 3 2	...	1	1	...
33. Lalapon ...	23	6.47	...	1.30	...	12 19 1	...	1	...	1
34. Langbin ...	62	22.09	...	0.1	...	13 6 8	...	1	...	1
35. Moniya ...	76	21.91	...	3.10	...	12 13 4	...	1	...	1
36. Motako ...	42	11.51	...	4.70	...	13 0 0	...	1	...	1
37. Oboda ...	48	19.90	...	1.70	18	12 16 8	...	1	...	...
38. Ode-Omu ...	37	8.45	...	9.75	...	13 0 0	...	1	...	1
39. Odo Ona Nla ...	47	15.85	...	8.23	...	12 10 0	...	1	...	...
40. Ofatedo ...	28	5.30	...	4.90	...	12 8 4	...	1	...	...
41. Ogi ...	73	26.95	...	5.60	...	12 8 4	...	1	...	1
42. Olojuoro ...	82	39.69	...	15.20	20.50	13 10 0	...	1	1	1
43. Olonde ...	64	28.95	...	3.52	6.25	12 19 4	...	1	...	1
44. Olode ...	39	15.00	...	4.76	7.00	13 2 6	...	1	...	1
45. Olorunda ...	71	27.95	...	5.10	95	12 17 1	...	1	1	...
46. Olubi ...	39	8.32	...	2.19	...	13 11 8	...	1	1	...
47. Omi ...	53	21.32	...	7.40	...	13 8 0	...	1	1	1
48. Onipe ...	158	79.83	...	11.18	14.11	13 15 0	...	1	1	1
49. Orisunbare ...	119	34.70	...	18.33	...	13 10 5	...	1	...	1
Total C ...	3,288	1,420.92	11.01	396.11	323.14	...	1,634	51	24	26
Total B ...	545	207.51	5.27	50.63	4.95	...	50	10	7	4
Total A ...	1,087	488.48	23.77	161.29	1.68	...	152	8	7	5
Total, Oyo Province ...	4,920	2,116.91	40.05	608.08	329.77	...	1,836	69	38	35
3,094.81 tons. Ago-Owu, Apomu defunct.										
WARRI PROVINCE.										
1. Effurun ...	28	...	2.35	...	1.13	13 12 6	3	1	1	...
2. Jeremi-Uda ...	12	...	1.44	...	3.29	13 10 0	5	1	...	...
3. Okarekpo-Okpara ...	11	1.66	...	...	...	13 15 0	1	1	...	...
4. Ughelli ...	24	...	2.01	...	70	13 5 0	1	1	1	...
	75	1.66	5.80	...	5.12	...	10	4	2	...

12.58 tons.

APPENDIX 3.
NIGERIAN CO-OPERATIVE COCOA SALE SOCIETIES.

PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.	£ s. d.		DEBIT.	£ s. d.	
	Annual Subscriptions of Members	300		16 6	Annual Subscriptions to Union ...	10	15 0
Sales of Cocoa	53,804	6 6	Depreciation ...	220	9 6
Miscellaneous	126	12 4	Entertainment ...	182	18 6
			Fares ...	340	7 3
			Handling Charges ...	169	4 11
			Maintenance of Buildings and Equipment ...	86	9 9
			Payments to members for Cocoa	50,418	9 4
			Postage and Stationery ...	91	8 0
			Rent of Buildings ...	41	7 0
			Salary of Secretaries ...	932	14 3
			Transport of Cocoa ...	764	11 10
			Wages of Labourers ...	153	18 4
			Rent of Scale ...	10	1 1
			Miscellaneous ...	280	10 4
			Total Expenditure	53,703	5 1
			Net Profit	528	10 3
Total Income	£54,231	15 4	Total	£54,231	15 4

APPENDIX 4.
NIGERIAN CO-OPERATIVE COCOA SALE SOCIETIES.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.	£ s. d.	ASSETS.	£ s. d.
Paid up Share Capital...	1,710 16 5	Reserve Fund ...	231 6 2
Creditors ...	261 19 7	Depreciation Fund ...	393 0 8
Total Liabilities	1,972 16 0	Cash in Office ...	583 19 10
Excess of Assets over Liabilities	4,345 13 3	Cash in Bank ...	830 9 0
		Members' Loans outstanding less Bad Debts ...	640 4 0
		Debtors ...	260 18 2
		Sites, Building and Equipment:—	
		Valuation 31/3/38 *2,667 16 5	
		Add Appreciation 935 4 6	
		3,603 0 11	
		Less Depreciation 224 9 6	
		Valuation 31/3/39 3,378 11 5	
Total	£6,318 9 3	Total Assets	£6,318 9 3

* Benin and Warri not included 1937-38.

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APPENDIX 5.

ABEOKUTA PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—
NIGERIA.

PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.		DEBIT.	
	£ s. d.		£ s. d.
Annual Subscriptions of Members	15 16 0	Annual Subscriptions to Union	—
Sales of Cocoa	4,957 0 9	Depreciation	34 10 7
Miscellaneous	1 3 0	Entertainment	2 8 10
		Fares	12 11 7
		Handling Charges	14 3 6
		Maintenance of Buildings and Equipment	3 0 8
		Payments to members for Cocoa	4,758 15 3
		Postage and Stationery	4 17 11
		Rent of Buildings	6 0 0
		Rent of Scale	—
		Salaries of Secretaries	53 12 6
		Transport of Cocoa	3 18 11
		Wages of Labourers	7 9 9
		Miscellaneous	25 0 9
		Total Expenditure	4,926 10 3
		Net Profit	47 15 6
Total Income	£4,974 5 9	Total	£4,974 5 9

APPENDIX 6.

ABEOKUTA PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—
NIGERIA.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	112 7 0	Reserve Fund	—
Creditors	15 7 9	Depreciation Fund	19 5 6
Total Liabilities	127 14 9	Cash in Office	68 3 2
Excess of Assets over Liabilities	421 7 6	Cash in Bank	8 10 7
		Members' Loans outstanding less Bad Debts	94 17 5
		Debtors	7 0 0
		Sites, Building and Equipment:—	
		Valuation 31/3/38	370 17 10
		Add Appreciation	14 18 4
		Less Depreciation	385 16 2
		Valuation 31/3/39	34 10 7
		Total Assets	351 5 7
Total	£549 2 3	Total Assets	£549 2 3

APPENDIX 7.

BENIN PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	30 1 1	Reserve Fund	—
Total Liabilities	30 1 1	Depreciation Fund	3 19 11
Excess of Liabilities over Assets	1 11 4	Cash in Office	12 16 7
Total	£28 9 9	Cash in Bank	—
		Debtors	—
		Members' Loans outstanding less Bad Debts	—
		Sites, Building and Equipment:—	
		Valuation 31/3/38	10 12 6
		Add Appreciation	1 0 9
		Less Depreciation	11 13 3
		Valuation 31/3/39	£11 13 3
		Total Assets	11 13 3
		Total Assets	£28 9 9

APPENDIX 8.

WARRI PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	11 13 0	Reserve Fund	—
Debtors	—	Depreciation Fund	0 4 0
Total Liabilities	11 13 0	Cash in Office	7 3 5
Excess of Assets over Liabilities	3 7 5	Cash in Bank	3 18 0
Total	£15 0 5	Members' Loans outstanding less Bad Debts	1 4 6
		Debtors	0 9 6
		Sites, Building and Equipment:—	
		Valuation 31/3/38	2 5 0
		Add Appreciation	—
		Less Depreciation	2 5 0
		Valuation 31/3/39	0 4 0
		Total Assets	£2 1 0
		Total Assets	£15 0 5

APPENDIX 9.

IJBUR PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.
PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.		DEBIT.	
	£ s. d.		£ s. d.
Annual Subscriptions of Members	7 14 0	Annual Subscriptions to Union	—
Sales of Cocoa	1,176 15 10	Depreciation	12 0 0
Miscellaneous	3 18 3	Entertainment	4 1 0
		Fares	5 4 10
		Handling Charges	2 19 1
		Maintenance of Buildings and Equipment	0 11 7
		Payments to members for Cocoa	1,142 0 0
		Postage and Stationery	1 2 4
		Rent of Buildings	0 15 0
		Rent of Scale	1 17 6
		Salaries of Secretaries	28 8 7
		Transport of Cocoa	1 15 8
		Wages of Labourers	2 18 6
		Miscellaneous	1 19 6
		Total Expenditure	1,205 13 7
		Net Loss	17 5 6
Total Income	£1,188 8 1	Total	£1,188 8 1

APPENDIX 10.

IJBUR PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.
BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	72 5 0	Reserve Fund	—
Creditors	—	Depreciation Fund	22 10 0
		Cash in Office	6 12 8
		Cash in Bank	27 6 4
		Members' Loans outstanding less Bad Debts	19 0 0
		Debtors	—
		Sites, Building and Equipment:—	
		Valuation 31/3/38	198 10 10
		Add Appreciation	15 7 3
			213 18 1
		Less Depreciation	12 0 0
Total Liabilities	72 5 0	Valuation 31/3/39	£201 18 1
Excess of Assets over Liabilities	205 2 1		201 18 1
Total	£277 7 1	Total Assets	£277 7 1

APPENDIX 11.

ONDO PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.
PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.		DEBIT.	
	£ s. d.		£ s. d.
Annual Subscriptions of Members	73 11 0	Annual Subscriptions to Union	—
Sales of Cocoa	11,329 7 8	Depreciation	52 1 7
Miscellaneous	17 18 10	Entertainment	58 15 4
		Fares	51 9 6
		Handling Charges	11 3 2
		Maintenance of Buildings and Equipment	7 4 1
		Payments to members for Cocoa	10,790 3 7
		Postage and Stationery	19 4 3
		Rent of Buildings	3 2 3
		Rent of Scale	0 7 0
		Salary of Secretaries	221 12 6
		Transport of Cocoa	66 0 6
		Wages of Labourers	19 6 2
		Miscellaneous	56 8 11
		Total Expenditure	11,356 18 10
Total Income	£11,420 17 6	Net Profit	63 18 8
		Total	£11,420 17 6

APPENDIX 12.

ONDO PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.
BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	312 16 7	Reserve Fund	7 3 0
Creditors	48 12 9	Depreciation Fund	136 17 4
Total Liabilities	391 9 4	Cash in Office	220 7 1
Excess of Assets over Liabilities	764 8 10	Cash in Bank	87 18 10
		Members' Loans outstanding less Bad Debts	48 6 8
		Debtors	24 2 0
		Sites, Building and Equipment:—	
		Valuation 31/3/38	563 2 5
		Add Appreciation	124 2 5
			687 4 10
		Less Depreciation	56 1 7
		Valuation 31/3/39	£631 3 3
			631 3 3
Total	£1,155 18 2	Total Assets	£1,155 18 2

APPENDIX 13.

OYO PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.

PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.		DEBIT.	
	£ s. d.		£ s. d.
Annual Subscriptions of Members	197 14 0	Annual Subscriptions to Union	10 15 0
Sales of Cocoa	35,927 13 2	Depreciation	121 13 4
Miscellaneous	98 18 9	Entertainment	117 12 8
		Fares	266 4 10
		Handling Charges	140 11 7
		Maintenance of Buildings and Equipment	75 13 5
		Payments to members for Cocoa	33,330 5 0
		Postage and Stationery	65 3 0
		Rent of Buildings	31 8 3
		Rent of Scale	7 16 7
		Salary of Secretaries	623 2 8
		Transport of Cocoa	682 19 4
		Wages of Labourers	123 19 11
		Miscellaneous	194 2 9
		Total Expenditure	35,791 8 7
		Net Profit	432 17 4
Total Income	£36,224 5 11	Total	£36,224 5 11

APPENDIX 14.

OYO PROVINCE CO-OPERATIVE COCOA SALE SOCIETIES—NIGERIA.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	1,141 13 9	Reserve Fund	224 3 2
Creditors	197 19 1	Depreciation Fund	210 3 11
		Cash in Office	268 16 11
		Cash in Bank	702 15 3
		Members Loans outstanding less Bad Debts	476 15 5
		Debtors	229 6 8
		Sites, Building and Equipment:—	
		Valuation 31.3.38	1,522 7 10
		Add Appreciation	779 15 9
			2,302 3 7
Total Liabilities	1,339 12 10	Less Depreciation	121 13 4
Excess of Assets over Liabilities	2,952 18 9	Valuation 31.3.39	£2,180 10 3
Total	£4,292 11 7	Total Assets	£4,292 11 7

APPENDIX 15.

IBADAN CO-OPERATIVE COCOA MARKETING UNION.

PROFIT AND LOSS ACCOUNT—SEASON, 1938-39.

CREDIT.		DEBIT.	
	£ s. d.		£ s. d.
Annual Subscriptions of Members	12 0 0	Bonds	20 9 0
Sales of Cocoa	20,562 16 6	Depreciation	31 10 0
Amalgamation Fees	11 0 0	Entertainment	20 18 10
Miscellaneous	—	Fares	34 8 10
		Handling Charges	99 18 11
		Maintenance of Buildings and Equipment	13 4 11
		Payments to Societies for Cocoa	20,173 7 11
		Postage and Stationery	7 0 0
		Rent of Buildings	—
		Salary of Staff	150 13 2
		Transport Allowances	15 10 4
		Shortage in Cash	0 18 0
		Miscellaneous	60 0 0
		Total Expenditure	20,627 19 11
Total Income	£20,585 16 6	Net Loss	42 3 5
		Total	£20,585 16 6

APPENDIX 16.

IBADAN CO-OPERATIVE COCOA MARKETING UNION—NIGERIA.

BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Paid up Share Capital	48 19 0	Reserve Fund	40 0 0
Creditors:—		Depreciation Fund	86 3 11
(a) Loans from Societies for Store	141 0 0	Cash in Office	23 7 3
(b) Contractors for Store Building	54 0 0	Cash in Bank	41 19 11
		Members' Loans outstanding less Bad Debts	27 10 0
		Stationeries on hand	11 12 3
		Debtors	—
		Sites, Building and Equipment:—	
		Valuation 31.3.38	307 17 6
		Add Appreciation	4 6 1
			312 3 7
		Less Depreciation	31 10 0
Total Liabilities	243 19 0		£280 13 7
Excess of Assets over Liabilities	267 7 11	Total Assets	£511 6 11
Total	£511 6 11		

APPENDIX 17.

SALARY EARNERS THRIFT AND SAVINGS CO-OPERATIVE SOCIETIES—NIGERIA.

COMBINED BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.		£ s. d.
Ordinary Contributions ...	797 16 5	Cash in Hand ...	55 4 7
Special Contributions ...	26 13 6	Cash in Banks ...	578 5 6
Profits due for distribution ...	2 16 7	Value of unsold Pass Books ...	0 15 0
Total Liabilities ...	827 6 6	Value of unsold Bye-laws ...	0 15 5
Excess of Assets over Liabilities	6 13 8	Loans due from Members (less Bad Debts)	198 19 8
Total ...	£834 0 2	Total Assets ...	£834 0 2

Note:—No Society has an excess of Liabilities over Assets.

APPENDIX 18.

THRIFT AND CREDIT SOCIETIES (VILLAGE BANKS) NIGERIA.

COMBINED BALANCE SHEET AS AT 31ST MARCH, 1939.

LIABILITIES.		ASSETS.	
	£ s. d.	£ s. d.	£ s. d.
Paid up Share Capital ...	77 4 5	Cash in Hand	21 18 3
Ordinary Contributions ...	33 0 0	Cash in Bank	39 0 0
Special Contributions ...	1 17 3		60 18 3
Deposits by Members ...	1 7 6	Value of land (IBEKU) ...	7 0 0
Profits available for distribution	0 9 7	Loans due by Members (less Bad Debts)	50 19 5
Total Liabilities ...	113 18 9	Value of unsold Pass Books ...	0 15 0
Excess of Assets over Liabilities	5 13 11		
Total ...	£119 12 8	Total ...	£119 12 8

APPENDIX 19.

SALARY EARNERS THRIFT AND SAVINGS CO-OPERATIVE SOCIETIES, STATISTICS BY SOCIETIES—SEASON, 1938-39.

Province.	Society.	Total Savings on 31-3-39.	Total Loans to Members 31-3-39.
		£ s. d.	£ s. d.
Abeokuta ...	1. Abeokuta Roman Catholic Teachers	618 9 2	195 9 8
Benin ...	2. Benin Native Administration Staff	20 6 9	—
Calabar ...	3. Uyo Government and Native Administration Staff	17 8 0	3 10 0
Onitsha ...	4. Prison Department Staff—Enugu ...	4 18 6	—
Owerri ...	5. Customs Department—Port Harcourt	35 2 0	—
	6. Marine Department—Port Harcourt	55 11 0	—
	7. Provincial Administration Staff—Port Harcourt	16 14 0	—
	8. Public Works Department—Port Harcourt	16 6 6	—
Oyo ...	9. Co-operative Secretaries—Ibadan ...	39 14 0	—
	Total ...	£ 824 9 11	198 19 8

THRIFT AND CREDIT SOCIETIES (VILLAGE BANKS).

Benin ...	1. Isi and Oza ...	17 3 3	4 0 0
Calabar ...	2. Ibiaku Uruan ...	27 0 0	27 0 0
	3. Ikot Akpa Odung ...	23 1 0	8 15 0
	4. Ikot Ebido ...	4 1 0	2 0 0
	5. Ikot Obio Ndua ...	8 5 1	6 1 8
Owerri ...	6. Aba People at Port Harcourt	5 3 0	—
	7. Bende Farmers ...	3 9 0	—
	8. Ibeku Welfare ...	25 6 10	3 2 9
	Total ...	£ 113 9 2	50 19 5

APPENDIX 20.

PARTICULARS OF CO-OPERATIVE PALM PRODUCTS SOCIETIES—SEASON, 1938-39.

A.—BENIN PROVINCE.

Name of Society.	No. of Members.	Objects.	Balance at 31.3.39.	Equip-ment.	Whether Secretary paid by Society.	Remarks.
			£ s. d.			
1. Ekhor ...	67	Co-operative Thrift with a view to purchase of palm oil pressing and marketing equipment.	10 17 8	—	No.	—
2. Ekpoma ...	13	do. do.	10 12 5	—	No.	Have 31 acres communal palm plantation and members have 31 acres.
3. Idumiye ...	46	do. do.	9 0 0	—	No.	—
4. Idumiye Uno	14	do. do.	2 6 3	—	No.	Formed in July.
5. Igovbiak-hiamwen	36	do. do.	3 2 0	—	No.	—
6. Ubi ...	50	do. do.	11 13 0	—	No.	—
7. Urbehue ...	36	do. do.	7 1 2	—	No.	—
8. Igbekwé ...	44	Co-operative extraction and sale of palm oil.	6 17 3	One press	Yes	Have 282 acres of plantation just beginning to bear.
	306		£ 61 9 9			

Note:—Okhuo, Ogwashi, Igieduma and Odiguetue defunct.

APPENDIX 20—continued.

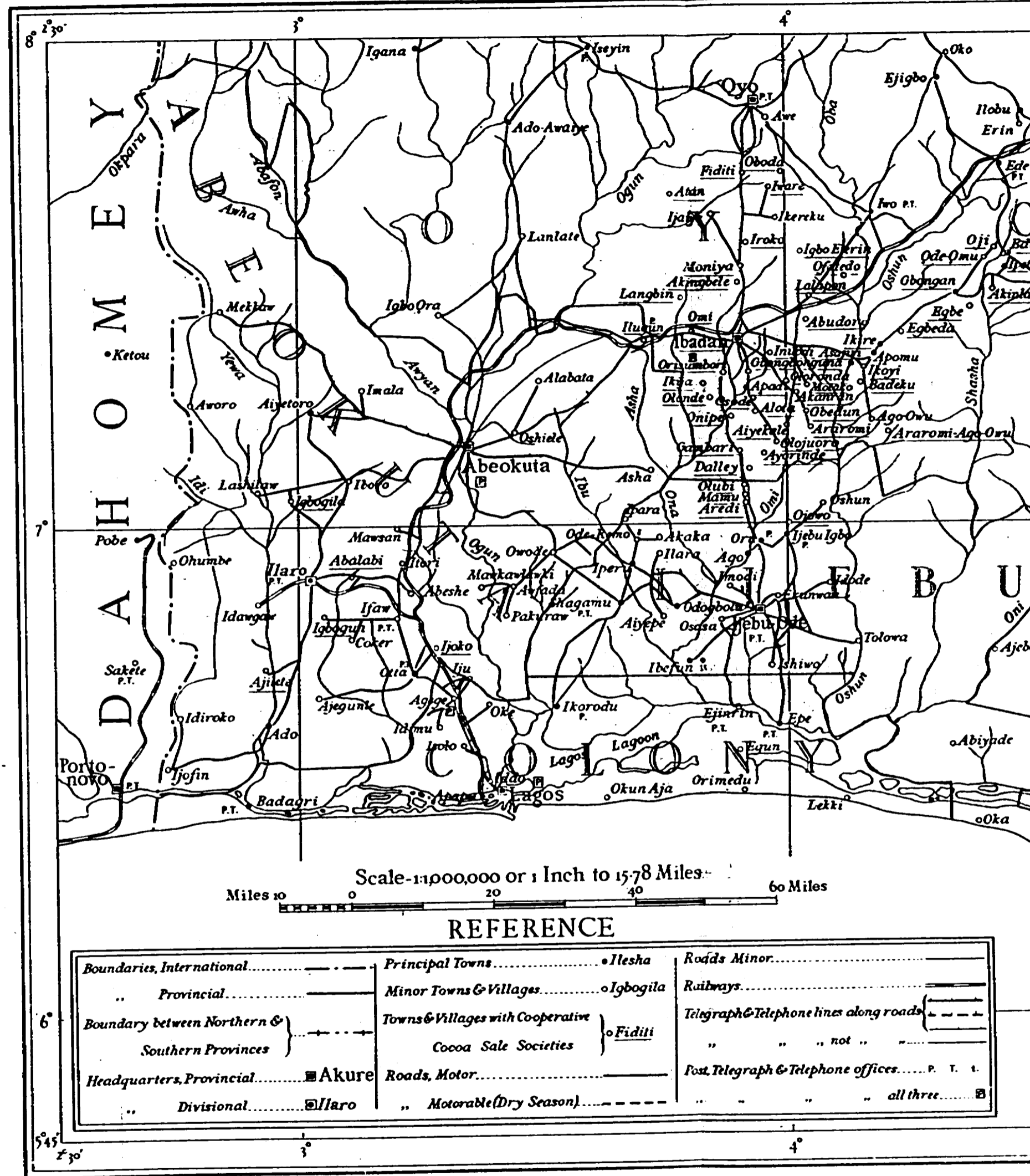
B.—CALABAR PROVINCE.

Name of Society.	No. of Members.	Objects.	Balance at 31.3.39.	Equip-ment.	Whether Secretary is paid by Society.	Remarks.
			£. s. d.			
1. Ikot Ebido	20	Co-operative pressing and sale of palm oil	0 15 7	Oil press all equipment and shed	No.	Co-operative Assistant does secretarial work. Pressed about 7 tons of oil for members and non-members. Struggling gamely against economic conditions.
2. Ikot Ebo ...	11	do. do.	1 17 6	do.	No.	Co-operative Assistant posted here. Membership fell from 34 to 11. Not enough co-operative spirit to overcome difficulties.
3. Ikot Akpabin	—	—	—	—	—	Supervision withdrawn in November, 1938.
4. Ikot Oku Mfang	10	Co-operative pressing and sale of palm oil	8 7 9	Oil press all equipment and shed	Yes	Society is being ruined by overdue loans and low price of palm oil. Members lack interest and have no co-operative spirit.
5. Ikot Obio Oko	7	do. do.	—	Oil press only	No.	Society dormant.
6. Ikot Ante ...	16	do. do.	0 12 8	do.	No.	Society works spasmodically and is only kept in existence by the effort of the President. Owe money for equipment and members make no effort to work.
7. Nung Abassi Uso	11	do. do.	—	do.	No.	There is a real co-operative spirit here and the members work well. They have produced and sold 7 tons of good quality oil obtaining premiums of 15s. per ton.
8. Okop Nduz Erong	17	do. do.	2 19 7	Press and all equipment shed	No.	Dormant.
9. Oku (Elementary Training Centre)	10	do. do.	—	—	No.	Dormant.
10. Uruan ...	—	do. do.	—	Press, etc.	No.	Dormant.
	102		£ 14 13 1			

Note:—A number of groups who were instructed by the Staff have given up the idea.

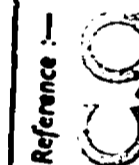
C.—ONITSHA PROVINCE.

1. Nkwele ...	22	Palm planting communal plantation joint mechanical pressing when trees bear	9 4 3	—	No.	Have planted on communal plot of 20 acres. Individuals have 25 acres due to bear in 1941.
2. Oriŕite ...	40	Extraction of oil for non-members	—	2 press and equipment	Yes	A form of Co-operative labour society. Started in February.
3. Umuoji ...	20	Extraction of oil for members and non-members—Co-operative sales of members oil.	7 9 9	Press and all equipment	Yes	Members profit most from payments for their labour. About 17 tons of oil extracted during the year.
	82		£ 16 14 0			



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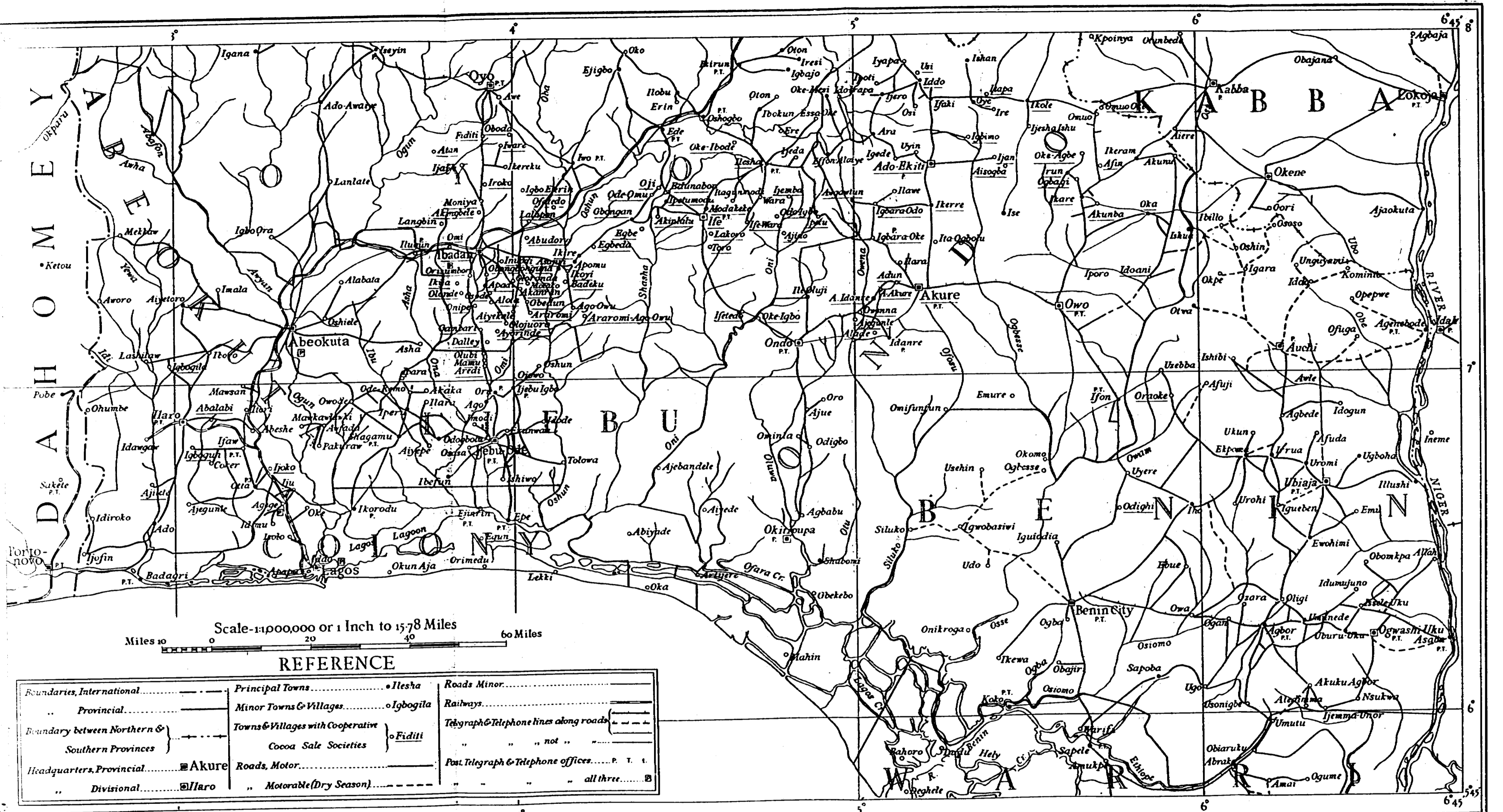
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20
EWO



Scale: 1:1,000,000 or 1 Inch to 15.78 Miles
 Miles 0 20 40 60

REFERENCE

Boundaries, International.....	Principal Towns.....	Roads Minor.....
.. Provincial.....	Minor Towns & Villages.....	Railways.....
Boundary between Northern & Southern Provinces.....	Towns & Villages with Cooperative Cocoa Sale Societies.....	Telegraph & Telephone lines along roads.....
Headquarters, Provincial.....	Roads, Motor..... not
.. Divisional.....	.. Motorable (Dry Season).....	Post, Telegraph & Telephone offices.....

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30431

1940

30431

NIGERIA

LABOUR

Previous 1939.					
Subsequent					

R98 21/1
 Mr. Webb 23/1
 Mr. Williams 26
 Mr. Webb 27/1
 Mr. Hibbert 28/1
 Mr. Williams 29/1
 Mr. Parker 31/1
 R. 98. 31/1
 R96. 31/2
 299 6/2
 96.
 "

FILE A.

(1945) W.L. 2379/25. 24,000. 8/20. N.P. Co. G.F. 177a.

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B-5. Labour
T. C. C.
Forestry

2

1. Gov. Deputy No. 27. _____ 10. 1. 40.
Gives details of the labour employed in the
timber concessions.

Refers to the 1st, 2nd & 4th parts of the
P.Q. no. 3 are outstanding. The Governor in
No. 1. answers the 1st & 2nd parts; & as far as I
can see, his answer to the 4th part is by way
of being an amendment to S. J. S.'s answer
to the concluding part of the question.
Subject to further obsns. we might I
think incorporate the substance of No. 1
in a S.O. reply to Mr. Amman, pointing
out this amendment. ? Mr. Hibbert to see.

40. Welles 23/1

Dfr Gov. through Mr. Hibbert

above

O. G. R. Wilson

20. 1. 40

Dfr Mr. 40 Welles 23/1

I have also seen words to the 1st paragraph
on the second page of the Dfr - which
I indicate my interpretation of the meaning of
the Governor's disposal.

Results on 29/1/40.

[Signature]
30/1

O. G. R. Wilson
20. 1. 40

of action - see
draft of No 2

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Factor 2 1/2 CG Amman Co 5/0 3 1/40
draft No 2 J. To Virginia bl. (w/ 2) Me. — 6 1/2 1/40.
all

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C. O.

Mr. Webber. 27/1

Mr. Hibbert. 30/1

Mr. Williams. 30.1

Mr. C. J. Jeffries.

Mr. A. J. Dawe.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

*M. Parker
C.O.
25/1
P.S.*

Jan '40

For the Secretary of State's signature.

You will remember that one of the four Questions of yours which I answered on the 24th of July last year was about the conditions of employment in the timber concessions in Nigeria. I was unable to give information from the Governor of

DRAFT.

C.G. AMMON, ESQ., M.P.

(1)

(3) *1939 P.O. file*

give an answer to all the points raised in the Question, and said I was asking the Gov to supply the information you asked for. I have now had a reply from him. As regards the first & third

Nigeria regarding the first, third and fourth parts of your Question, of the 24th July, 1939. The position is that there are 33 Europeans employed in the timber concessions in the Dependency and 5514 natives. The average rate of pay of Europeans is £500 per annum. That of the natives varies with the occupation, and ranges between 5d. per diem for clerks and 10s. per diem for labourers. All wages are paid in cash.

FURTHER ACTION.

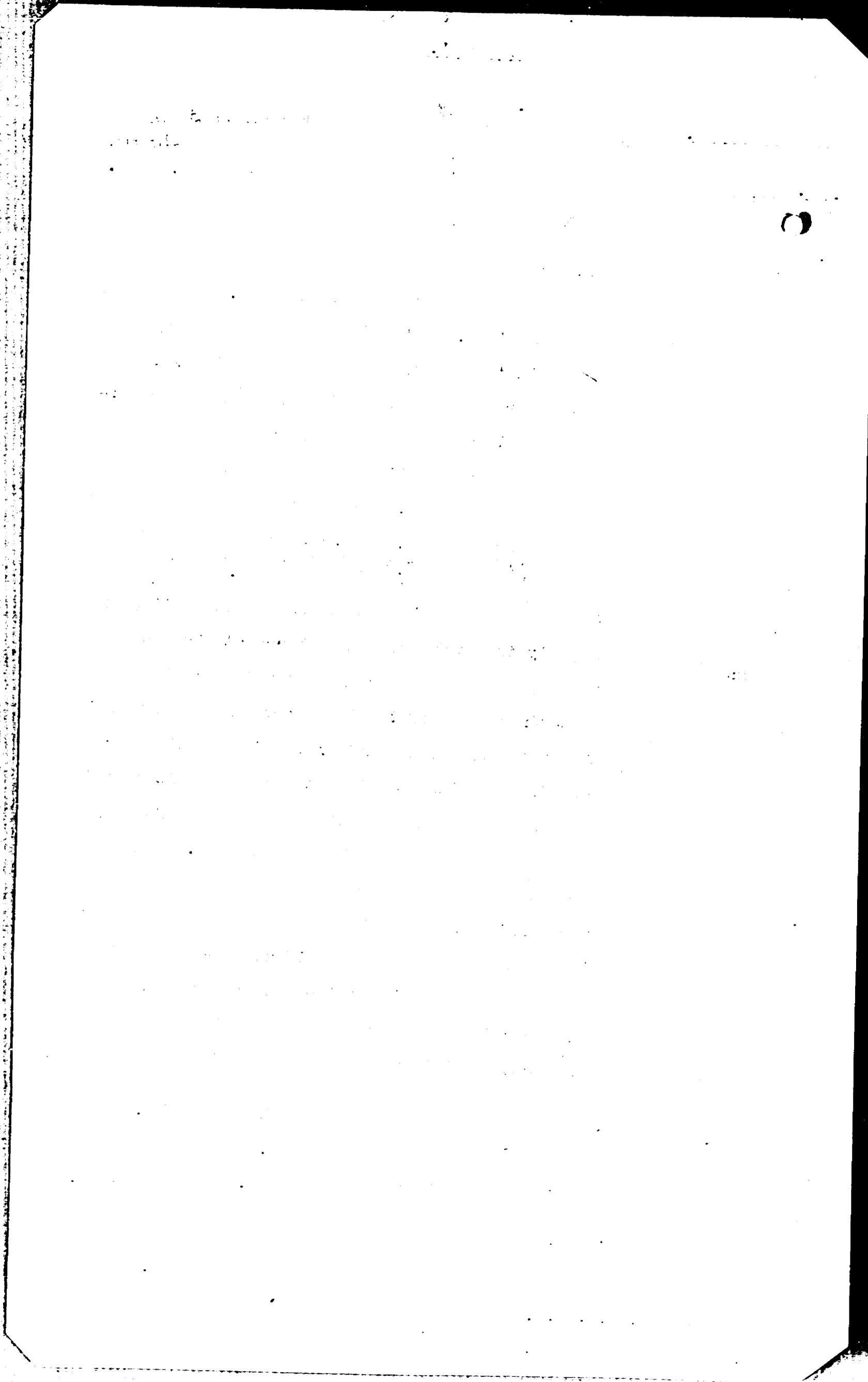
Cors to former Nigeria. L.F. inf. ref. (1)

for cooks, and clerks

Edw. Nig. (5)

With

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B.S. Title
Inquiry

1. Gov. No. 157. 23.2.40.2
70. copies of Ordinance No. 1 of 1940. (Spares to Lib.)

2. G.O. Sec. 3/4. 23.2.40
DESTROYED UNDER STATUTE
Refer. 1 unless attention to 2 in 1939 file.

The Ordinance at (1) follows verbatim the bill at (1) in -/39, even to the extent of repeating a clerical error in section 17(2), which I failed to notice in my examination of the bill last year (see para: 2 of (1)).

2. The amendment suggested in an ltr: at 2 in -/39 has not been made owing to an oversight and is to be made when opportunity occurs (see A.G.'s report enclosed with (1)).

3. It seems to me that it is unnecessarily confusing to include the year 1939 in the short title of Ordinance No. 1 of 1940! It can hardly be an oversight and there may be some reason for it of which I am unaware.

These are small points and I would suggest, subject to the views of the legal Advisers, who have already passed the draft bill, that no disallowance might be signified noting that the clerical error in S. 17(2) is to be corrected when the laws are revised; that S. 16(1)(a) is to be amended or suggested in an ltr: at 2 in the -/39 file and suggesting

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that a more appropriate short
title would be 'The Committees
of Inquiry Ordinance, 1940.'

Shawley
26.3.

Mr. Dale. Sorry to bother you with this again?
Any comment as to the
Thomley's minute pt. Shomley
should proceed as he suggests.

J.B. Lush
26/3.

The short title may be a slip or the order may have
been passed by Leg Co in 1939 (It was not assented to until
1940). Certainly would not mention the point.
Should simply read a G.S. It hardly seems necessary
to 'note' the other two matters?

Mr. Dale
10.4.

G.S.
J.B. Lush
15/4 at least

Legal to
state record
copy. 3
Noted
K.P.S. Lush
20/4
To Nigeria 215 (1 case). 9/3. 16 APR 1940

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NIGERIA.

NO. ~~107~~ 157

Government House,
Nigeria.

23 February, 1940.

RECEIVED
14 MAR 1940

Sir,

I have the honour to transmit herewith, for the signification of His Majesty's pleasure with respect thereto, two authenticated and ten ordinary copies of Ordinance No.1 of 1940, entitled "An Ordinance to provide for the holding of Commissions of Inquiry" together with the usual report thereon by the Attorney-General.

2. I regret that a slight error has occurred in Section 17(2) of the Ordinance where a reference to sub-section (2) should be to sub-section (1). This error will be corrected when the Laws are revised.

I have the honour to be,
Sir,

Your most obedient, humble Servant,

R. H. Buxton

GOVERNOR.

To Nigeria 3

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
etc., etc., etc.

13

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REPORT

4

on

A Bill entitled

An Ordinance to provide for the holding
of Commissions of Inquiry.

The short title of this Bill is the Commissions
of Inquiry Ordinance, 1939, and in my opinion the assent
of His Excellency the Governor may properly be given thereto.

2. It repeals the Commissions of Inquiry Ordinance
(Chapter 151 of the Laws of Nigeria, 1923) and the
Commissioners' Powers (Conferment of) Ordinance, 1938,
(No.10 of 1938) and re-enacts the provisions of those two
Ordinances with some additions.

3. The table attached, prepared by Mr. Cox, who
drafted the Bill, shows where the provisions of the two
Ordinances repealed, have been re-enacted in this
Ordinance.

4. Attention is drawn to sections 21 and 22 which
would enable this Ordinance to be adapted to suit the
needs of practically any commission without the necessity
of further amendment.

5. The draft Bill was submitted by the Governor to
the Secretary of State with despatch No.716 of 24th June,
1939, and he expressed his approval of its introduction
by his telegram No.320 of 2nd August, 1939, subject to
one amendment in clause 16(1)(a). Owing to an oversight
that amendment has not been made, but it will be made as
soon as a suitable opportunity occurs.

1 on 30432/39

2 - - -

C.W.W. Greenidge
Acting Attorney-General.

Attorney-General's Chambers,
L a g o s, Nigeria.
11th December, 1939.

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TABIE

showing where the sections of the Commissions of Inquiry Ordinance, Chapter 151 and of the Commissioners' Powers (Conferment of) Ordinance, 1938 (No.10 of 1938) are reproduced in the draft Ordinance entitled the Commissions of Inquiry Ordinance, 1939.

Section in Cap.151.	Place where corresponding provisions will be found in the Commissions of Inquiry Ordinance, 1939.
1.	Clause 1.
2.(1) (2) (3)	" 2(1) (2) (3).
3.	" 3.
4.	" 4.
5.	" 5(1) & (2).
6(1) (2)	" 6(1) (2).
7 First para. Second para.	First four lines in clause 7 and last two lines in clause 20. Clause 8(1). The form of warrant is set out in the Schedule as Form B. and in para.(2) of this clause will be found the provision for the warrant and the provision by which it can be executed.
8.	Clause 14.
9(1) (2)	Incorporated in clause 13. Incorporated in clause 18.
10.	Clause 19.
Sections of Ordinance No. 10 of 1938.	
1.	Omitted.
2.	Omitted.
3.	Provided for in clause 2(1).
4.	Clause 7, but sub-paragraph (e) is omitted as the provisions thereof are incorporated in clause 13.
5.	Clause 9.
6.	Incorporated in clause 18(3).
7(1) (2).	Clause 12(1) (2).
8.	" 10.
9(1) (2)	" 11(1) (2)
10.	Omitted, now unnecessary owing to the re-drafting of clauses 15, 16 and 17.

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require him to produce any document or other thing in his possession, subject to all just exceptions;

- (d) to issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails to do so, and does not excuse such failure to the satisfaction of the commissioners, and to order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his refusal to obey the summons, and also to fine such person a sum not exceeding five pounds, such fine to be recoverable in the same manner as a fine imposed by a magistrate's court;
- (e) to admit any evidence, whether written or oral, which might be inadmissible in civil or criminal proceedings;
- (f) to admit or exclude the public or any member of the public from any meeting of the commissioners;
- (g) to admit or exclude the press from any meeting of the commissioners;
- (h) to award any person who has attended any meeting of the commissioners, including any interpreter appointed under section 9 of this Ordinance, such sum or sums as in the opinion of the commissioners may have been reasonably expended by him by reason of such attendance;
- (i) to enter upon any land, whether Crown land, native lands, lands at the disposal of any native authority, land occupied by any native or native community or unoccupied lands for the purpose of obtaining evidence or information required by, or which may be required by, or which may be of assistance to, the commissioners.

8. (1) Summonses to witnesses may be as in Form A in the Schedule and shall be served by the police, or by such person as the commissioners may direct. Form of summons: Form A

(2) A warrant to arrest a person who has failed to obey a summons to attend as a witness may be as in Form B in the Schedule and may be executed by any member of the police force. Where the person to be arrested is subject to the jurisdiction of a native authority such warrant may also be executed by any person authorised by a native authority to effect arrests. Form of warrant: Form B

9. (1) The commissioners shall have the power to appoint any person, whether in the Government service or not, to act as interpreter in any matter brought before them and to translate any books, papers or writings produced to them. Interpreters.

(2) Any interpreter under this section shall take and subscribe the following oath, or, as the case may be, make and subscribe before the commissioners the following affirmation or declaration, viz.:—

"I,, do swear (or solemnly affirm or declare) that I will faithfully perform the duties of interpreter, and will truly translate or explain all documents entrusted to me for such purpose to the best of my ability, and that I will not except as authorised by the commissioners directly or indirectly reveal the contents of such documents as may be entrusted to me, nor the evidence given by witnesses which may have been interpreted by me."

10. No evidence taken under this Ordinance shall be admissible against any person in any civil or criminal proceeding whatever, except in the case of a person charged under section 12 of this Ordinance with giving false evidence before the commissioners. Use of evidence taken under this Ordinance in judicial proceedings.

11. (1) Any person who threatens, insults or injures any person for having given evidence, or on account of the evidence which he has given before the commissioners, shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years. Penalty for threats to witnesses.

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(2) Any person who hinders or attempts to hinder any person from giving evidence before the commissioners or by threats deters or attempts to deter any person from giving such evidence, shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years.

False evidence and false interpretation.

12. (1) Any person who shall give false evidence before the commissioners, upon oath or declaration as provided for in section 7 (b) of this Ordinance, shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years.

(2) Any person who, being appointed by the commissioners to act as interpreter in any matter brought before them or to translate any documents produced to them, and having taken the oath or made the affirmation or declaration prescribed in section 9 of this Ordinance, shall wilfully give a false interpretation of any evidence or make an untrue translation of any such document, shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years.

Penalty for failing to give evidence.

13. Any person who being summoned to attend as a witness or produce a book, document or any other thing refuses or neglects to do so or to answer any question put to him by or with the concurrence of the commissioners shall be liable:—

(a) to a fine of five pounds to be imposed by the commissioners and recoverable in the same manner as a fine imposed by a magistrate's court; or

(b) on summary conviction to a fine of fifty pounds:

Provided that no person shall be bound to incriminate himself and every witness shall, in respect of any evidence written by him for or given by him before the commissioners, be entitled to the same privileges to which he would have been entitled if

giving evidence before a court of justice and no person shall be punished under both paragraph (a) and paragraph (b) of this section in respect of the same offence.

Appearance of counsel.

14. Any person whose conduct is the subject of inquiry under this Ordinance or who is in any way implicated or concerned in the matter under inquiry shall be entitled to be represented by counsel at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may by leave of the commissioners be represented in manner aforesaid.

Definition of contempt.

15. The following shall be deemed to be an act of contempt within the meaning of this Ordinance:—

(a) any act of disrespect and any insult or threat offered to the commissioners or any of them while sitting in commission;

(b) any act of disrespect and any insult or threat offered to a commissioner at any other time and place on account of his proceedings in his capacity as a commissioner.

Proceedings in respect of contempt generally.

16. (1) Any person who commits an act of contempt, whether the act is or is not committed in the presence of the commissioners sitting in commission, shall be liable:—

(a) on summary conviction before a court of competent jurisdiction to a fine of one hundred pounds; or

(b) on the order of the commissioners to a fine of ten pounds:

Provided that no fine shall be imposed by the commissioners under this sub-section until the commissioners shall have heard the offender in his defence.

10

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(2) Any fine imposed by the commissioners under sub-section (1) shall be recoverable in the same manner as a fine imposed by a magistrate's court.

(3) An appeal shall lie to the Supreme Court on a point of law and also on fact against an order of the commissioners under sub-section (1) as if such order were a decision of a magistrate against which an appeal lay.

Procedure in respect of contempt not in presence of commissioners.

17. (1) Where an act of contempt is alleged to have been committed but not in the presence of the commissioners sitting in commission the commissioners may summon the offender to appear before them at a time and place to be specified in such summons, there to show cause why he should not be judged to have committed an act of contempt and be dealt with accordingly.

(2) If any person who has been summoned in accordance with sub-section (2) hereof fails to attend at the time and place specified in the summons, the commissioners may issue a warrant to compel the attendance of such person and order such person to pay all costs which may have been occasioned in compelling his attendance and may also fine such person a sum of five pounds, such fine to be recoverable in the same manner as a fine imposed by a magistrate's court.

(3) The summons under sub-section (1) and the warrant issued under sub-section (2) may respectively be as in Forms C and D in the Schedule.

Form C.
Form D.

(4) The summons shall be served by the police or by such person as the commissioners may direct.

Witnesses' fees and interpreters' remuneration.

18. (1) Witnesses and other persons, other than interpreters, attending at the request of or upon summons by the commissioners shall, subject to any order made by the commissioners, be entitled to like expenses as if summoned to attend the Supreme Court in a criminal trial.

(2) Interpreters shall receive such remuneration as the commissioners may direct.

(3) The payment to witnesses, other persons and to interpreters shall be made out of the public revenue.

19. The commissioners shall make and furnish to the Governor a full report in writing of their proceedings, and shall record an opinion and reasons leading to their conclusions. Any commissioner dissenting from the conclusions, or any part thereof, shall note the reason for such dissent.

Report.

20. No commissioner shall be liable to any action or suit for any matter or thing done by him as such commissioner.

Protection of commissioners.

21. (1) When issuing any commission the Governor, if he considers it advisable to do so, may direct that the commissioners shall not exercise all the powers conferred on them by this Ordinance.

Governor may restrict commissioners' powers.

(2) Any such directions shall be in writing and shall specify which powers the commissioners are not to exercise.

(3) On receipt of such directions the commissioners shall perform their duty as if the powers specified in such directions had not been conferred by this Ordinance upon commissioners appointed under this Ordinance.

22. The provisions of this Ordinance may apply to any commission appointed by the Secretary of State and all the powers conferred by this Ordinance upon the Governor may be exercisable by the Secretary of State or by the Governor on the instructions of the Secretary of State, and the report to the Secretary of State shall be submitted in such manner as the Secretary of State may direct.

Commission appointed by Secretary of State.

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Repeal
Cap. 151 and
10 of 1938. 23. The Commissions of Inquiry Ordinance and the Commissioners' Powers (Conferment of) Ordinance, 1938, are hereby repealed:

Provided that such repeal shall not affect any commission existing at the date of such repeal and the commissioners may carry out the terms and conditions of such commission as if such Ordinances had not been repealed.

SCHEDULE.

FORM A.

THE COMMISSIONS OF INQUIRY ORDINANCE, 1939,
(No. 1 of 1940).

NIGERIA.

Sec. 8 (1). SUMMONS TO WITNESS UNDER SECTION 7 OF THE COMMISSIONS OF INQUIRY ORDINANCE, 1939.

To A. B. (name of person summoned, and his calling and residence, if known).

You are hereby summoned to appear before (here name the commissioners) appointed by the Governor to inquire (state briefly the subject of the inquiry) at (place) upon the day of , 19 , at o'clock, and to give evidence respecting such inquiry (if the person summoned is to produce any documents, add) and you are required to bring with you (specify the books and documents required). Therefore fail not at your peril.

Given under my hand this day of , 19

Commissioner.

FORM B.

THE COMMISSIONS OF INQUIRY ORDINANCE, 1939,
(No. 1 of 1940).

NIGERIA.

WARRANT OF ARREST.

Sec. 8 (2).

To P. C. and any member of the Police Force.

Whereas a summons under section 7 of the Commissions of Inquiry Ordinance, 1939, has been served upon one (name of witness) of (address) to attend and give evidence

before the (here name the commissioners) appointed by the Governor to inquire

subject of the inquiry) at (state briefly the (place) upon the day of , 19 ;

And whereas the said (name of witness) has neglected to be or appear at the time and place as aforesaid and it has been proved to me upon oath that the said summons has been duly served upon the said

(name of witness) and who has not excused such failure to my satisfaction [or that of one of the other commissioners (if there be more than one commissioner) appointed as aforesaid]:

I have to command you forthwith to apprehend the said (name of witness) and to bring him before me [or one of the other of the said commissioners (if there be more than one commissioner) appointed as aforesaid].

Given under my hand at this day of , 19

Commissioner.

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FORM C.
THE COMMISSIONS OF INQUIRY ORDINANCE, 1939,
(No. 1 of 1940).
NIGERIA.

Sec. 17 (3). SUMMONS UNDER SECTION 17 OF THE COMMISSIONS OF INQUIRY ORDINANCE, 1939, TO PERSON CHARGED WITH COMMITTING A CONTEMPT.

To A. B. (name of person summoned) of (address).

You are hereby summoned to appear before the commissioners appointed by the Governor to inquire into (state briefly the subject of the inquiry) at (place) upon the day of , 19 , at o'clock to show cause why you should not be judged to have committed an act of contempt and dealt with accordingly in that you on the day of , 19 (date of act of contempt), committed an act of contempt against the said commissioners or one of them, namely, by (state briefly the act of contempt complained of).

Given under my hand this day of , 19 .

.....
Commissioner.

FORM D.
THE COMMISSIONS OF INQUIRY ORDINANCE, 1939,
(No. 1 of 1940).
NIGERIA.

Sec. 17 (3). WARRANT TO ARREST PERSON FAILING TO OBEY SUMMONS OF A COMMISSIONER ISSUED UNDER SECTION 17 OF THE COMMISSIONS OF INQUIRY ORDINANCE, 1939.

To any member of the police force; and in addition when the person to be arrested is a person subject to the jurisdiction of a native authority to any member of a native administration police force.

WHEREAS A. B. (name of person to be arrested) of (address) has failed to obey a summons dated (date of summons) issued under section 17 of the Commissions of Inquiry Ordinance, 1939:

You are commanded forthwith to apprehend the said A. B. (name of person to be arrested) and produce him before me, or some other commissioner appointed by the Governor with me, at (place where person arrested is to be produced).

Dated this day of , 19 .

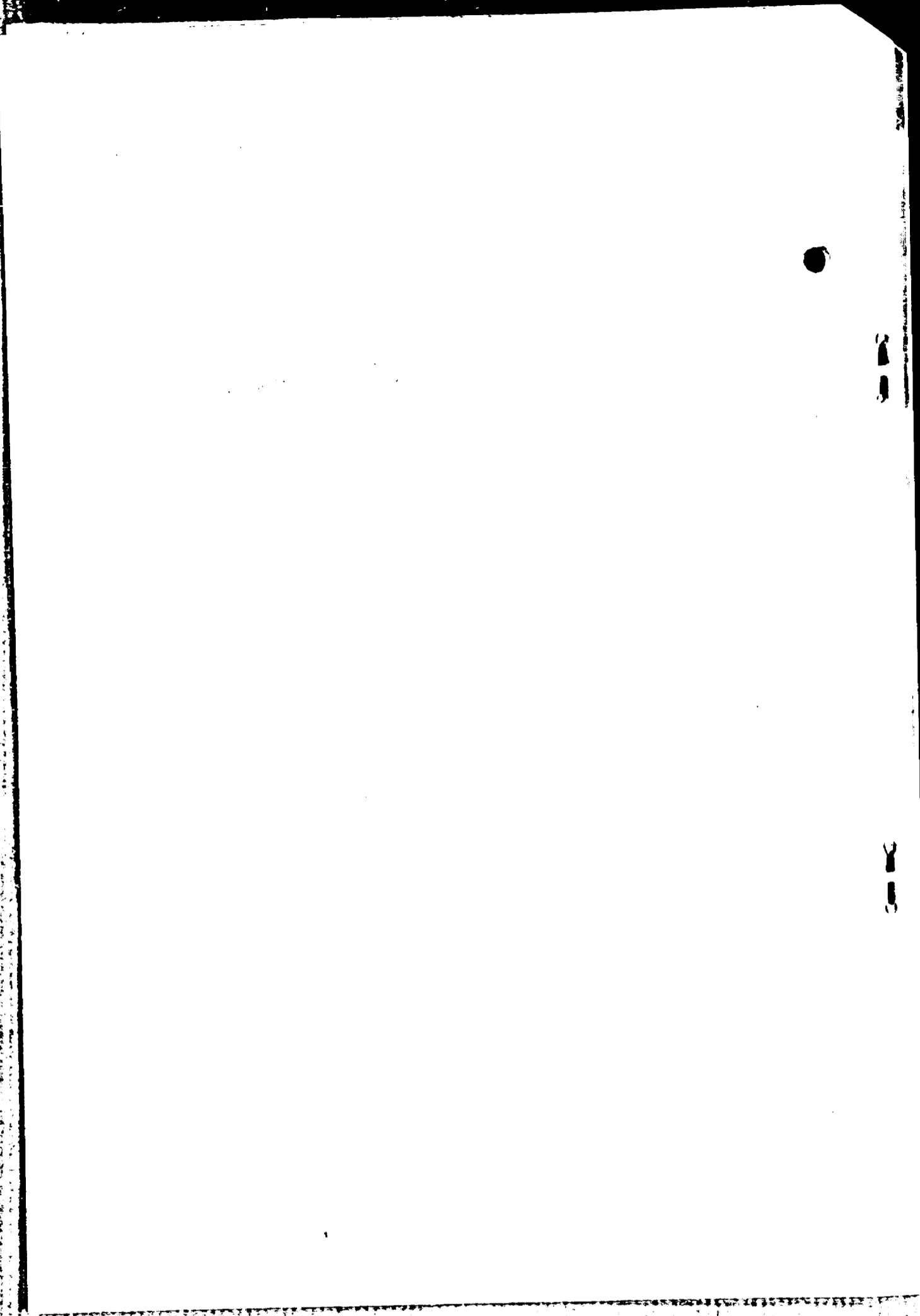
.....
Commissioner.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and in so far as the provisions thereof relate to the Colony and to the Southern Provinces of the Protectorate, is found by me to be a true and correctly printed copy of the said Bill.

A. G. DALGLEISH.
Clerk of the Legislative Council

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G

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U.S. Title
Labour.

1. Geo. No. 134. 2
15.2.40.
Gives further information about labour conditions
on the gold-mining concessions.

Answering a Question in the House of Commons on the 3rd of August ((1) on the P.Q. file), the Secretary of State undertook to ask the Governor of Nigeria for up to date information as regards housing obligations on the gold mining concessions in Nigeria and to communicate with Mr. Ammon on receiving his reply. The first reply received from the Governor (at (2) on the 1939 file) did not seem to give sufficient information, and a further despatch (at (3) on that file) was sent to the Governor asking for detailed information on the subject. The Governor's reply is at (1) on this file.

I don't think it is necessary to include all the information recorded at (1) in the communication promised to Mr. Ammon, and I submit for consideration a draft containing the information which I think Mr. Ammon ^{desires} ~~was after~~, based on the Governor's despatches at (2) on the 1939 file and (1) on this file.

Atkinson
19.3.40.

Staines
19/3

McWhitt
19/3.

2 To Mr Ammon. MS. 30.3.40.

? Copy (2) to go to
Gove
Atkinson

Don't think there is any need to send a copy to (2) C.O.A.G.
McWhitt 2. Feb by *Atkinson*
3.4.

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NIGERIA.

No. 134

3 on 30434/39.

RECEIVED
28 MAR 1940
C. O.

5/
Government House,
Nigeria.
15 February, 1940.

Sir,

Referring to your despatch No.820 of the 30th of October, 1939, on the subject of labour conditions on the gold-mining concessions in Nigeria, I have the honour to subjoin the information requested:-

- (a) 90% of the labour employed on the gold fields may be classed as casual, composed of agriculturists who work on neighbouring mines as a part-time occupation, returning to their own villages by night. The remaining 10% is of an itinerant nature moving from mine to mine.
- (b) Whenever possible the sites for proposed camps are inspected by the Health authorities and, if necessary, by officers of the Administrative Service and the Mines Department.
- (c) Houses follow the local native pattern and are of mud and grass thatch. Government exercises no special control over plans and materials other than that exercised over the general native community by virtue of the Native Authority Health Rules which are applicable to Mining Camps by the provisions of Order in Council No.15 of 1934 and under Regulations 21,22 of the Labour Ordinance.
- (d)

THE RIGHT HONOURABLE
MALCOLM MACDONALD, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
&c., &c., &c.

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6
60

(d) No details are available as to proportions of married and single labourers, but no labourer is prevented from having his wife and family with him should he so desire. As regards "gardens" a certain amount of farming is done by the labourers on a small scale for the production of minor food crops and there is no restriction on this form of activity where land is available as it usually is.

(e) Where a labourer occupies accommodation constructed and maintained by his employer he vacates the hut on termination of his employment.

Where a labourer has erected his own house and made a garden he has done so with the consent of the Native Authority and his tenure is in accordance with local native custom.

(f) Cess-pit latrines of improved native pattern, designed by the Health Department to prevent fly-breeding.

On the Plateau a Medical Officer of Health is posted for regular inspection, in addition to inspection by officers of the Administrative and Mines Departments. There is no specified interval between inspections but in the more scattered areas inspection is necessarily less regular. Penalties are governed by the Public Health Ordinance and the Native Authority Health Rules.

I have the honour to be,
Sir,
Your most obedient, humble Servant,

B. H. ...

GOVERNOR.

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he said at present to receive
via. & then in no reason to
very to reply proposed reasons

O. G. R. Lillman
10. 4. 40

The Gen. Cont. of A. Church (D. and) 11. 4. 40
~~DESTROYED UNDER STATUTE~~

3 Sir B. Bourdillon (Stc) 6. 5. 40.
States that Woolley has been told that he may
spend up to £5,000 in addition to the grant-in-
aid to missions.

9/5
M. Hildebrand Put by
L. rec. Atm

4 a. e. e. c. 103rd Meeting 16/5/40
? Put by
J. H. H. 25-6
J. B. Smith
25/6 alone

825
3. 12. 40
Gov. of Nig (unnumbered) ~~unnumbered~~

The subject matter of this despatch
is previously discussed in the minutes below
(16) on 30440/39 below. Briefly, the
Governor's present despatch (No. 5.) on this
file, contains a request whether an annual grant from
the new C. & D. W. funds could be made with effect
for the year 1940-1941 to enable -

(1) Mission Teachers to be
paid with effect from
the 1st of April last, the
salaries which they would
have been drawing if their
increments had been duly
paid up (cost = £26,000):

(ii) Grants to non-native
Teachers to be raised to
£250 for a Principal - £200
for other Teachers
(cost not yet reported):

(iii) A Provident Fund to be
established for Mission
Teachers
(Cost = £5,000 - £6,000 per
annum in additional
grants-in-aid).

The circumstances in which this
assistance is desired is fully summarised in
paragraph 6 of the despatch. As will be seen
from the minutes on last year's file the matter
has already been discussed with Mr. Cox and by
the Governor when he was on leave last summer.
He suggests that the Government's contribution
under the Education Vote to grants-in-aid
for Missions should be fixed at £100,000 per annum,
and that the C. & D. W. funds should meet the
balance from 1940-41 onwards, presumably
for the next ten years. That balance will be
represented by (i), (ii) and (iii) above. (i)
being an annually increasing sum owing to
additional increments. In addition to those
maintenance requirements he also envisages a
separate grant for developmental purposes in due
course.

Of the need for meeting the situation
described in paragraph 6, I think, no doubt
at all, but whether the Treasury would prefer
that Nigeria should find the cash itself out
of the ~~excess~~ of its depleted surplus, part of
which has been used to finance its anticipated
deficit of £500,000 next year, and so bring
Nigeria nearer the day when it has to ask for

Treasury

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Treasury assistance, or alternatively, that the money should be provided out of C. D. & W. Funds remains to be ~~decided~~ ^{decided}. I have sent on separately to Mr. Paskin and Mr. Williams ~~ref~~ 30037/6/40 Nigeria, on which the Governor has asked for advice generally on this question of getting "maintenance" assistance from C. D. & W. Funds.

The proposals now put up for Education go only part of the way, and the question of introducing better scales of salaries after the war will also have to be considered. I should much have preferred to consider this Education item as part of a general programme for Nigeria's call on the new C. D. & W. Funds. But the Teachers position calls for immediate remedy and will, therefore, I think have to be dealt with independently. Subject to Mr. Paskin's views the best course would be to consult the Treasury informally first and get their views so that we can reply to paragraph 19 of this despatch. (It was, I think, a pity that Mr. Woolley did not carry out the original scheme of giving some immediate assistance to deal with the worst cases, see paragraph 10 in No. 5), but in any case it would only have postponed the evil day when wider assistance became imperative.

*The Gov asks for a telegraphic J.B. Paskin
The estimates ^{ref}
are now under
preparation*
2nd December, 1940.

The application here foreshadowed will be the first educational application to be received under the Act. It is confined to the question of service conditions, and even within this limitation, is conceived as being a relatively modest interim application which is likely to be greatly swollen after the war.

The Nigerian Educational Administration, primarily but only in this grant-in-aid question, seems to me to have got into a sorry mess, not perhaps wholly through lack of funds, during the last few years, and I think that the money for which the Governor now asks will have to be found at once somehow in order to retrieve a situation that has become educationally precarious and politically explosive. But the present proposal raises the questions of principle and of procedure which will no doubt be carefully considered.

It comprises three measures:-

(a) The raising of African Mission Teachers at a single jump, to be dated retrospectively to April 1st,

to

4
to the point on the existing salary scales which they would have reached had it not become necessary to suspend increments some time ago (estimated cost for first year, £26,000); (b) the provision of a Provident Fund (estimated cost £5,000 to £6,000 p.a.); (c) increase in the amount of the grant in respect of European teachers (amount not estimated).

(a) is an attempt to ^{arrest} ~~raise~~ the progressive deterioration of conditions of service by terminating what the Governor described (at x in para. 4) as the failure of Government to fulfil its obligations. I do not think this position would have arisen in a soundly conceived and administered grant-in-aid system, and it should certainly be rectified; but I shall be sorry if this part of the application, which aims at relieving the Nigerian Government from itself carrying out obligations already contracted, has to come from C.D.W. funds.

(b) on the other hand is an urgently overdue improvement in the conditions of service, which has been discussed for a decade, and appears to me to be, in the present state of Nigerian finances, a proper object of assistance from this source.

(c) though less immediately essential, seems to fall in the same category. So ~~keeping~~ ^{providing} the improved salary scales which the Governor contemplates putting forward after the war.

There are several points in which I hope this application will prove to be exceptional:-

1. Sir G. Gater laid much emphasis, in the discussion at which I was present last Spring, on the danger of swallowing up the educational share of C.D.W. monies in increasing the remuneration of existing teachers instead of using it to promote expansion. I agree this ~~matter~~ ^{subject} should be carefully watched, but I think the improvement of the present conditions of service would be bound to form a part of any programme of Nigerian educational advance and is probably a measure of consolidation that should precede expansion.

2. This is a piecemeal measure which is not put up as part of a comprehensive educational programme. I realise and regret the reasons for this, and it cannot now be helped.

3. The application has been held back since the Governor's return in June until now, when it comes forward urgently with a request for telegraphic reply. If this is to be given, prior consultation with the A.C.E.C., which is desirable in all educational applications under the Act and which in this case might be particularly useful, is probably precluded. The Governor was told the application would go to the Committee (see the first sentence in 4 of this file).

4. The application, if granted, will unavoidably involve growing commitments in the form of annual incremental increases for an indefinite term of years ahead. No attempt to estimate these commitments in advance is made. This is surely contrary to the first principles of planning.

5. It is clear from paragraph 18 of the despatch that next year the Governor hopes to be enabled by an additional C.D.W. grant to add further schools to

the

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the assisted list, and from what I have heard there will be a long queue qualified for, and demanding, inclusion year after year. No attempt is made here either to frame any plan or to give a programme of estimated additional annual expenditure under this head.

6. The Governor in para. 9 has argued against the percentage method of assistance, as being troublesome, and has asked instead that the C.D.W. funds shall carry all grant-in-aid expenditure over and above £100,000. Such an arrangement is not, at first sight, likely to breed the same sense of responsibility on the Nigerian Government's part or to provide any strong inducement for it to plan carefully ahead. I am open to conviction, but am at present against the use of this method.

7. The particulars given of the working of the existing grant-in-aid system and the changes which it is proposed to introduce, seem to me insufficient for the proper assessment of an application of this importance. In particular, there are no guarantees here that the Government has made this increased assistance to Missions conditional upon the acceptance of reasonable measures of control so as to secure, e.g., (a) that the part of the block grants assessed in respect of salaries will be spent on paying the full salaries as assessed and not left to the Missions' discretion (as to which see the last part of para. 6 (b)), (b) that assisted schools will not be allowed to increase the number of their classes, and therefore of teachers, at their own discretion and so present the Government with a series of faits accomplis in applying for increased assistance.)

I think the Gold Coast, whose method of approach to this question has been in refreshing contrast to that of Nigeria, have been very careful on (b) and other heads.

I am not confident either from what I know of the history of the grant-in-aid system in Nigeria, or from talks with the Governor and the Chief Inspector of Schools when on leave, that this side of the question has yet been properly tackled, after years of letting things slide or living from one makeshift to another.

It is no doubt necessary to give the Governor a telegraphic assurance that the application (if we think it should be granted) will be sympathetically considered, but I suggest that fuller particulars of the grant-in-aid system, existing and proposed, should be sent with the actual application, as well as an assessment of future commitments as suggested above, and that the observations of the Advisory Committee on Education should then be obtained upon the application. (It may be noted as regards the background to this application, that the last three years have not been covered by any Annual Report of the Nigerian Education Department that has reached the Secretary of State. I believe the Annual Report for 1938 was at Education Headquarters in Lagos something like a year and a half ago; it has not reached us. I suggest that, even if it has not been printed, a copy of this should accompany the next despatch, if no Report for 1939 is available.)

Nigeria is almost alone in having never

sent

sent forward a 1938 Report, and I am afraid this is symbolic of a certain slackness.)

C.M. Cox
9.12.40

See now on 12905/2/40 S.S.

J.J. Pascoe
14/12.

6 mins of meeting held by Sir J. Campbell — 11.12.40.
7 To Gov. of High. tel 102 Lond. — 24.1.41.
(Draft on no. 22 30087/6/40).

In paragraph 3 of (7) the Governor has received an answer with regard to his recommendation as to mission teachers' salaries in paragraph 15 of (5).

The Governor proposes that the following items should be left for consideration after the war:

- (1) The proposals for an improved scale of salaries for African mission teachers referred to in paragraph 4,
- (2) Payment of arrears of building grants, and
- (3) Reconsideration of the basis for the payment of grants-in-aid.

It appears, however, from the end of paragraph 13 that he would like now to be authorised to give some assurance to the teachers that the question of introducing a better scale of salaries will receive consideration after the war. Such an assurance would, in any case, have to be hedged about with conditions safeguarding the Secretary of State from misunderstanding and I should much prefer to avoid giving such assurance, which is likely to raise hopes which may well be disappointed after the war if our financial position is anything like as bad then as we have every reason to expect it to be. If, however, the Governor considers that it is politic to give some such assurance, however conditional and guarded it may be, I think he should first be asked to consider very carefully the bearing that such an assurance will have upon any policy of expansion of educational facilities. It would be unwise to assume that Nigerian revenues will recover their buoyancy quickly enough to enable them to bear the additional expenditure which will be involved, and if it were to be thought suitable for financing from the Development and Welfare monies, it would clearly result in there being so much the less available for expansion of educational facilities.

As regards the proposed institution of a Provident Fund involving an addition to the grant-in-aid of between £5,000 and £6,000 per annum and an unspecified increase in the grant to enable higher salaries to be paid to non-native teachers, I gather that Mr. Cox agrees that it is desirable in principle that means should be found to provide for

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for these two items as soon as possible. The questions, therefore, is whether they may both be held to fulfil the condition in paragraph 4 (c) of the late Secretary of State's circular despatch of the 10th of September, 1940. In view of the opinion expressed by the Governor in paragraph 11 of (5) as to the result of a failure to increase substantially the grants-in-aid and of the first sentence of paragraph 14, there seems to be a pretty strong case for the Provident Fund. Very much less stress is laid upon the increases of salaries of non-native teachers but they are at present very low and I should personally have thought it very desirable to secure the very modest improvement in their salaries which is proposed. A great deal of the efficiency of mission school teaching must surely depend upon maintaining the quality of their European staff. If it is decided to authorise the Governor to submit schemes covering these two items, the opportunity will no doubt be taken to comment on the lines indicated in Mr. Cox's minute on the need for clear planning of education policy in Nigeria, and I suggest that the point referred to at 'X' above in this minute might also be included when we write to him.

O. G. R. W

7/A

copy of the min by B. Bourdillon to Lord Moyne dated 17/1/41 + minute by Mr. O.S.R. Williams dated 26/1/41. Mr. Cox.

I submit 2/2 specimens & 2/2 letters to Nyene as a result of our discussion with S. J. last Wednesday.

These 2/2s are quite rough & I should welcome any improvements & I have found it particularly difficult to get clear what we really ought to say at the present stage.

The last part of the 2/2 letter is on the assumption that you are satisfied that there is a good prospect of our being able to move a suitable man to Nigeria to replace Mr. Morris. Perhaps you will discuss with Mr. Luke the various possibilities.

Mr. Paskin still see 2/2s in view of the development aspect - the point being that we at least extremely confusing & unsatisfactory?
O.G.R.W. 3.5.41

Mr. Luke

6

Can you please see (5), my minute of 9.12.40 and Mr. Williams' drafts, with special reference to the end of the draft letter from Lord Moyne to Sir B. Bourdillon & Mr. Williams' minute of 3.5.41? I mentioned this to you yesterday.

Arthur Cox

7.5.41

Dear, thank you. I am preparing a list of possible candidates for the Amendment.

Mr. Luke

7/5/41

Mr. Paskin

Please see these drafts. Can we discuss on Saturday?

Arthur Cox

8/5

Mr. Williams.

I regret that this file has been so long delayed. In the first place it has involved a good deal of discussion between Mr. Cox and myself, and it has been extremely difficult during the last two weeks to find a time when both he and I could get down to it. Mr. Cox has also discussed fully with Mr. Davidson, and the last two pages of the revised semi-official letter to Sir Bernard Bourdillon are the result of consultations between Mr. Cox and Mr. Luke.

The wording of some of the amendments which have been introduced by Mr. Cox has been very carefully chosen, and I suggest that they should not be further amended without reference to him. In particular I would refer to the following passages :-

- (a) Mr. Cox does not wish at this stage to be committed to the view that there is a case for an all-round increase in the salaries of non-native teachers.
- (b) The point of the qualification to the suggestion that native teachers' salaries might be further improved, is that there is a tendency on the part of missions to give an unduly high standard of training to many of the teachers employed on the most elementary work. Having received this training these teachers, not unnaturally, expect salaries consonant with their qualifications. This is very extravagant and may well be one of the main obstacles (unless it is checked) to the

considerable

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The Drafts are
a great improvement on
my earlier
efforts! I have
had fair copies
made
ones

considerable expansion of very elementary
teaching which it is desired to achieve.

I have thought it best, instead of having
the drafts retyped, to return them to you in their
present rough form so that you can readily see
what amendments have been introduced.

Mr. Cox would have liked to insert into the
official draft a strong expression of the view that
none of the assistance to be granted under the Act
should be allocated to the maintenance of native
teachers' salaries at the points on the scales which
they would have reached had their increments not been
withheld, which he considers should continue to be
regarded as an obligation of the Nigerian Government
itself. In the light of our discussion with the
Secretary of State, however, I feel some doubt whether
the Secretary of State would wish to commit himself
to this view at the present stage. The Governor's
proposals, when they are received, will however have
to be carefully vetted from this point of view.

998.
22. 5. 41.

Education in Nigeria has suffered more,
probably, than any other Department in recent years
and has been cut to the bone in a number of ways
which I could easily illustrate. I feel quite
clear that the proportion of the territory's annual
expenditure devoted to education should be appreciably
higher. While there is a very strong case for our
assisting them both to improve and to expand
existing services, the actual meeting of already
existing commitments should, I feel, fall on the
territory itself.

C. W. M. Cox
22. 5. 41.

As regards the point in Mr. Cox's minute
I think that Sir B. Bourdillon's difficulty is
that to continue to meet existing commitments
(which would involve increasing expenditure up to a point)
from Colony revenues would involve the
continued draught on the already seriously
depleted reserve funds so that sooner or
later Nigeria would be faced with the choice
of ceasing to honour those commitments
or of doing so by means of help either
from the Development vote (which he would
prefer) or from a grant in aid (with
consequent Treasury control)

A.M.
24.5.41
sent to Sir B. Bourdillon O.G.R.W. - 24.5.41

I share Mr. Cox's view that existing
commitments in regard to native teachers' salaries
should not be met from Colonial Development and
Welfare funds, and that any assistance which may
be granted under the Act should be confined to
grants for the improvement and expansion of
existing services.

911H
29.5.41.

- 8 To Nigeria 101 Saving Tel Conf. — 5.6.41
- 9 To Sir B. Bourdillon - Pen brief - 3/10 — 3.6.41

MM.
10

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by air mail.

C. O.

Mr. Williams. 3.5.41. *24.5.*

Mr. C.W.M. Cox } 22/5.

Mr. Paskin }

Sir A. Burns.

Mr. G. L. M. Clauson.

Mr. C. J. Jeffries.

X Mr. A. J. Dawe. *M*

Sir J. Shuckburgh.

X Permt. U.S. of *B.S. / Cap*

X Party. U.S. of *S. de Minami*

X Secretary of State. *M*

DRAFT. LETTER. *3.11.1941*

For the Secretary of State's signature.

Downing Street.

3 June
May, 1941.

Personal & Confidential

In your letter of the 17th April you raise various questions about the purposes for which money, provided by Parliament under the Colonial Development and Welfare Act, might be used. As I think you have realised, this is a matter about which there may be room for some difference of opinion. I am, however, as you already know, anxious that the greatest advantage possible, in the present war circumstances, should be taken of the provisions of the Act and I ~~hope soon to deal~~ *deal* in a circular despatch with the question of how this can be fitted into the picture of the more general question of war-time financial policy in the Colonies.

In the meantime I should like to offer a few comments on your letter. It is difficult and, I think, perhaps undesirable to attempt to draw hard and fast lines between what may and what may not be financed from Colonial Development and Welfare monies. I think it is clear that the general intention was that the £5,000,000 was to be new money; and that the references to possible grants in aid of recurrent expenditure had relation particularly to the maintenance of new services or improvements

of/

SIR BERNARD BOURDILLON, G.C.M.G.,
K.B.E.

2 drafts conson

FURTHER ACTION.

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of services created with financial assistance under the new Act. On the other hand it had been agreed that money from the new Vote could be used to a limited extent for the purpose of maintaining existing services when the alternatives would be the reduction of those services or bringing the Colony concerned under Treasury control by making an ordinary grant-in-aid. If the maintenance of existing services at their present level were to be financed from ^{the new Vote} ~~development monies~~ to any great extent in the Colonies generally, that would ~~of course~~ leave so much less of the £5,000,000 available for actual development and expansion. On the other hand, to use reserve funds to maintain existing services would ~~of course~~, if continued long enough, result in Nigeria requiring a grant-in-aid of general revenue, with the result that her finances would have to be subjected to Treasury control which I am sure no one (not ^{least} ~~even~~ at the Treasury) wants. Clearly the situation wants watching closely but it is fortunately not yet necessary to make the choice between going to the Treasury for a grant-in-aid to meet deficiencies and financing such deficiencies from ^{the new Vote} ~~development money~~ and thus leaving so much less for real development.

As for the scheme which you discussed with Gater, I am afraid that, as you surmised, the Treasury are unlikely to view with favour a proposal which would commit them to meeting any cost of a service in excess of a fixed annual sum. It is true that that was contemplated, as one of the possible alternatives, in paragraph 8 of the circular despatch of the 30th April, 1940, but the next paragraph of that despatch ^{comes back to} ~~came down heavily on the side of~~ the percentage grant ^{as the more acceptable.} ~~for reasons which I need not repeat.~~

This brings me to a final point. In the saving telegram which I am sending in reply to the despatch which you sent in November^{*} about the improvement of the conditions of service of mission teachers, I have felt it necessary to

(*undated and unnumbered. O.G.R.W.).

express

ask you to review the existing system of financing mission education in Nigeria. I feel that what we want is not merely a plan for patching up the conditions of service of mission teachers, but also a comprehensive plan for development and extension over a period of years.

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ask you to review
 [express the view that] the existing system of financing mission education in Nigeria ^{calls} for a ~~careful~~ review so as to enable its advantages and disadvantages to be properly assessed, as a preliminary to the preparation of a comprehensive scheme, not merely for improving existing conditions of service where necessary, but also for planned development and expansion over a period of years. I feel that the grant-in-aid system ^{front} calls for most careful examination and possibly for considerable revision, and it will obviously be necessary, before assistance from ^{Colonial} Development ^{Welfare} monies can be considered, for the financial implications to be worked out along the whole front with some precision, not only as regards immediate requirements but for the whole period covered by the plan of development.

I realise that this will mean a lot of work, but I am convinced that until this has been done it will not be possible to make any satisfactory progress.)

..... What I should particularly like to know, however, is whether you think that such a task would be too much in present circumstances for the staff of the Education Department.

I know what a high opinion you have of Morris and I believe he is greatly liked, but I wonder whether it would be quite fair, at his age, to expect him to evolve a satisfactory plan of the ^{kind I suggest} nature which I have indicated. He is now two years past the retiring age and I do not think we need hold him to the strict letter of the condition of his appointment that he should complete not less than two tours in Nigeria. There are, I think, one or two possible successors who have proved their/

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their administrative grip in important Directorships and who might confidently be expected to master the highly complicated intricacies of grant-in-aid policy in a country like Nigeria, and see that the job of planning and carrying out a comprehensive programme of controlled development was properly done. The sort of man I have in mind is Power, who was very carefully considered at the time of Morris's appointment and who seems to have got Gold Coast planning into first-class trim; the Advisory Committee and Cox have been much impressed by his recent work. If you think, therefore, that it would, on the whole, be a good thing to let Morris retire in the near future so as to bring in some rather younger man, who has given recent proof of a special capacity for tackling this kind of important and complex problem with vigour and ability, you may be assured that I will do my best to find you a satisfactory substitute.

Or again, you may perhaps feel that Morris would be unduly handicapped, by having as his Assistant Director, on whom so much of the staff work must fall, a sick man who will, I understand, be entitled to his final leave pending retirement in a few months time. Whether or not, therefore, you feel that Morris himself should be asked to start on the formidable task that lies ahead, you may think that we should do our best to provide at once the best Assistant Director whom we could find for this particular task.

I have no doubt that the chances of obtaining assistance from Colonial Development and Welfare funds at an early date for your educational plans will much depend on the clear-sightedness and thoroughness with which their long-range implications have been worked out. From what has been said by Cox, and members of the Advisory Committee who have been studying the last education report with some concern, it is clear that a quite exceptional effort will be needed at a time

when/

when the department is short-handed and hard-pressed. I shall be glad, therefore, if you will turn over these suggestions in your mind and let me know what you think fairly soon.

Yours sincerely
(Sd) Moyne

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AIR MAIL

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C.O.

- Mr. Williams 1.5/41.
- Mr. C.W.M. Cox 22.5/41
- Mr. Paskin 27.5/41.
- Sir A. Burns. *24.5*

S.B.
See 1/30316/13/41
& 13/30150/42
 5 JUN 1947

C.D.
 R 4-JUN
 D 4-

No: ... (10) CONFIDENTIAL.

- Mr. G. L. M. Clouston.
- Mr. C. J. Jeffries.
- X Mr. A. J. Dawe. *24.5* (7)
- Sir J. Shuckburgh.
- X Perm. U.S. of *26/5/41* (5)
- X Parly. U.S. of S. *see minute*
- X Secretary of State. *M/2/5/41*

DRAFT. SAVING TELEGRAM.

GOVERNOR,
NIGERIA.

In paragraph 3 of my confidential telegram No:102 of 24th January, I promised further communication on proposals in your undated despatch received 25th November last.

As regards the scheme of improvements described in paragraph 12 of your despatch, I note that in addition to the grant to enable mission teachers to be placed on the salaries, with effect from 1st April, 1940, which they would be drawing had they received their increments on due date, for which provision has been made in the 1941/42 Estimates, you recommend the immediate institution of a Provident Fund and foreshadow a further communication, not yet received, regarding the cost of raising grants for salaries of non-native teachers, leaving the question of improving the salary scale of African teachers to be considered after the war.

2 Drafts.
(conson.)

I regard the Provident Fund as quite suitable for inclusion in a scheme to be financed from *colonial welfare* development monies, and a case might perhaps be made out for *increasing* improving grants in respect of non-native teachers in some cases from the same source, though I should wish to be given full information as to the methods of assessment and administration. In view

FURTHER ACTION.

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view of the striking discrepancy between existing salary scales of African mission teachers and those in Government service, I feel some doubt whether steps to improve the conditions of service for the former as well as for the non-native teachers can justifiably be postponed till after the war, though I should naturally have to be satisfied that the classification of mission teachers was satisfactory from the point of view of not employing teachers with unnecessarily high qualifications on very elementary work. I am accordingly prepared to consider applications for all these purposes.

I must say, however, that while, from the information furnished in your despatch, I have not been able to appreciate the position very clearly, I am left with the impression that the present unsatisfactory position under the existing grant-in-aid system is at any rate to some extent attributable to the absence of adequate safeguards in the system itself. For example, it would appear, from the latter part of paragraph 6(b) of your despatch, that ~~your~~ ^{Nigeria} Government is not in a position to exercise any effective control over the expansion of existing Mission schools and the engagement of extra teachers; and that it is partly through such uncontrolled expansion that it has become involved in financial obligations which it has been unable to fulfil. There does not in fact appear to be any guarantee that the part of the block grants assessed in respect of salaries will be spent on paying the full salaries as assessed, instead of being diverted to financing the employment of additional teachers at inadequate salaries. A re-examination, therefore, and perhaps also a considerable revision, of the grant-in-aid system appears to be an essential condition precedent to the formulation of an application for assistance from the Colonial Development and Welfare Vote.

Furthermore,

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stage showing broadly the financial implications involved.
That is no reason why self-contained parts of such a programme such as a scheme for establishing a Provident Fund, should not, if urgently required, be submitted in advance of the general plan, the preparation of which will no doubt entail much careful deliberation and should not be unduly hurried.

See

Copy.

7A 14

GOVERNMENT HOUSE,
Lagos, Nigeria.
April 17th.

Secret & Personal.

Dear Lord Hoynes,

Many thanks for your letters of March 20th and April 1st. I am afraid that de Larminat, with his many excellent qualities, is not always tolerant in his personal likes and dislikes - particularly the latter!

I am very much interested and encouraged by what you say about the Development and Welfare Scheme. There is one difficulty in working the scheme in its present form which I discussed once or twice with Sir George Gater last April. There are several cases in Nigeria where we must repair existing defects before we expand, and have not got the money to do so. A very clear example is education. Before we spend money on its expansion, it was essential that we should bring grants-in-aid to missions up to date, and it looked as if it was going to be very difficult to get money from the fund for this. In fact, I have recently been told that I cannot do so, and have had to put up the money myself, and increase my deficit by £26,000. There are other similar instances; e.g. some of the terms of service of daily-paid labour in the Railway and other departments need improving. We have not got the money - and to include a demand like this under the scheme seems pretty difficult! Gater and I had discussed a rather immoral scheme, which might have worked. The idea was that we should produce a complete programme including present work and expansion, for, say, the Agricultural Department. Total Cost, let us say, £300,000 per annum. Of this we are already providing £130,000, so we want £170,000. But, we would add, of our £130,000 we really can only afford £100,000. The other £30,000 ought to be being spent, at the moment on improving the terms of service (better pay, holidays with pay, etc.) of our regular daily-paid labour. So will you please give us £200,000 and release this £30,000 for its proper use? Ingenious, but I fear it would be difficult to get it past the Treasury. I can, however, see no other means of getting what we want.

X
Education might be brought within scope of fund but not Rly. wages.
M.

Yours sincerely,
(Sgd. B.H. BOURDILLON.

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As regards the passage marked 'x', please see the Governor's saving telegram at (19) on 30037/6/40, paragraph 15 of his despatch at (5) on 30440/40, our telegram to him at (22) on 30037/6/40 which answers both the savingram and paragraph 15 of the despatch referred to above. Our telegram was sent as a result of the discussion recorded in the note flagged in green above No. 19 on 30037/6/40 and after subsequent discussion at the Treasury, whose concurrence in the draft will be found at (24) on that file. In his telegram at (1) on 30037/6/41 last paragraph, the Governor seems to show that he is still under some misapprehension as to the extent to which it might be possible to finance the maintenance of existing services as distinct from either the improvement of existing services or the maintenance of new services from the new C.D. and W. monies. It was, however, decided that the time was not ripe to pursue the matter further with him so nothing more has been said to him on the subject - see Mr. Dawe's minute of 23.2.41. on the 1941 file.

O. G. R. W.

26.4.1941.

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Extract.

Colonial Office, S.W.1.

15

20th March, 1941.

Dear Sir Bernard,

I have also just been reading the long printed despatch which you sent home in April 1939, about development. Even though the specific proposals that you made at the end were not embodied in the Colonial Development and Welfare Act, I found the despatch very much to the point. I am very keen that we should get on with the policy of the Act as much as we possibly can despite the war. I have just been looking into the present instructions to Colonial Governors - principally, I think, the circular despatch of the 10th September last - and to my mind they are a good deal too negative. I know that this was the view that Lloyd had come to in the last months of his life. I expect I shall soon be writing to you officially on the subject. Of course there must inevitably remain the difficulties of shortage of men and shortage of materials, and I suppose that in Nigeria the shortage of men is likely to be particularly acute. Still, I hope that something may nevertheless be possible. It is, I know, the Prime Minister's wish that "development and welfare" should go ahead in the West Indies and in all the other poorer Colonies, amongst whom Nigeria must be reckoned.

Yours sincerely,

(Sgd.) MOYNE

Sir Bernard Bourdillon, G.C.M.G., K.B.E.

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Draft on 22.

30037/6/40

CODE TELEGRAM

TO

Governor

NIGERIA

Sent 24th January, 1941. 12.30 hrs.

IMPORTANT.

No.102 Confidential.

Your confidential saving telegram No.161 of 1940. I regret delay; but it is peculiarly difficult in present conditions to determine problems of long-term policy which you raise. But as regards paragraph 6 of your telegram I can say that it is certainly the present intention of H.M.G. to implement new development policy after the war or earlier if circumstances should permit. It would however be idle for me to attempt a firm and conclusive answer to your questions when by some turn of events situation may be transformed in few months. I must confine myself therefore to indicating what your immediate course should be in preparing draft estimates for next financial year.

2. I consider that you should adopt the first course referred to in paragraph 4 of your telegram, i.e. you should maintain existing services and standards as near pre-war as shortage of staff and material will permit, and meet the deficit from reserve funds. My only rider to this is that every practical step should be taken to ensure that full value is being obtained for money spent. Where economy in this sense is possible every endeavour should be made to achieve it. My impression is that it would be possible to subject many of the Departments to some pruning with gain in efficiency, e.g. economies in railway working and your recent proposed reforms in Port Department. But I am anxious that there should be no reduction in the social services which might impair the existing structure and make it difficult to build up again. You should consult me about any major economies proposed before draft estimates are put before Council.

(5) 3. Under above policy expenditure for Mission teachers' increments (see your undated despatch received 25th November, 1940) will fall to be met from local funds. Provision should be made accordingly in estimates. I will communicate separately on other proposals in that despatch.

4. You should examine possibility of increasing revenue by additional taxation, particularly direct taxation, e.g. on tin and other industries, see my circular telegram No.252 of 27th December, 1940.

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Original on 12905/2/40 S.S.

186

Meeting in Sir J. Campbell's room on 11th December, 1940 to discuss
(1) the use of the Colonial Development and Welfare Vote to meet Colonial budgetary deficits and
(2) the application of any decision arrived at to the case of Nigeria.

Present:-

Sir J. Campbell
Mr. O. G. R. Williams
Mr. Paskin
Mr. Siddeyham
Mr. Boyse.

The meeting had before it the extracts from minutes and correspondence registered at (1) on 12905/2/40 S.S.

It was agreed that the Act had been drawn in such wide terms that it appeared possible to use the Colonial Development and Welfare Vote for the purpose of maintaining existing services.

2. On the other hand it was clear from the records of the discussions that had taken place in the spring:-

(a) that it was the general intention that the £5,000,000 was to be "new" money;

(b) that, in so far as it was contemplated that grants should be made for the maintenance of services, this had reference more particularly to the maintenance of new services or extensions of services created with financial assistance under the Act;

(c) but that, nevertheless, it had been agreed that, on occasion, money from the new vote might be used for the purpose of maintaining existing services when the alternatives would be the reduction of those services or bringing the Colony concerned under Treasury control by making an ordinary grant in aid; but that the vote should be used for this purpose only to a limited extent.

3. ^{Meeting} The Committee agreed with the policy outlined in the preceding paragraph.

4. It was however recalled that the late Secretary of State had most particularly wished to refrain from prejudging any question of policy on which the Advisory Committees which were to be set up to assist in the administration of the Act, might be expected to wish to formulate their own views. The Committee considered that the question of the use of the new Vote for the purpose indicated in paragraph 2(c) involved such a question of policy and they accordingly considered that it was undesirable that, pending the appointment of the Advisory Committees, the Vote should be used for this purpose, even to a limited extent.

5. Moreover, it was pointed out that the effect of using the new Vote for the purpose indicated in paragraph 2(c) to more than a very limited extent, would be to reduce substantially the amount available for development, and would therefore largely defeat the objects of Parliament in making the financial provision embodied in the Act.

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6. It was also pointed out that it would be natural for the Treasury not to be averse from the use of the new Vote to meet a Colonial budgetary deficit. If such deficits are met by grants in aid from the Colonial and Middle Eastern Services Vote, they would also be faced (in normal times) with the probability of having to find the full £5,000,000 a year from the new Vote; whereas any use of this £5,000,000 in substitution for an ordinary grant in aid would represent a "saving". This contingency does not arise in present circumstances (since, quite apart from the "Gentleman's Agreement") the expenditure of only a small part of the £5,000,000 is envisaged. Nevertheless, the Committee considered that, in the long run, it would be in the general interests of the Colonies for the Colonial Office not only not to propose this use of the Vote, but to resist any suggestion by the Treasury that it should be so used, *except perhaps to a very limited extent.*

7. The Committee then proceeded to consider the Governor's general enquiry in paragraph 6 of his Savings No. 161 of the 18th of November (No. 19 on 30037/40 Nig.), and his direct application for financial assistance in the matter of the improvement of the conditions of service of mission teachers (No. 5 on 30440/40 Nig.). The Committee hope that the necessities of Nigeria will not be allowed to prejudice the questions of general policy involved.

8. In paragraph 6 of his Savings of the 18th November, the Governor enquires whether "the present financial policy in Nigeria can still be based on the assumption that, in due course, His Majesty's Government will be able to implement the new policy, or whether an unavoidable return to the policy of individual self-sufficiency must be envisaged". The terms of this enquiry seem to indicate a misconception of the intentions of His Majesty's Government under the "new policy". The Governor appears to assume that, after the war, Nigeria might be permitted, under the new policy, to draw on the new Vote to the extent of £500,000 a year for the purpose of maintaining its services at the present level. This can hardly be considered to be a "limited" use of the new Vote for this purpose.

9. It seems probable that the Governor's misconception arises from two causes:

- (a) a failure to realize that the references to the use of the new Vote for the maintenance of services was intended to relate primarily to the maintenance of new services, or of extensions of services created by expenditure from the new Vote; and only in exceptional circumstances, and to a limited extent, to the maintenance of existing services; and
- (b) an unjustified assumption that the provisional assurance that was given to him in regard to the use of the new Vote for the purpose of restoring the increments of mission teachers, had a much more general application.

10. It is therefore suggested that the intentions of His Majesty's Government should be explained to the Governor on the above lines; and it might be added that while of course it is the present intention to give as full effect to the new policy after the war as the financial circumstances of this country will permit, no guarantee can be given as to the extent to which this will be possible.

11.

meeting
11. The Committee accordingly felt
(a) that the solution of the problem of dealing with the deficit of £500,000 a year should be sought by other means than by drawing on the new Vote; and
(b) that the solution should depend on the answer to the question whether this deficit is likely to be permanent, which in turn depends on the reasons for the occurrence of this deficit, and whether they are likely to persist after the war. The Governor has not furnished any analysis of these factors. In so far however as the deficit was attributable to the fall in prices of its principal primary products and the loss of markets, the deficit was likely to persist for some time after the war.

meeting
12. The general conclusion of the Committee was that Nigeria ought forthwith to proceed to make plans to put her finances on a sound basis by measures of the kind indicated in the first sentence of paragraph 5 of the Governor's Savings, using her surplus balance to bridge the gap in the meantime, and not excluding the possibility that she might ultimately have to apply for an ordinary grant in aid.

13. In this connection it was observed that it seemed illogical that Nigeria should not be permitted to draw on the new Vote for the purpose of maintaining existing services if, having curtailed those services by retrenchment, she were subsequently allowed to draw on the new Vote to "develop" the curtailed services up to their present level. The answer to this line of argument was that (as experience elsewhere has shown) judicious retrenchment did not necessarily involve any very extensive reduction of services, and that there was probably a good deal of dead wood in Nigeria that could be pruned without loss of efficiency. *In particular it was suggested that there was great scope for reducing the drain on the country represented by the inefficiency of the management of the railway, and the failure to make it earn as much as it ought owing to its unscientific rate structure. It was also suggested that the Nigerian Government was not getting its due share of the war profits being earned by the tin and other industries. (Per contra, it was observed that extensive retrenchment of African staff might be impracticable owing to its political repercussions).*

Nigeria's resources could be reduced by more effective railway management - in particular by securing better railway earnings through the introduction of a commercial structure (the Govt of Nigeria is already giving this matter attention).

14. As regards the application for grants from the new Vote to restore and improve the conditions of service of the mission teachers, it was thought that the principles enumerated in paragraphs 1-6 above should be strictly applied. The proposals for setting up a Provident Scheme and for increasing the grant in aid in respect of European teachers were clearly proposals for new "betterment", the cost of which could legitimately be met from the new Vote (though the proposals ought not to be considered until they had been formulated with much more precision than in the Governor's despatch, and with due regard to the observations in Mr. Cox's minute).

15. On the other hand the proposal to restore the increments of African teachers appeared, on the Governor's own showing, to be an existing commitment which (on the Committee's interpretation of the new policy) ought not to be met from the new Vote. In so far as the acceptance of this view would involve going back on the provisional assurances that were given to the Governor in June, it was observed that the change in the war situation (and consequent in the financial position of this country) since that time would be a sufficient justification.

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NIGERIA

NO. B25

Government House,
Nigeria.

18 November, 1940.

My Lord,

I have the honour to address Your Lordship upon a subject which has been causing me considerable uneasiness for some time past, and certain aspects of which I had occasion to discuss with your Department last April, when I was in England on leave. I refer to the state of affairs that has arisen in Mission schools owing to the inability of the Government, for financial reasons, to give the full assistance by way of grants-in-aid to which such schools are entitled.

2. It is perhaps scarcely necessary for me to emphasise the important part played by the various Christian Missions in promoting the cause of education in Nigeria, but I would invite Your Lordship's attention to the fact that, of the 300,000 children receiving elementary and primary education in institutions under Government inspection in Nigeria, no less than 95% are in mission schools.

3. The conditions under which grants-in-aid may be given to mission schools are governed by Regulations 6 of 1931, which lay down certain conditions which must be fulfilled before a school may be given a grant. Once these conditions have been fulfilled and a school has been classed as an assisted school, it is classified as "A", "B", "C", or "D", according to its efficiency. These schools may receive, respectively,

THE RIGHT HONOURABLE
LORD LLOYD OF DOLOBRAN, P. C. , G. C. S. I. G. C. L. E. , D. S. O. ,
SECRETARY OF STATE FOR THE COLONIES,
LONDON, S. W. 1.

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grants-in-aid has remained constant at approximately £102,000.

6. The present position may be summed up as follows:

- (a) Mission teachers are on unduly low scales of pay, and have no pension or properly organised provident fund scheme.
- (b) Owing to the failure on the part of the Government to provide sufficient grants-in-aid many teachers have not been paid the increments due to them for some time past, and in some cases salaries have actually been reduced, as schools have expanded and extra teachers been engaged.
- (c) The uncertain future of the teaching profession in Mission schools has caused many of the most experienced teachers to resign when an opportunity of getting a clerical post in Government service seemed probable. Some of these men were drawing as much as £70 - £80 per annum, but the regular increments in Government service and the prospect of an assured pension or provident fund benefits in the future proved an overpowering attraction even at the initial salary of £36 per annum.
- (d) The efforts of Training Colleges to improve the standard of the teaching profession has to a great extent been nullified as the young teachers often resign as soon as they have fulfilled their contracts after training, realising that their prospects are not what they had been led to expect.
- (e) The inspectorate cannot demand the proper state of efficiency in schools when the lack of financial support from Government is largely responsible for the present state of affairs.
- (f) The teaching profession is now regarded as a pis aller by the young man seeking a career.
- (g) Missions and teachers are growing restive and discouraged and, although they have for the most part loyally tried to make the best of the situation, there is a general feeling that education, which is so eagerly sought by the African, is the first victim of the economy axe.

7. On March 1st last, I received a deputation from the Board of Education, which represented to me, with restraint and moderation, but with considerable emphasis, this unhappy state

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in order to enable some relief to be given to the teachers who had been hit worst by the failure to grant increments of pay as they fell due. I had been informed that £5,000 would be sufficient to pay one arrear increment all round (it now appears doubtful if this is in fact the case) and I accordingly authorised Mr. Woolley to advance this sum. By the time that my communication reached him the war situation had become so much worse that he judged that the chance of assistance being forthcoming by His Majesty's Government must have lessened considerably, and the advance was not made.

*copy
with Y*

11. I have studied the situation again since my return, and have received representations from a deputation of the Nigerian Teachers' Union. I had already determined to approach Your Lordship again on the subject, when, on October 30th, I received your circular despatch of September 10th which, in the 4th paragraph of which the three conditions on which you feel that you would be justified in asking the Treasury to agree to assistance being given to schemes other than those which have a direct relation to the war effort are clearly stated. The first two conditions are clearly fulfilled. There remains the third, namely that "the scheme is of such urgency and importance to justify the expenditure of United Kingdom funds in the present circumstances." As to whether this condition is fulfilled or not, I must leave it to Your Lordship to judge. I would only urge that, if a substantial increase is not made forthwith in the grants-in-aid there is, in my opinion, a serious danger of the collapse

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collapse of the whole system of missionary education, and that, as you are already aware, the Nigerian Government cannot grant that increase out of its own resources without making a further inroad upon its already seriously depleted surplus balances.

*In an additional despatch
of 1954
what is the result?*

12. If Your Lordship is of the opinion that a scheme for improving the conditions of service of Nigerian Mission School teachers is one for which assistance can properly be asked for, it remains to determine the amount for which application should be made. In accordance with my request, referred to at the end of paragraph 7 of this despatch, a sub-Committee of the Board of Education drew up a scheme estimated to cost £75,000 in a full year. The Director of Education is of opinion that the actual cost would be somewhat higher. The scheme included, (a) the introduction of the new salary scale shown in the appendix to this despatch, (b) an increase in the grants in respect of non-native teachers to £300 per teacher, subject to existing limitations as to numbers, (c) assistance towards the establishment of a Provident Fund, (d) payment of arrears of building grants, amounting to about £7,000, (e) payment of grants on a 100% salary basis instead of as at present, but the Government to take in return from 66 2/3 to 80% of the fees, and certain other small items.

13. Of these proposals, (e) has been considered before, and rejected. There is a good deal to be said on both sides. The argument against the present system, which is described in paragraph 3 of this despatch, is that, while it undoubtedly provides a stimulus to greater efficiency it at the same time places obstacles in the way of its attainment

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regard this as highly desirable, but as of less importance than the other two measures proposed. I am unable to state the amount that would be involved, but will communicate this to you by telegram.

17. The amount allowed for grants-in-aid in this year's estimates is £102,050. I suggest that this Government's contribution to grants-in-aid be fixed at £100,000 per annum, and that any expenditure approved by Your Lordship in excess of this sum be paid from the new Colonial Development and Welfare Fund. This would involve, during the present financial year, a payment of some £32,000, plus the amount required for additional grants in respect of non-native teachers.

18. In 1941/42 an additional sum will be required on account of increments, and I should also like to see a further addition to enable other schools, which are qualified for, but do not receive, assistance, to be added to the list.

19. I should be grateful if Your Lordship would intimate to me by telegram whether you are prepared to consider these proposals favourably. If your answer is in the affirmative, I will telegraph a final estimate of the amount that will be required this year, and of the additional amount likely to be required next year.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble Servant,

B. H. Amis

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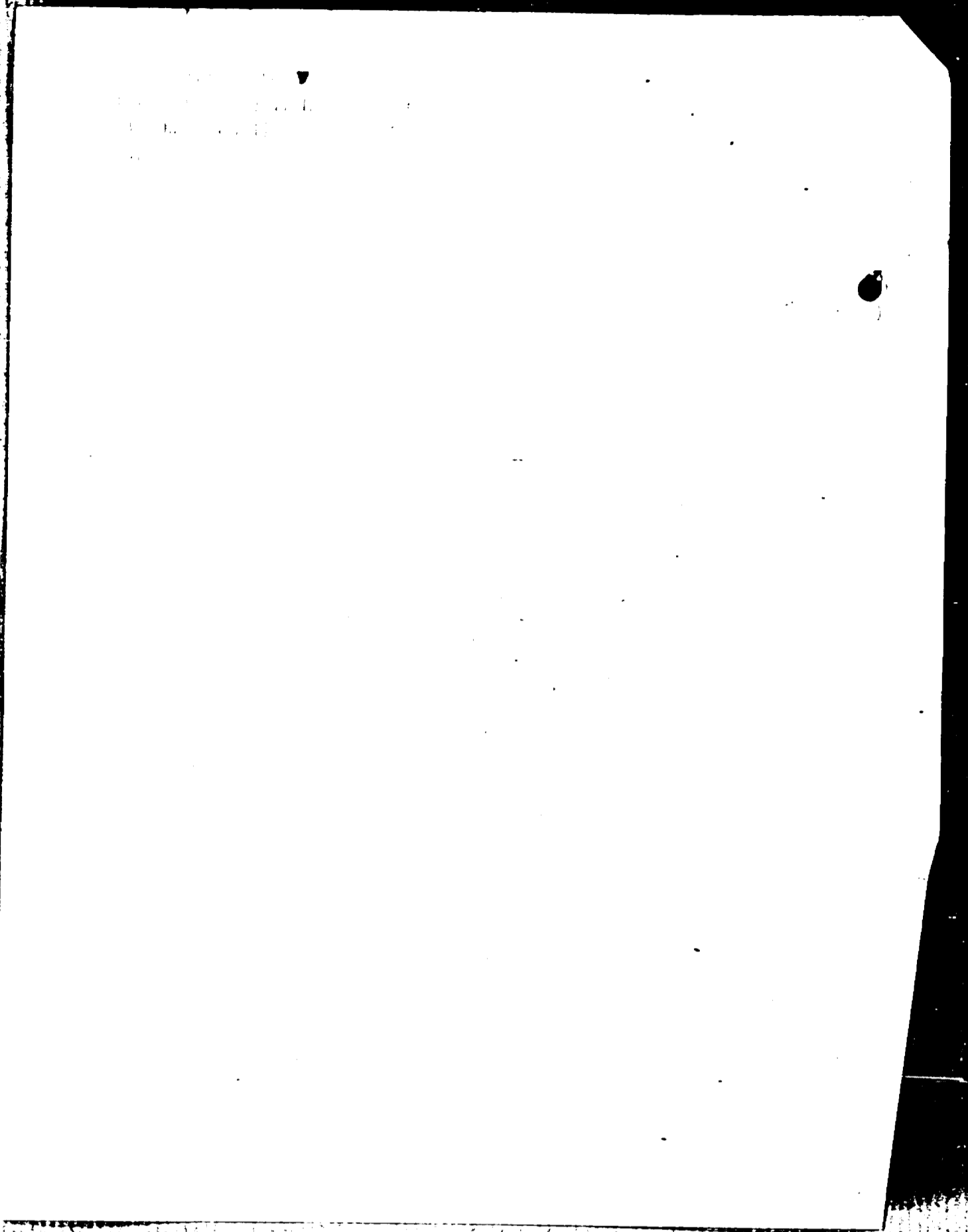
Appendix I.

Comparative Table of Teachers' Salaries.

Rank	Government	Missions	Rank
(a) Probationary Teachers and Uncertificated Teachers.	Various rates up to £72.	£12-2-£24	(a) Probationary Teachers and Uncertificated Teachers.
(b) Teachers with Elem. Training Centre Cert.	Grade IV. £36-3-60 " III. £63-3-84 " IV. £90-6-108 " I. £120 (Fixed).	Scale (1). III. £30-3-36 II. £39-3-45. I. £48-3-51.	(b) Teachers with Elem. Training Centre Cert.
(c) -	-	Scale (2). III. £36-3-45.	(c) Trained but uncertificated teachers.
(d) Teachers with H.E. Certificate.	Grade III & IV. £42-6-72; £80-8-128.	II. £40-4-52 I. £56-4-68	(d) Teachers with H.E. Certificate.
(e) Teachers with Senior Certificate.	Grade II. £140-10-220. Grade I. £240-10-300.	Scale (3) II. £72-5-82. I. £87-5-102.	(e) Teachers with Senior Certificate.
(f) -	-	Scale (4) £110-6-152.	(f) Teachers with Senior Certificate with at least 10 years good service in previous grade.
(g) Masters, Grade III. do do II. do do I. (limited). Asst. Superintendents (limited number).	£88-8-128 £160-10-220 £240-15-300 bar £315-15-375. £400-20-460.	£75-5-110 bar £110-5-150 " £160-10-200	(g) Masters, Grade III. do. do. II. do. do. I.

(d) includes teachers holding Senior Certificate who do not proceed to grade II class selected to fill a vacancy.

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TOTAL EXPOSURES →