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1939

Virginia

No. 30421

20583/244/30421

SUBJECT.

Native Administrations and Central Government.

Apportionment of Revenue and Functions

Previous

see 30149/39

Subsequent

see 30453/39.

Government.

Considerable progress in the administrative field (by which I mean the business of Government as carried out by its various agents) has been and is being made in Nigeria and in other African dependencies. Suitable agencies of government are at last being created in the Southern Provinces, administrative activities are being successfully carried out by the functionaries of the Emirs and so forth, but I cannot help feeling that this progress will prove to be somewhat sterile and even dangerous if it is not accompanied by complementary progress in the political field.

Administrative activity can largely be divided into watertight compartments - as Sir Bernard points out nearly every such activity apart from Customs, Marine, Defence, Mines, Posts and Telegraphs, and Railways can be decentralised. But Government is itself the expression of some guiding force and will, and as problems social and economic common to the masses tend to produce popular community of interest which as time goes on will need means of expression, it is difficult to see how increase in responsibilities for carrying out the business of Government will enable the Native authorities to satisfy any demand that may (and I think must) arise for a share in the direction of the policy of the central Government. I should say that there is a danger that an increase in administrative functions will tend to alienate the sympathies of the masses from the traditional authorities. They will look on their Emirs' Chiefs and Councils as purely agencies



However that may be and without wishing to make any suggestion regarding our policy I agree with Mr. Eastwood that any attempt at definition must be welcomed. - Some years ago we recognised the need for an Education policy and laid one down in the Ken-Ann Command Paper. The General Colonial Policy into which our Education Policy was designed to fit was, I always understood embodied in the idea mentioned at the beginning of my minute. Whatever our Colonial Policy is, it would be helpful to have a statement of it so as to make sure that our Education policy implemented it.

Harmon Viselun

13.10

illegible

4  
I cannot find out from the Governor's memorandum what is involved by "the allocation of responsibilities to Native Administrations" - and until that phrase is defined I should feel most uneasy about the extensive education functions envisaged in the Schedule to N.A. To what extent will the Central Government retain responsibility  
(a) for the adequate supply of educational funds and facilities  
(b) for maintenance of standards  
(c) for control of expenditure to ensure wise and economic use?

A.C.E.C. in its memorandum on Local Education Authorities (which deserves consultation in this connection) recommended that Native Administrations should not be given the power of a Local Education Authority - but that the Uganda procedure should be followed - i.e. that ad hoc Local Educational Boards should be formed - containing representatives of (a) the Administration and Education Services (b) Native Administrations (c) Managers of Schools (d) African educational opinion. This is the procedure that was

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Subsequently formed the Kenya District Education Committee were established.

Arthur Mayhew  
13-10-

The political issues and implications are of no concern of mine, but I do feel that it would be unwise under Nigerian conditions to attempt to differentiate between taxes for local needs and requirements and taxes for the Central Government. Thereby would be created in miniature a system which would give rise to the contentious differences which have been the cause of much trouble in India between the Provinces and the Central Government. The lessons of the East would incline one to the feeling that a system with any semblance to the Indian relationship between Provincial and Central Government should be avoided, if difficulties in the future are to be guarded against. Again the local Government system of this country is not applicable, because of the differences which exist in the ratio of <sup>taxable capacity for the</sup> central and local Government ~~taxable capacity~~. After all, there is some advantage in not having a multitude of taxes & rates to be collected. From my limited and, perforce, superficial <sup>and</sup> knowledge of the conditions of Nigeria, I feel that Sir Bernard Bourdillon's conclusions are suited to those conditions and provide an adequate guide for the future for a decade at least, and possibly longer.

As far as the allocations made for Agriculture and

and Veterinary Services are concerned, I would have no comments to offer. They are satisfactory, but under Agriculture I could have wished to have seen separate mention made, as in the case for the Veterinary Services, of research and central laboratory services as being allocated to the Government. This is implied by the mention of Moor Plantation and Samaru as the laboratories and research work are centred at these places, but a separate heading would have made the position clear beyond dispute.

J. A. Siskdale  
19.10.39.

Sir Bernard Bourdillon's memorandum is instructive and a clear definition of the policy he proposes to adopt in regard to native administrations in Nigeria. I agree with most that he has to say.

Nigeria is a vast territory with many different races some of which are & will be for many years in a most primitive state while others are more advanced. Even the most advanced are primitive in their ideas compared to European standards.

Our aim is to educate the African to eventually look after his own affairs, but this must be a long and slow process which must not

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be turned. Even local Govt. should come slowly and only when the people understand the responsibilities of such Govt. Despite what has been said much of the native administration in Africa is a force as regards the extent to which their responsibilities are understood by native administrations.

I attribute the present state of the West Indies largely to our policy of giving the people a large measure of self government when they had not the background for such responsibilities.

The allocation made for the medical health service has been in force for sometime and has been working fairly well so far, but only because the institutions have been supervised or administered by European Govt. officials or European employed by the native administrations.

The standard of training of the African <sup>native</sup> medical health personnel employed by native administrations

is much lower than has demanded by Govt. for their staff. There is also a much lower rate of pay than is satisfactory. It is essential that the native administration should give their employees pay approximately to Govt. standard grades which is more important a better status.

Social service appeal to the native - they <sup>get</sup> something for their money they usually take a great interest in such service, although not yet in a position to manage them.

A. R. R. R.  
2017

I think you will be interested to read Sir B. Bondless memo. of the foregoing points.

The Governor has evidently copied his attention about certain of the practical ~~aspects~~ <sup>problems</sup> of the respective functions of Central Govt & N.A. at the present time in the immediate future. His conclusion need not I think be regarded as unusual except on the assumption that the <sup>progressive</sup> training of N.A.'s is to take over more and more completely certain functions at present largely or entirely performed by

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Central Gov. Offices is consistent with  
willing to support with the development of  
the Officers through self-education.

I cannot see any reason for ~~the~~ supposing  
~~impossible~~ that training in the various arts  
of administration is best ~~provided~~ training  
politically, even if we are really aiming  
at an extension to Nigeria of some form  
of ballot-box democracy.

On another file the question is being raised,  
on texts <sup>drawn from</sup> ~~supplied by~~ L. D. Hawley, Bury,  
of the ultimate relation between ~~the~~  
~~legislature~~ indirect rule & central  
legislatures, & no doubt this & cognate  
questions will be discussed with Sir Bernard  
when he comes on leave.

B | So far as this means is concerned I got  
draft note & by let it be sent now  
with much interest.

A | I do not know what Mr. Mayless wishes  
to be done in action - takes on the education  
points on which he feels uneasy. Perhaps  
he may think that a private letter from  
him or Mr. Vischer to Mr. Morris may be  
the best way to start reconsideration of this  
part of the former's "tentative schedule".

O. G. R. Williams  
4. 12. 35

M. Williams 7

If Lord Hailey goes to  
W. A. this is the sort of  
subject which will come  
within his scope.

Perhaps this could  
be brought up when we  
know definitely whether he  
is going and we may be able  
to discuss with him. If he  
goes he should in any case  
be given a copy of the  
Minute.

ltjs

12/9/35  
R 98 105 etc this to be brought up  
in a future week

Mr. Mayless.

Do you want anything done about A in my  
previous minute. O. G. R. Williams 11. 12. 35

Copy given to  
Lord Hailey by  
Lt. Paddy - see  
Lt. Daves'  
unofficial note  
in 30452/35.

This paper was  
not received  
Requ. under 11/1/40

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has suggested a private letter from the  
Education Adviser to the D of E in Nigeria  
in connection with points raised in Mr  
Mayhew's minute of 13/10.

M. Marshall  
25/1

We ought to keep a watchful eye on  
the allocation of educational responsibilities to  
Native Administrations, in West as in East  
Africa, and not lose sight of the questions  
raised in Mr Mayhew's minute of 13/10.  
But I do not think a letter to the D of E in  
Nigeria is necessary at this stage. Mr  
Mayhew, with whom I have discussed affairs.

Clive Cox  
13/2

The pub. by.

M. Marshall  
14/2 above

Mr. Gray.  
I have a note on the N. Provinces  
Education file that you would like to see  
this paper. Attached.  
17.4.

Many thanks -

Gray.  
24/4/40.

Mr. Gray  
Lord Mayhew has  
seen this.  
(Dated 25.3.41)

C.S. Native Administration

Gov. No. 536. 10.5.39.  
For 12 copies of a memorandum on the apportionment of  
revenue and functions between the native admin. and Govt.  
(5 parts to date)

We might ask for Mr. Walker's views  
on this Memorandum in the first instance.

M. J. Salbie  
16/6.

I don't think we need trouble the  
Office of Colonial Accounts with this  
paper which deals with questions of policy,  
not of accounting procedure.

I think that you may be interested to  
look at Sir B. Bourdillon's identity  
memorandum & the appended schedule.  
It is the first really attempt that I  
have seen to think out clearly the  
problem of the relations between the  
Colonial Govt & native authorities.

Have you any views?

O. G. R. Wilson  
16.8.39

Sir Bernard's memo provides an interesting  
commentary on our policy of "indirect rule", and  
makes it clear that as far as Nigeria is concerned  
we have no idea where it is leading us. He talks  
about

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about educating the people of the country politically and administratively to manage their own affairs, and says that in pursuance of this aim the Government is to uphold (in the case of Nigeria) the authority of the Emirs and add to their responsibility. In other words his idea of political development is to use the traditional authorities to their utmost capacity as "parts of the integral machinery of Government". This policy may be admirable as far as it goes but it does not seem to lead to a solution of the political problem, i.e., the marriage of "indirect" rule and popular or democratic Government.

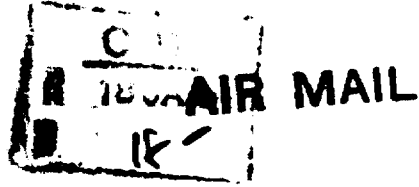
Sir Bernard seems to think that this political problem is largely concerned with the definition of the status of the Native Authority and in this connection he mentions four points which he feels can safely be determined - the N.A. is not an autonomous body - it is not a local authority but it is more than an agent of Government as it has a measure of 'inherent authority'. He concludes that it is a part of Government machinery and therefore it should be used as such to its fullest capacity. There is, he says, "no class of duties which from the constitutional point of view, it would be improper to entrust" to a Native Authority. Sir Bernard's conception of the African State appears to be a Central Government directing the whole work of certain departments and leaving most of the business of the country to local agents, the N.A.'s, which although they have some "inherent authority" should, in his view, remain parts of the machinery of the Central Government

304 21/1929.

10  
2

C. O.

*Wm. J. ... 18-1-40.*  
*Mr. ... 18/5*



Mr.

Mr. C. J. Jeffries.

Mr. A. J. Dawson.

Sir H. Moore.

Permt. U.S. of S.

Partly. U.S. of S.

Secretary of State.

Sir,

~~58~~

With reference to your

despatch No. 536 of the 10<sup>th</sup> of

**DRAFT.**

Nigeria

No. 36.

gov.

I have etc. to inform  
May, 1939,

you that I have read with

much interest the memorandum

which you have issued on the

apportionment of revenue and

duties

**FURTHER ACTION.**

duties as between the Central  
Government and Native Administrations.  
has been read with much interest.

2. A copy of the ~~paper~~  
print has been given to  
Lord Hailey.

I have, etc.

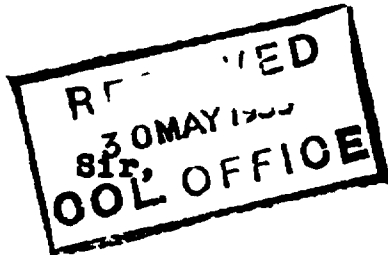
(Sgd.) MALCOLM McDONALD

NIGERIA.

NO. 536

11 / 1  
Government House,  
Nigeria.

10 May, 1939.



I have the honour to inform you that the problem of the apportionment of revenue and functions as between the central Government and Native Administrations has for some time exercised my mind and I have come to the conclusion that it is a question upon which some guidance is necessary in the interest of the general development of the country. I have therefore issued a minute to indicate the broad principles by which the Government proposes to be guided and twelve copies of this are enclosed for your information.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Brindley*

G O V E R N O R.

*Amos (2)*

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

etc., etc., etc.

12



NIGERIA

# Apportionment of Revenue and Duties as between the Central Government and Native Administrations

Minute by His Excellency the Governor,  
Sir Bernard Bourdillon, G.C.M.G., K.B.E.

Printed by the Government Printer, Lagos

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13



NIGERIA

Apportionment of Revenue  
and Duties as between the  
Central Government and  
Native Administrations

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1933 he said that when the situation improved and it was possible to examine the situation again the policy that would guide him would be that each Native Administration should receive a share that it could usefully employ, not that a percentage should be arbitrarily fixed.

2. This was the most recent pronouncement of policy which I could find to guide me in deciding whether the assumption which had been made by the Chief Commissioner, Northern Provinces, should be acquiesced in or not. That assumption (that in principle the Government was prepared to assist the poorer Native Administrations by granting them higher percentages of the tax) ran counter to the proposals approved by the Secretary of State in 1927, but not to Sir Donald Cameron's forecast of his own future policy. I had no hesitation in accepting the latter, and rejecting a policy which had regarded the state of development of a Native Administration as the sole criterion by which to decide how much revenue it should receive. This "to him that hath shall be given" policy was obviously the surest method of securing inequality of development, both political and economic. The risk of such unequal development is inherent in any system which, like our Native Administration system, pours a considerable portion of the revenue of the country into local watertight compartments, and the system by which the revenue is apportioned between those compartments must take that risk into account, and endeavour to minimise it. The assumption made by the Chief Commissioner, Northern Provinces, was obviously a step in the right direction, and I had no hesitation in accepting it. The distinction between fully organised and partially organised Native Administrations was therefore abandoned as a criterion of claim to a higher percentage of tax. A distinction was drawn instead between those Native Administrations which were well enough off already to bear their fair share of expenditure upon public works and social services and those which were not, and it was laid down that applications for increased revenue from the latter should, as a general principle, take precedence over similar applications from the former. One exception to this general principle was to be the case of applications for increased revenue to cover the cost of services hitherto performed by the Central Government which it is desired that a Native Administration should take over. I found it necessary at the same time to lay considerable emphasis on one point the importance of which appeared not to have been sufficiently recognised hitherto. The point was this; if a demand is made by a Native Administration for increased revenue to meet the cost of new services, the Government must, before meeting the demand, satisfy itself that the services in question are of such a nature that the undertaking of them is warranted by the budgetary position of the country as a whole.

3. And now let me go one step further. This consideration applies not only to fresh expenditure to be financed by increased revenue, but to *all* expenditure by Native Administrations. I do not mean to say that the Kano Native Administration should have been forbidden to build its new offices because, for example, the Bauchi Native Administration was unable to build new offices of a similar standard. But I do mean to say that if the Kano Native Administration had contemplated putting up extravagant and expensive buildings which, although within their capacity, were obviously such as the country as a whole could not afford, they would have had to have been told to revise their ideas. The point

that I wish to establish beyond doubt is that when it is a question of embarking on a new project of any magnitude or upon a considerable extension of existing services the deciding factor is not whether the Native Administration can afford it but whether the Nigerian Government can afford it. There has not always been agreement upon this point, a decision upon which involves a consideration of the nature of the direct tax. I will not recapitulate the controversy which took place in this connection in 1926-28. It is enough to say that in the latter year the Secretary of State definitely laid down that the tax is not levied by the Native Authorities with the approval of the Governor, but by the Governor himself. It follows from this that the Governor, when he takes action under section 15 of the Native Revenue Ordinance, is not deciding how much revenue shall be collected from the Native Administrations, but how much shall be allotted to them. To put it another way, he is not deciding how much each Native Administration shall contribute towards the expenses of the Central Government, but how much the Government shall expend through the agency of each Native Administration. In theory it is not in the least necessary that the amount allotted to each Native Administration should bear any relation at all to the amount of tax collected by that Native Administration. In practice it is not only convenient but highly desirable that the amount should be, as it is now, a definite proportion of that tax. It is clearly an incentive, and a necessary incentive, to efficiency in tax collection, that the amount which a Native Administration has to spend should depend upon how much it can collect, and a direct connection in the mind of the taxpayer between the money which he pays and that which is expended locally for his benefit makes an enormous difference to his readiness to pay.

4. From this consideration of the nature of the direct tax it is clear that the Government must always retain the right, in times of emergency, to reduce the percentage of tax handed over to the Native Administrations, as was done in 1932. The larger portion of the revenue which the Central Government administers itself is derived from indirect taxation, the proceeds of which are subject to very much greater fluctuation than are those of the direct taxes. It follows that a depression hits the Central Government much harder than it hits the Native Administrations. In times of stress it is obviously out of the question for the Government to continue, for any length of time, to practise a more stringent economy in the expenditure of the money of which it retains direct control than in that of the money which it hands over to the Native Administrations. The Government may, for a year or two, be able to maintain its services unimpaired by rigid economy and by drawing on its reserves. But once *retrenchment* becomes necessary, the question as to what services should be reduced must be looked at from the point of view of the country as a whole, not from that of the respective capacities of the Central Government and the Native Administrations on the basis of their existing incomes. In these circumstances it may become necessary for the Governor to allot to the Native Administrations something approaching more nearly to a constant proportion of the whole income of the Government than, as at present, to a constant proportion of the most stable element in that income. With this contingency in view the right of the Government to reduce the Native Administrations' shares of tax, exercised in 1932, has been re-affirmed in correspondence with the Secretary of State anent the recent increases granted to some of the poorer Native Administrations.

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" The Emirs, in common with all other Native Authorities, are indigenous institutions which the Government has recognised and to which it has assigned definite powers and allotted definite duties, these being defined in the Native Authority Ordinance and the Native Revenue Ordinance. They are an integral part of the machinery of Government, a machinery which has been designed with the very definite aim of educating the people of the country politically and administratively, in order that they may gradually take a larger and larger part in the management of their own affairs. In pursuance of that aim it is the intention of the Government to continue to uphold the authority of the Emirs, and to add to their responsibility as their capacity for administration grows".

This is not, perhaps, a very precise definition, but, for the purpose of this memorandum, what is needed is a definition which will fit all types of Native Authority. There is, to my mind, a definite danger in attempting, at the present stage of their development, to define the status of Moslem Emirs, Yoruba Chiefs or Eastern Clan Councils too closely. Their position is not necessarily static, and by attempting to define it closely in theoretical, politico-scientific terms, we run some risk of committing ourselves to certain lines of development which future experience may show to be undesirable.

12. While we have not arrived at any very precise definition of the status of Native Authorities, we have nevertheless established four points, each of which has a corollary which we may find useful in determining the nature and scope of the duties which can properly be entrusted to Native Administrations.

- (i) they are not autonomous bodies on the lines of either units in a federation or local self-governing bodies. The corollary to this would appear to be that there are no specific duties which the Government must assign to them as a matter of right.
- (ii) they are not "local authorities" and their duties need not be limited to those normally performed by such authorities. The corollary is that from the purely constitutional point of view there is no class of duties which it would be improper to entrust to them.
- (iii) they are more than mere agents in that they have a certain inherent authority. The corollary is that they should be entrusted with those duties which that inherent authority makes it easier for them than for the Central Government to perform. Two such duties, which have in fact been assigned to them by statute, are the maintenance of order and good government and the collection of taxes.
- (iv) they are an integral part of the machinery of Government, and that machinery has been designed with the very definite aim of educating the people of the country politically and administratively. The corollary of this is that the Native Administrations must be given plenty of work to do, and their responsibilities increased as their capacity grows. This increase of responsibility can of course be qualitative as well as quantitative. It is only in the latter sense that it concerns us at the moment.

13. I have suggested that there is no class of duties which, from the purely constitutional point of view, it would be improper to entrust to the Native Administrations. But from the practical, as opposed to the theoretical point of view, there are certain departments of the Government in which centralisation is essential, and the whole of whose activities must be directly controlled from the centre. These are, in alphabetical order, Customs, Marine, Military, Mines, Port, Posts and Telegraphs, and the Railway. The work of these departments may therefore be taken to be outside the scope of this memorandum.

14. With regard to the remaining departments it is scarcely necessary to say that the control of policy must remain entirely in the hands of the Central Government. But, as the competence of the Native Administrations increases, they should be increasingly taken into our confidence, and their advice and opinions asked for, on questions of policy.

15. We are now in a position to examine, in the light of the conclusions already reached in this memorandum and the corollaries to those conclusions stated above, the problem of the distribution of duties as between Native Administrations and the Central Government. Let us first begin by deciding which duties clearly belong to the Central Government. These may be briefly described as the control and financing of all central institutions, works and activities and of those which serve more than one Native Administration or more than a comparatively small group of Native Administrations. This includes the whole range of the activities of the departments mentioned in the last paragraph but one. As regards the remaining departments, the line should not be very difficult to draw. The Colleges at Yaba and Kaduna, all Secondary Schools, Training Colleges for teachers, all research work and experimental work of other than local application, African hospitals at populous cosmopolitan centres, Trunk Roads "A," are obvious examples that come above the line.

16. Having got thus far we are left with the duties below the line, which again should not be difficult to determine. Clear examples are dispensaries, maternity centres, rural African hospitals, elementary and higher elementary schools, agricultural "extension" work and local demonstration and experimental farms, local roads, fuel plantations. These and other below the line duties should be classed as duties which *may* be assigned to Native Administrations. We have now two classes of duties, Central Government duties, and potential Native Administration duties, and it remains to lay down, if possible, the principles that should govern us in deciding when the latter should actually be taken over by the Native Administrations. But before proceeding to do this, I would refer to two duties which fall on the Government in connection with the duties of the Native Administrations themselves.

17. The first duty is that of providing expert advice and supervision in connection with the technical activities of the Native Administrations (including education). A considerable number of Departmental Officers spend their whole time supervising and directing Native Administration activities. Considerable difference of opinion has existed as to whether these "seconded" officers, as they are termed, should be paid for by the Central Government, or whether the Native Administrations concerned should refund their salaries to the Government. This latter practice, initiated I believe during the depression, was welcomed by a good many of the

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Northern Provinces Residents, on the grounds that much more interest would be taken in the activities of these officers if the Native Administration was responsible for their pay. I believe this idea to be entirely erroneous, and most of those who held it have in fact, discarded it. Two years ago the Northern Provinces Residents' conference unanimously advised that the practice should cease, and it is now in abeyance. After weighing the arguments on both sides, I have decided (for reasons other than those urged by Residents) that it should not be revived. I do not believe that these officers were ever looked upon by the Native Administrations as "Native Administration officials". They are practically all Europeans, and they have always been regarded as Government officials. The decision that the Native Administrations should pay their salaries was acquiesced in rather than desired. In the present state of development it is, and for a long time will be, the clear duty of the Government to assist the Native Administrations in the performance of the duties allotted to them by providing expert advice and supervision, which advice and supervision must be directed by the Government itself. A suggestion that the Native Administrations should pay the salaries of Administrative officers would, I believe, be regarded by the Emirs with amazement. As in the administrative field, so in the technical, they welcome that advice and supervision which it is the duty of the Government to provide. In course of time, as the Native Administrations develop, it should be possible to restrict Government supervision considerably, and to put higher in the scale the point at which such supervision ends. But for the present, as a general rule, all departmental officers whose duties are wholly or to a large extent supervisory should be under the control of and have their salaries paid by the Central Government, as well, of course, as those in charge of Central Government works or institutions (see para. 15).

18. To this general rule there is one general exception. Departmental officers who are engaged solely in the direction of revenue-earning projects should be paid for by the Native Administrations. The Government retains the obligation to advise in regard to these projects, but it is clearly right that the Native Administrations should pay for the whole staff employed upon them. Such projects include water and electricity undertakings, and Native Administration Forest reserves. It is not necessary that the project should be at the moment self-supporting, but it must be potentially so.

19. There is another possible exception to the rule. A large Native Administration may have a big enough works programme to demand the whole time services of a supervisory Public Works Officer. The question whether he should be paid by the Native Administration or the Government should be determined separately in each case in the light of other circumstances.

20. Further, I wish to make it quite clear that the general rule is not a law of the Medes and Persians. We should always be prepared to modify it in particular instances, for good reason shown.

21. The second of the two duties of the Government referred to at the end of paragraph 16 is that of providing facilities for the training of Native Administration staff. The problem of providing this staff is of the greatest importance; in fact it would be no exaggeration to say that it is absolutely vital to the progress of the country. While it is reasonable to expect the Native Administrations to pay for the subsistence of their men while under training, the training must be supplied and paid for by the Government. In this connection I cannot avoid a reference to the necessity

for the Native Administrations to provide salaries and terms of service sufficiently attractive to induce a sufficient number of men to offer themselves for training. At the moment the different rates paid by the different Native Administrations, and the inferiority of these rates of pay to those given by the Government, coupled with the absence of incremental scales and pensions, is producing a very serious situation, particularly in the North.

22. And now let us go back to the problem referred to at the end of paragraph 16, that of deciding which of the potential Native Administration duties should in fact be handed over to a Native Administration. Here, it seems to me, there are three clear principles to guide us, and I am grateful for a felicitous suggestion that they should be named Competence, Consent and Cash.

- (i) *Competence.*—It is clear that we must not hand over to a Native Administration a duty in the performance of which it is capable of taking no intelligent interest and no intelligent part. Subject to supervision and advice which will vary considerably in degree in different cases, the Native Administration must be able to take a real and considerable part in the practical side of any activity which it is permitted or required to undertake. If we do not insist on this we shall find ourselves not only condoning but actively encouraging that pretence which Sir Donald Cameron described as a dangerous thing which he detested from the bottom of his heart. That detestation I share to the full.
- (ii) *Consent.*—It is a matter of common experience that the Native Administrations perform most effectively those duties in which they are most interested, and it is useless to thrust upon them duties which they actively dislike. But this does not mean that we must absolve them from all the unpleasant duties of Government and only entrust them with those which will make them popular with their own people. We shall have frequently to persuade them, as we did the Benin Native Administration in the case of their Forest Reserves, that it is to their advantage and that of their people that they should undertake duties which involve a good deal of odium. But they must be persuaded, not compelled, to undertake them.
- (iii) *Cash.*—It is obvious that we cannot entrust to Native Administrations duties which they have not the funds to perform. If extra funds are necessary, we must provide them if we can afford to do so, by increasing the percentage of tax allotted to the Native Administration in question. In the case of capital works, whether revenue producing or not, it is in full accordance with the definition of Native Administrations as integral parts of the machinery of Government that the Government should, if it can afford to do so and the Native Administration cannot, bear part, or even the whole of the cost. It is also perfectly legitimate for a Native Administration with an ample development reserve but no surplus income to provide part of the capital cost of an undertaking which is to be run by the Government. But whether the extra money to be provided is recurring or non-recurring, we must always be guided by the consideration referred to at the end of the second paragraph of this memorandum, that is

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to say the consideration whether the services to be undertaken are such as the country as a whole can afford. And here I should like to observe, in parenthesis, that I dislike the use of the expression "grant-in-aid" as applied to Native Administrations. The Native Administrations are part of the Government, which already provides them with the bulk of their income. To describe any addition to the amount which the Government spends through their agency as a grant-in-aid is clearly incorrect.

23. I will now attempt to summarise the conclusions at which it has been possible to arrive. A consideration of the status of Native Administrations leads to the conclusion that from the purely constitutional point of view there are no duties that we are obliged either to hand over to them or to refrain from handing over. We have a very free hand and need be guided only by considerations of good government. Starting from this point we have established the following conclusions, which are summarised in a slightly different order to that in which they have been considered in extenso in this memorandum.

#### ALLOCATION OF FUNCTIONS.

1. The duties which must always belong to the Central Government comprise the control and financing of all central institutions, works and activities, and of those which serve more than one Native Administration or more than a comparatively small group of Native Administrations. This covers the whole of the functions of certain departments.

2. The duties which come below this line in the remaining departments must be regarded as duties which *may* be assigned to Native Administrations.

3. In deciding whether they should be so assigned the Government must be guided by the three considerations of the executive ability of the Native Administration to undertake them, its willingness to do so, and its financial capacity to do so.

4. In connection with duties assigned to Native Administrations the Government retains two duties, firstly that of providing expert supervision and advice, and secondly that of providing facilities for the training of the necessary Native Administration staff.

#### ALLOCATION OF REVENUE.

1. The Native Administration system, which pours a considerable portion of the income of the country into watertight compartments, involves a considerable risk of uneven development. The system by which the amount of revenue which is poured into each of those compartments is regulated must take that risk into account and endeavour to minimise it.

2. Once it has been decided that a particular service can properly be performed by a Native Administration, the question whether that service should be undertaken at all, and if so how much money should be expended on it, depends ultimately, even if the Native Administration can afford to finance the service without being given any more revenue, upon the financial capacity of the country as a whole.

3. In order to maintain evenness of development in times of financial stress, the Government must be prepared, if actual retrenchment becomes necessary, to cut down the shares of tax allotted to Native Administrations.

24. Appended to this memorandum is a schedule which is intended to indicate how the principles laid down should apply to the departments concerned. I would emphasise that neither the schedule nor the memorandum itself are to be regarded as a categorical imperative. The memorandum is intended to indicate, and the schedule to illustrate, certain general principles which will normally guide the Government in deciding particular issues. But elasticity in following those principles is essential. Circumstances may well demand that in individual instances they should be disregarded, and experience may show their modification to be necessary. In the meantime I hope that they may be of assistance to Chief Commissioners and Heads of Departments.

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS.

Note:—Responsibility for supervisory staff includes liability for housing and allowances both in revenue-earning and in non-revenue-earning schemes.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
GEOLOGICAL SURVEY.	General mineralogical investigations and surveys including preliminary investigations for water supply. Supervisory staff.  Non-expendable equipment, of which a central stock might be maintained.	All expenditure involved in the construction of wells except as indicated in column II and their subsequent maintenance.	Work to be carried out in accordance with the programme laid down by the Department and not to be entirely dependent on the immediate financial position of the Native Administrations concerned.
FORESTRY.	All supervisory staff (except as noted in column III*).  Experiment and research. Maintenance of Government reserves and plantations. Investigations and surveys antecedent to the establishment of Native Administration reserves.  Training Schools for African staff. African staff employed on the above functions.	Control and maintenance of all Native Administration Forest reserves and plantations (except as noted in column IV).  * Revenue-earning schemes (e.g. Benin) to be wholly self-supporting inclusive of the salaries, etc. of European and African staff employed thereon.	(a) Native Administrations to develop African staff establishments adequate to the effective discharge of their responsibilities; this is also implicit in the conditions under which they will be permitted to retain full revenue from forestry fees.  (b) Government, for some time to come, will have to retain responsibility for reserves in the Eastern Provinces but should aim at handing them over to Native Administrations as and when possible.
AGRICULTURE.	Supervisory staff. All experimental work of other than local application (Moor Plantation, Samaru, Shika, etc.) Training Schools for African staff. Produce inspection.	All experimental work of purely local application; extension work (including practical encouragement and development of "mixed farming" by the provision of loans for purchase of working stock and implements), farm-centres, seedling plantations, etc.	Native Administrations must take steps to build up efficient African staff establishments including such higher qualified personnel as the Director in consultation with Residents and Native Authorities, may consider necessary.

TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
EDUCATION.	(NORTHERN PROVINCES). (a) Supervisory staff. (b) Visiting Teachers. (c) All clerical staff. (d) Maintenance of Central Institutions. (e) Higher elementary schools at Jos and Kaduna till other arrangements possible. (f) Literature Bureau. (g) Grants to approved Mission Schools.	All primary education up to and including Middle Schools (i.e. all expenditure whether capital or recurrent). Maintenance of pupils at central institutions. Assistance to Mission Schools in exceptional cases.	In paragraph 15 of the memorandum it has been laid down that all Secondary schools, and Training Colleges for teachers, should be central institutions, controlled and financed by the Government. The Toro and Sokoto training centres in the Northern Provinces are however maintained by contributions from Native Administrations, and it is not intended to disturb this practice. It is also possible that in the Northern Provinces, where interest in education needs far more stimulating than it does in the South, it may prove advisable at a later stage to allow the Native Administrations to finance secondary education in some cases.
	(SOUTHERN PROVINCES). As in (a)-(d) and (g) above plus, for the present, a number of elementary 'higher elementary', middle and secondary schools. The Higher College.	(a) To establish elementary schools where no facilities exist. (b) To take over Government elementary schools as and when possible. (c) To make grants to Mission Schools in approved cases.	
MEDICAL AND HEALTH.	Staff. Hospitals.	All supervisory staff. (a) African Hospitals at Lagos and other populous cosmopolitan centres. (b) In rural areas ("country type" hospitals) where provision is essential but the Native Administrations too poor to maintain them, e.g. Yola. (c) Assistance to approved Mission hospitals.	Provision of money for the building (or extension) and/or equipment of a hospital, even though the Native Administration itself cannot afford to maintain the institution, is an appropriate use for its reserve funds.
TRAINING.	Medical and Pharmacy School and the training of African staff generally.		

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GEOLOGICAL SURVEY.	General mineralogical investigations and surveys including preliminary investigations for water supply. Supervisory staff.  Non-expendable equipment, of which a central stock might be maintained.	All expenditure involved in the construction of wells except as indicated in column II and their subsequent maintenance.	Work to be carried out in accordance with the programme laid down by the Department and not to be entirely dependent on the immediate financial position of the Native Administrations concerned.
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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
EDUCATION.	(NORTHERN PROVINCES). (a) Supervisory staff. (b) Visiting Teachers. (c) All clerical staff. (d) Maintenance of Central Institutions. (e) Higher elementary schools at Jos and Kaduna till other arrangements possible. (f) Literature Bureau. (g) Grants to approved Mission Schools.	All primary education up to and including Middle Schools (i.e. all expenditure whether capital or recurrent). Maintenance of pupils at central institutions. Assistance to Mission Schools in exceptional cases.	In paragraph 15 of the memorandum it has been laid down that all Secondary schools, and Training Colleges for teachers, should be central institutions, controlled and financed by the Government. The Toro and Sokoto training centres in the Northern Provinces are however maintained by contributions from Native Administrations, and it is not intended to disturb this practice. It is also possible that in the Northern Provinces, where interest in education needs far more stimulating than it does in the South, it may prove advisable at a later stage to allow the Native Administrations to finance secondary education in some cases.
	(SOUTHERN PROVINCES). As in (a)-(d) and (g) above plus, for the present, a number of elementary 'higher elementary', middle and secondary schools. The Higher College.	(a) To establish elementary schools where no facilities exist. (b) To take over Government elementary schools as and when possible. (c) To make grants to Mission Schools in approved cases.	
MEDICAL AND HEALTH.	Staff. Hospitals.	All supervisory staff. (a) African Hospitals at Lagos and other populous cosmopolitan centres. (b) In rural areas ("country type" hospitals) where provision is essential but the Native Administrations too poor to maintain them, e.g. Yola. (c) Assistance to approved Mission hospitals.	Provision of money for the building (or extension) and/or equipment of a hospital, even though the Native Administration itself cannot afford to maintain the institution, is an appropriate use for its reserve funds.
TRAINING.	Medical and Pharmacy School and the training of African staff generally.		

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>MEDICAL AND HEALTH.</b> —contd.			
(iv) Health.	(a) Sanitation in 'townships' and in all Government stations. (b) Training schools. (c) Health propaganda.	Maintenance of students at Sanitary schools.	
(v) Dispensaries.	Training—see (iii) above.	Establishment and maintenance of all dispensaries, health centres and maternity and infant welfare centres.	
(vi) Leprosy.	Leprosy control—central organisation British Empire Leprosy Relief Association activities.	Leprosy relief—maintenance of leper settlements (where established by Native Administrations or by Missions on their behalf) or by way of financial support to Mission settlements.	
(vii) Sleeping Sickness.	Research and training of workers; preliminary surveys and subsequent intensive treatment campaigns.	Co-operation during surveys and treatment campaigns; clearing; re-settlement schemes (aided if necessary by Government, e.g., Anchau); maintenance of sleeping sickness dispensaries.	
<b>PUBLIC WORKS.</b>			
(i) Staff.	All supervisory staff.		Where supervisory staff is employed wholly on Native Administration services the question of the source of payment may be decided according to the particular circumstances of each case. As regards African technical staff, the same comments apply as noted opposite Forestry and Agriculture.
(ii) Training.	Training schools for African technical staff.	Subsistence of students.	
(iii) Water and Electricity Schemes.	All expenditure to be borne by the authority that runs the undertaking. On occasion the Government may supply part of the capital cost of a Native Administration scheme.		
(iv) Roads.	(a) Construction and maintenance of Trunk Roads 'A'.  (b) Share of cost of construction and maintenance of Trunk Roads 'B'.	(a) Share of cost of construction and maintenance of Trunk Roads 'B'.  (b) Construction and maintenance of Country Roads.	

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>VETERINARY.</b>	All supervisory staff. Research and central laboratory; production of sera and vaccines. Training School.	African field staff. Maintenance of inspection stations and cattle control posts. Immunisation camps. 'Provincial' Veterinary Centres for local manufacture of sera and vaccines. Animal clinics.	(a) Full co-operation of Native Administrations depends mainly on the availability of trained subordinate staff. See also above. (b) Native Administrations within a Province might continue to establish and maintain a Veterinary Centre.

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>MEDICAL AND HEALTH.</b> — <i>contd.</i>			
(iv) Health.	(a) Sanitation in 'townships' and in all Government stations. (b) Training schools. (c) Health propaganda.	Maintenance of students at Sanitary schools.	
(v) Dispensaries.	Training— <i>see</i> (iii) above.	Establishment and maintenance of all dispensaries, health centres and maternity and infant welfare centres.	
(vi) Leprosy.	Leprosy control—central organisation British Empire Leprosy Relief Association activities.	Leprosy relief—maintenance of leper settlements (where established by Native Administrations or by Missions on their behalf) or by way of financial support to Mission settlements.	
(vii) Sleeping Sickness.	Research and training of workers; preliminary surveys and subsequent intensive treatment campaigns.	Co-operation during surveys and treatment campaigns; clearing; re-settlement schemes (aided if necessary by Government, e.g., Anchau); maintenance of sleeping sickness dispensaries.	
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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>VETERINARY.</b>	All supervisory staff. Research and central laboratory; production of sera and vaccines. Training School.	African field staff. Maintenance of inspection stations and cattle control posts. Immunisation camps. 'Provincial' Veterinary Centres for local manufacture of sera and vaccines. Animal clinics.	(a) Full co-operation of Native Administrations depends mainly on the availability of trained subordinate staff. <i>See</i> also above. (b) Native Administrations within a Province might continue to establish and maintain a Veterinary Centre.

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Nigeria

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SUBJECT.

Museum Facilities

Previous

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Subsequent

1941

TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS.

Note:—Responsibility for supervisory staff includes liability for housing and allowances both in revenue-earning and in non-revenue-earning schemes.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>GEOLOGICAL SURVEY.</b>	General mineralogical investigations and surveys including preliminary investigations for water supply. Supervisory staff.  Non-expendable equipment, of which a central stock might be maintained.	All expenditure involved in the construction of wells except as indicated in column II and their subsequent maintenance.	Work to be carried out in accordance with the programme laid down by the Department and not to be entirely dependent on the immediate financial position of the Native Administrations concerned.
<b>FORESTRY.</b>	All supervisory staff (except as noted in column III*).  Experiment and research. Maintenance of Government reserves and plantations. Investigations and surveys antecedent to the establishment of Native Administration reserves.  Training Schools for African staff. African staff employed on the above functions.	Control and maintenance of all Native Administration Forest reserves and plantations (except as noted in column IV).  * Revenue-earning schemes (e.g. Benin) to be wholly self-supporting inclusive of the salaries, etc. of European and African staff employed thereon.	(a) Native Administrations to develop African staff establishments adequate to the effective discharge of their responsibilities; this is also implicit in the conditions under which they will be permitted to retain full revenue from forestry fees.  (b) Government, for some time to come, will have to retain responsibility for reserves in the Eastern Provinces but should aim at handing them over to Native Administrations as and when possible.
<b>AGRICULTURE.</b>	Supervisory staff. All experimental work of other than local application (Moor Plantation, Samaru, Shika, etc.) Training Schools for African staff. Produce inspection.	All experimental work of purely local application; extension work (including practical encouragement and development of "mixed farming" by the provision of loans for purchase of working stock and implements), farm-centres, seedling plantations, etc.	Native Administrations must take steps to build up efficient African staff establishments including such higher qualified personnel as the Director in consultation with Residents and Native Authorities, may consider necessary.

TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>EDUCATION.</b>	(NORTHERN PROVINCES).  (a) Supervisory staff. (b) Visiting Teachers. (c) All clerical staff. (d) Maintenance of Central Institutions. (e) Higher elementary schools at Jos and Kaduna till other arrangements possible. (f) Literature Bureau. (g) Grants to approved Mission Schools.	All primary education up to and including Middle Schools (i.e. all expenditure whether capital or recurrent). Maintenance of pupils at central institutions. Assistance to Mission Schools in exceptional cases.	In paragraph 15 of the memorandum it has been laid down that all Secondary schools, and Training Colleges for teachers, should be central institutions, controlled and financed by the Government. The Toro and Sokoto training centres in the Northern Provinces are however maintained by contributions from Native Administrations, and it is not intended to disturb this practice. It is also possible that in the Northern Provinces, where interest in education needs far more stimulating than it does in the South, it may prove advisable at a later stage to allow the Native Administrations to finance secondary education in some cases.
	(SOUTHERN PROVINCES).  As in (a)-(d) and (g) above plus, for the present, a number of elementary, higher elementary, middle and secondary schools. The Higher College.	(a) To establish elementary schools where no facilities exist. (b) To take over Government elementary schools as and when possible. (c) To make grants to Mission Schools in approved cases.	
<b>MEDICAL AND HEALTH.</b>	<b>Staff.</b> All supervisory staff.		
<b>Hospitals.</b>	(a) African Hospitals at Lagos and other populous cosmopolitan centres. (b) In rural areas ("country type" hospitals) where provision is essential but the Native Administrations too poor to maintain them, e.g. Yola. (c) Assistance to approved Mission hospitals.	(a) African Hospitals in rural areas. (b) Assistance in kind to Government hospitals in rural areas or in cash to approved Mission hospitals.	Provision of money for the building (or extension) and/or equipment of a hospital, even though the Native Administration itself cannot afford to maintain the institution, is an appropriate use for its reserve funds.
<b>Training.</b>	Medical and Pharmacy School and the training of African staff generally.		

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN GOVERNMENT AND NATIVE ADMINISTRATIONS—continued.

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
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EDUCATION.	(a) Supervisory staff. (b) Visiting Teachers. (c) All clerical staff. (d) Maintenance of Central Institutions. (e) Higher elementary schools at Jos and Kaduna till other arrangements possible. (f) Literature Bureau. (g) Grants to approved Mission Schools.	All primary education up to and including Middle Schools (i.e. all expenditure whether capital or recurrent). Maintenance of pupils at central institutions. Assistance to Mission Schools in exceptional cases.	In paragraph 15 of the memorandum it has been laid down that all Secondary schools, and Training Colleges for teachers, should be central institutions, controlled and financed by the Government. The Toro and Sokoto training centres in the Northern Provinces are however maintained by contributions from Native Administrations, and it is not intended to disturb this practice. It is also possible that in the Northern Provinces, where interest in education needs far more stimulating than it does in the South, it may prove advisable at a later stage to allow the Native Administrations to finance secondary education in some cases.
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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>MEDICAL AND HEALTH.</b> <i>—contd.</i>			
(iv) Health.	(a) Sanitation in 'townships' and in all Government stations. (b) Training schools. (c) Health propaganda.	Maintenance of students at Sanitary schools.	
(v) Dispensaries.	Training— <i>see</i> (iii) above.	Establishment and maintenance of all dispensaries, health centres and maternity and infant welfare centres.	
(vi) Leprosy.	Leprosy control—central organisation British Empire Leprosy Relief Association activities.	Leprosy relief—maintenance of leper settlements (where established by Native Administrations or by Missions on their behalf) or by way of financial support to Mission settlements.	
(vii) Sleeping Sickness.	Research and training of workers; preliminary surveys and subsequent intensive treatment campaigns.	Co-operation during surveys and treatment campaigns; clearing; re-settlement schemes (aided if necessary by Government, e.g., Anchau); maintenance of sleeping sickness dispensaries.	
<b>PUBLIC WORKS.</b>			
(i) Staff.	All supervisory staff.		Where supervisory staff is employed wholly on Native Administration services the question of the source of payment may be decided according to the particular circumstances of each case. As regards African technical staff, the same comments apply as noted opposite Forestry and Agriculture.
(ii) Training.	Training schools for African technical staff.	Subsistence of students.	
(iii) Water and Electricity Schemes.	All expenditure to be borne by the authority that runs the undertaking. On occasion the Government may supply part of the capital cost of a Native Administration scheme.		
(iv) Roads.	(a) Construction and maintenance of Trunk Roads 'A'.  (b) Share of cost of construction and maintenance of Trunk Roads 'B'.	(a) Share of cost of construction and maintenance of Trunk Roads 'B'.  (b) Construction and maintenance of Country Roads.	

TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>VETERINARY.</b>	All supervisory staff. Research and central laboratory; production of sera and vaccines. Training School.	African field staff. Maintenance of inspection stations and cattle control posts. Immunisation camps. 'Provincial' Veterinary Centres for local manufacture of sera and vaccines. Animal clinics.	(a) Full co-operation of Native Administrations depends mainly on the availability of trained subordinate staff. <i>See</i> also above. (b) Native Administrations within a Province might continue to establish and maintain a Veterinary Centre.

21 END

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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

I. Service.	II. Government.	III. Native Administrations.	IV. Remarks.
<b>MEDICAL AND HEALTH.</b> — <i>contd.</i>			
(iv) Health.	(a) Sanitation in 'townships' and in all Government stations. (b) Training schools. (c) Health propaganda.	Maintenance of students at Sanitary schools.	
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TENTATIVE SCHEDULE OF PROPOSED ALLOCATION OF RESPONSIBILITIES AS BETWEEN  
GOVERNMENT AND NATIVE ADMINISTRATIONS—*continued.*

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1939

Nigeria

No. 30424

SUBJECT.

Museum Facilities

Previous

see 33620/39

Subsequent

1941



Table

2

Carnegie funds

H. C. Murray 5/10

21.5.39.

Suggests that part of the Williams collection would be suitable for the proposed museum.

2 To Murray 5/10 (acked.) — 26.5.39.

3. Note of a conversation between Mr. Williams and Mr. Murray on 26<sup>th</sup> May, 39.

4. Geo. Balf (A) — 7.6.39.  
Submits details of appls. to Carnegie Corp.  
(Copy on Genl. H. Extracts regd. as noted.)  
29067266/13/39

Note

This is one of the three 'last-minute' submissions by the Govt. of Nigeria for Mr. Keppel's consideration. The usual discussion with him is being arranged, provisionally, for Thursday, 22<sup>nd</sup> June.

Will Dept. consider whether this scheme should be included in the list of schemes shown in Mr. Kennedy's minute of 31/5/39. Copy attached and f20, in which category. If it is to be included I shall be glad if Dept. will draft a memo. with a usual and arrange for 20 copies to

to

to be supplied to me as the  
earliest possible moment.

*Sumner*  
*15/1/39.*

I think you are in agreement with me that the provision of museum facilities in Nigeria is a matter of real importance at the present time. You have recently had some <sup>with an officer on leave</sup> discussion I think about the Ife bronzes. Pictures of these will be found in (6A) on 53620/39 and there was an interesting article on these bronzes by the Inspector of Education in the 1938 June issue of "Nigeria", to which reference is made in No.2 on 30384 below, in which we asked whether it would be possible for the Government of Nigeria to assume responsibility for the care, housing and retention in Nigeria of these antiquities. Lord Harlech's attention was drawn to the need for the proper preservation of bronzes by Mr. Rothenstein and he in turn drew the Secretary of State's attention to the matter, see (1) and (2) on 30384/38.

There seems to be little doubt that valuable specimens of this work have been sold by native finders and sent to Germany and elsewhere. I think we have informal evidence that one has been acquired by the British Museum, or is in the process of being acquired in this 'clandestine' way. There is, ~~however,~~ ground I think for strongly supporting an application for funds to enable the provision of proper museum facilities to be made in Nigeria for the preservation and care of Nigerian antiquities; and once proper facilities can be

provided

*X or 46*  
*Copy of list*  
*ought*  
*over*

3  
provided the Government's task in preventing the unauthorized sale of antiquities should be facilitated.

No.4 on this file submits three applications. My own view subject to those of Sir Frank Stockdale and Mr. ~~Stockdale~~ <sup>Voseler</sup> is that, of the three applications which No.4 covers, viz. (1) that for museum facilities divided into (a) a central museum at a cost of £4,000, and (b) a local museum at Ife at a cost of £1,000; (2) the provision of a suitable library for the Yaba Higher College; and (3) a travelling scholarship for Mr. A.V. Gibberd, the provision of museum facilities should really come first.

At the present time Nigeria's finances are in such a state that the spending of every penny ought to be thought about: and I can well understand the Governor's anxiety to obtain assistance for museum provision from the Carnegie Fund rather than <sup>to</sup> throwing it on to Government votes. I would far rather see the Government provide <sup>the</sup> travelling scholarship for Mr. Gibberd or even <sup>the</sup> library for Yaba Higher College and the Carnegie Corporation provide museum facilities. I should have no hesitation in placing the museum facilities first on a list and high up in Class 'A', and if necessary seeing the provision of facilities at Ife at a cost of £1,000 being put in front of the central museum, unless it is possible to get both. I should be inclined to leave the other two applications out altogether. But it is difficult for me to assess their relative importance vis-à-vis the other schemes which are selected for discussion.

In

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*15/6/39.*

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*X or 42*  
*Copy of list*  
*15/6/39*

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In case it is decided to send on the museum application I submit a short note.

*J. H. ...*

I have not put up a separate minute on 30059/1 which would suit as 16.6.39. already suggested above. I should not suppose to press for the inclusion of this scheme with that of scheme etc discussed with Dr. Kappel. The scheme relating to the Scholarship for Mr. Gilbert is reported on Personal papers & has not been sent to me.

~~Understand~~ I agree that museum facilities in Nigeria are from a cultural point of view extremely desirable. & in view of the importance attached by some archaeologists & art connoisseurs of standing to the preservation of the Ife antiquities in particular, we should risk incurring some disaffect if nothing is done to ~~provide~~ afford proper housing for these objects in Nigeria. Unless therefore you feel strongly on either of the other two

applications. I do like to put forward this one for consideration in preference to either of the others.

O. G. R. ...  
16.6.39

Dr. Vicker will be away till June 21 - but I am quite sure that he would agree with me in attaching the highest importance to the provision of Museum facilities. This would also be in accordance with the frequently expressed wish of A.C.S.C. I do not think that the provision of a College Library comes within the scope of the Corporation's grants. Anyhow its claims are distinctly inferior to those of the Museum - which will I think appeal to Dr. Kappel. It is not for me to assess the comparative importance of the Agricultural Scholarship scheme. But there will be trouble before long if the Government takes no steps for the conservation & custody of the art treasures of Nigeria.

*Arthur ...*  
16-6

Agriculture, upon which the Colonial Empire, either swims or sinks does not appear in Class A. of Mr. Kennedy's list. But it does not matter. It will come into its own one day.

I would not press for the inclusion of the proposed study tour of Mr. Gilbert unless Dr. Kappel indicates that it would be advisable to have at least one project with an agricultural bearing considered

copies taken  
of ...  
16/6

*J. A. ...*  
16/6  
M. L. ...

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5. Extract from notes of meeting with Dr. Kappel

There seem to be no action required  
on (5) which may be put by.

Govt.  
Mr. Sabine  
27/6

As proposed.

Rescued to Mr. Williams (see function)

33620  
(8.7)

J. H. L. Smith  
27/6  
atones

DESTROYED UNDER STATUTE

Gov. Tel. No. 265. 4. 7. 39.  
Suggests that Trustees of the Wellcome Museum should  
be approached for views as to the presentation proposed  
for the local museum. Orig. on 33620/39 W.S.

See 33620/39  
W.A.

As regards the first part of the telegram  
the bronze head in question is now in the  
Brit. Museum, under the care. The best thing  
that could have happened.

About the second part I suggest that  
a letter be sent to the Wellcome Museum  
saying that Nigeria proposes to have a  
Museum for local old and new art and  
suggest that the Trustees of the Wellcome  
Museum who are all informed are

See however  
A in 3  
oad

Education Officer,  
Nigeria

disposing of their collection might  
present to the Nigerian Govt. for their  
museum any objects from that  
territory. - We should make it clear  
that the Secretary of State is deeply  
interested in native African art  
treasures and the efforts that are  
being made by the territories  
concerned in preserving them locally

Hammerton  
12.7.39

Dr. Smart tells me that the Director of  
the Wellcome Museum is Dr. S. H. Dankes, O.B.E.,  
F.R.S., D.P.S.

As we have our only information that the Museum  
are disposing of a part of their collection is  
the rather uncertain statement in 6, it might  
be better to approach them s.o. in the first  
instance.

I gathered from Mr. K. C. Murray  
who talked about this to Mr. Kecker the other  
day when I was present, that what the  
Museum

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West African Department.

At Mr. Eastwood's request, I saw Mr. K. C. Murray of the Nigerian Education Department towards the end of last week. He came primarily to tell me something about Nigerian arts and crafts, but in the course of conversation he had a good deal to say about the need for a museum at Lagos. Since our conversation he has written me the letter below. If there are papers on the question of the museum I shall be glad to have an opportunity of seeing them at some convenient time.

10.

J.S.

14.8.39.

To Murray (to asked.) 4/0 - 14. 8. 39

Sir J. Shackleton.

You asked to see these papers. As to no 10 the proposal asked for £4000 for the main museum and £1000 for a subsidiary museum at Ibe for the bronzes found there. These applications were recommended to the Keffel who had great sympathy with them (see memo to S). We are now awaiting something definite from the Carnegie Trustees.

J. Marshall  
29/8

Dear: thank you  
J.S.  
29/8/39

DESTROYED UNDER STATUTE

Received. refe. No 7. Nothing further has been received from the Wellcome Museum.

R.H. Holden  
11.9.39

I think we must avoid any risk of having undue haste about this and suggest that we let Mr. Marshall see? B.V. at the end of the year if nothing is heard from the Trustees of the Wellcome to take in to mean time.

Noted

Shackleton  
11/9

J. Marshall  
11/9 at once

Adm

12. Secy. Wellcome Trustees. 24.10.39. Adm. 7. Suggests that the gift of bronzes to Nigeria Museum should be deferred until the collection has been valued.

I think that we might reply officially to this letter (the Sgs is mentioned at (7)) acknowledging receipt and saying that Mr Sgs is gratified to learn as at A 9 (12) and fully appreciates the reasons which require that his matter shall be left in abeyance for the time being. D/T accordingly  
J. Marshall  
26/10 at once

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13

To Trustees (12 am)

NOV 1950

Copy 12 & 13 + 14  
to Trustees 11/4  
(20 draft)

To Virginia 862. (w/ 12. 13) A/c. —

15/1/59.

WHS

~~TJ Kappel 27. 1. 41  
(orig. on 12860/US 9)~~

~~HJ Kappel 22. 3. 41.  
(orig. on 12860/US 9)~~



8 13

30424/39 Nigeria

C. O.

Mr. Whitcombe

Mr. Sidebottom

Mr.

Mr. A. J. Davis

Sir H. Moore

Sir G. Tomlinson

Sir J. Shuckburgh

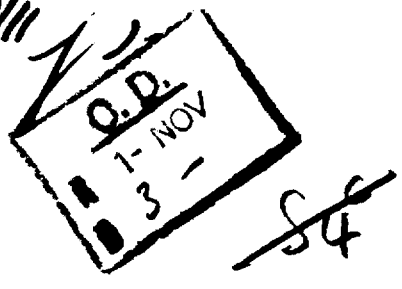
Perms. U.S. of S.

Perly. U.S. of S.

Secretary of State.

Downing Street.

4 October, 1939



Sir,

**DRAFT.**

The Secretary to the Trustees  
of the Estate of the late  
Sir Henry Wellcome.

I am etc. to acknowledge  
the receipt of your letter to  
Mr. Williams of the 24th of October  
regarding the Nigerian antiquities  
~~included~~ in the Wellcome Museum, and  
*acknowledged the U.S.*  
to inform you that he is gratified  
to learn that the Trustees of the  
Wellcome Estate are prepared to  
consider favourably presenting to  
the Nigerian Government any objects  
which might be available for disposal  
and which would be of interest to  
them.

*C. H. King (14)*

**FURTHER ACTION.**

*Copy 12 + this  
to the Nigerian  
for info of  
C. H. King  
6.*

Mr. MacDonald fully

appreciates the reasons which require  
that the matter should be left in  
abeyance for the time being.

I am, etc.

ROTHAM

9

THE ESTATE OF THE LATE SIR HENRY S. WELLCOME.

TRUSTEES

~~S. M. HUDSON LYALL, M.B.E., M.A.~~  
SIR HENRY M. DALE, C.B.E., M.D., F.R.S.  
L. C. BULLOCK.  
MARTIN PRICE, F.C.A.  
PROFESSOR T. R. ELLIOTT, C.B.E., D.Sc., F.R.S.

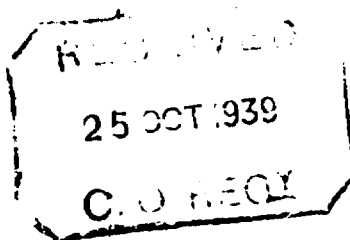
SECRETARY'S OFFICE:

*Empire House,  
St. Martin's-le-Grand,  
London, E.C.1.*

TELEPHONE: NATIONAL 4051.

24th October, 1939.

O. G. R. Williams, Esq., C.M.G.,  
Colonial Office,  
Downing Street,  
S. W. 1.



Sir,

7. Dr. Dukes has forwarded to me your letter of the 27th July last, for the consideration of the Trustees.

A There is amongst the Wellcome Collections a large quantity of Nigerian material, and [the Trustees are prepared to consider favourably presenting to the Nigerian Government any objects which might be available for disposal and would be of interest to them.]

The Wellcome Collections required to be valued for Probate purposes when Sir Henry died, and the value has not yet been agreed with the Estate Duty Office. Before disposing of any of these Collections by way of gifts, the Trustees are anxious to agree their valuation, and no doubt you would be prepared for the matter to be left in abeyance for the time being.

Yours faithfully,

*J. M. Clarke*

Secretary to the Trustees.

TEMPORARY ADDRESS:-  
25, MARSH LANE,  
STANMORE,  
MIDDLESEX.  
Telephone No. STANMORE 1780 (Toll).

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Upper Grammore  
Heyshott  
Midhurst

10th August 1939

10/10

Dear Sir,

I send a statement on the need for a museum in Nigeria in case you should be seeing Dr. Keppel, who may, however, be shown it by Major Visher to whom I originally sent it.

An initial expenditure of £5000 - £10,000 is probably needed to start the museum, and a yearly expenditure of from £500 - £2000. In case comparisons should be made with the Gold Coast it is necessary to remember that Nigeria is much more varied, has over six times the population and is four times the area.

I send also a note on the development of Nigerian crafts.

Yours sincerely

K. C. Munn.

Sir John E. Shuckburgh, K.C.M.G., C.B.  
Colonial Office,  
Whitehall.

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11

A MUSEUM FOR NIGERIA.

Nigeria with its 20,000,000 inhabitants has no museum: it is the only part of the British Empire, except for places of a few thousand inhabitants, that has not got one. The Dominion of South Africa, on the other hand, with a population of 8,000,000 has over thirty. Nigeria is one of the principal centres of negro art but nearly all examples of its work, which include pieces that rank among the masterpieces of the world, have either been taken out of the country or are rotting away. Its wealth in artistic works has hardly been realised as hitherto attention has been attracted to only a few outstanding places, but it is not an exaggeration to claim that there is scarcely an area in the Southern Provinces that does not contain works of sculpture of the highest merit. So neglected are these, however, that nothing is likely to remain of them in thirty years' time unless they are protected within the next few years. Carvings that were intact four years ago are now broken and others of which there are no similar examples in any museum in the world, have been collected this year with white ants actually eating them.

Benin is well known: its works, some of which date at least from the fifteenth century, were pillaged after the sack of the city in 1897 and are scattered in public and private collections in Europe and America. A few uncared-for pieces, including old terra-cottas lying in the streets, still remain and more may be found in the future, but none of the finest examples of Benin art may be seen anywhere in Nigeria to inspire the craftsmen of that town to-day.

Ife has an ancient history as the original home of the Yoruba people and it contains an unknown number of ancient works in bronze, terra-cotta and stone. Those that have been brought to light rank in quality with the finest works of the Renaissance. Some are kept piled in a cracked glass case in the palace at Ife but others are being quietly removed from the country and thus three of the best have been lost during the last year. A beautiful little terra-cotta head is in an Ife school lying on an open shelf, knocking against books and stones. There is no building in Nigeria where such works can be properly looked after and there is nobody whose business it is to look after them.

At Esie in Ilorin Province there is a group of hundreds of stone carvings only partly protected and all unatalogued, and more have lately been discovered in other places.

In Oyo Province there are many dance masks that are no longer used that are gradually being destroyed by insects, and all over the north of Ondo Province there are carved doors and pillars that are abandoned and rotting away. A door from this area is among the chief pieces in the ethnographical collection of the British Museum.

In Onitsha Province, near Awka, a town now famed for its carved doors and panels and for its blacksmiths, a collection of bronze objects of unique type and of great beauty has been recently dug up. These are in the possession of a government official who will present them to a Nigerian museum when there is one. Their unexpected discovery, together with recent finds

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15

THE DEVELOPMENT OF MINOR INDUSTRIES IN NIGERIA.

Suitable indigenous industries could be developed by the introduction of improvements of technique, which should be taught, in order that the traditional organisation of the crafts may be maintained, only to the existing craftsmen and their children. The scheme would make necessary the strengthening of the co-operative features of these organisations.

The crafts of Weaving and Pottery, both of which are important in Nigeria, are suitable for development: Weaving by the introduction of a broad hand-loom; Pottery by the use of a wheel and glazes.

This scheme should result in:-

- (a) An improvement in the standard of life of Nigerians which would be very slight, but would avoid the disadvantages, such as industrialism, of more spectacular and drastic measures.
- (b) The production from local materials of articles of improved quality, which should compete successfully with imports and thus release purchasing power for other imports that could be less suitably made in Nigeria.
- (c) The increased prosperity of the craftsmen, which would help to increase the prestige of manual-work as opposed to non-manual activities.
- (d) The prevention of the otherwise inevitable decline of these crafts in the face of the competition of cheap imports. The disappearance of the crafts would leave the people so much the worse off, for no other form of production would be likely to replace them. Many potters are potters because their farm land is poor, or because they can do no other work. Weavers who gave up weaving would do farming as they do at present, but would lose the extra income that came from their craft.

If no steps are taken to teach the existing craftsmen, the suggested improvements are likely to be attempted by people outside the crafts who will not have the traditions or the organisation of the craftsmen and will therefore probably do inferior work and be a further disintegrating element in native life. Also, they are more likely to be men than women, and thus women, who now do part of the weaving and all the pottery, will be in danger of losing their industries and hence some of their independence.

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**C.O.**  
22 JUL.  
26

30424/39 Nigeria.

16  
4

C. O.

- Mr. Marnham 8/17/39
- Mr. Vischer 21.7
- Mr. Williams 21.7
- Mr. A. J. Dawo.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

*Actual 8*  
*answed. 12.*

S.O. for Mr. Williams' signature

*S-2 (S.O)*

27 July, 1939.

Dear Dr. Daukes,

We have recently been given to understand that the Trustees of the Wellcome Museum may shortly be disposing of part of their collection, including a number of Nigerian antiquities and objets d'art.

The Secretary of State is ~~deeply~~ <sup>very</sup> interested in native African art ~~treasures~~ and in the efforts that are being made by the territories concerned to preserve them locally, and proposals are on foot to establish in Nigeria a museum to house examples of local art both old and new.

**DRAFT. CONSON.**

S. H. DAUKES, ESQ., O.B.E., M.D., D.Ph.

FURTHER ACTION.

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I have been asked in the circumstances to enquire whether, if these proposals mature, the Trustees of the Wellcome Museum would feel able to consider presenting to the Nigerian Government any objects from that territory of which they may contemplate disposing.

I need not add that such generosity would be most keenly appreciated both here and in Nigeria. If you could let me know what the attitude of the Trustees would be likely to be, I should be extremely grateful.

Yours sincerely,

**(SIGNED) O. Q. R. WILLIAMS**

12

17 5.

W.A.

L Department.

I attach an extract from notes of a meeting with Dr. Keppel. You will no doubt arrange for the attached extract to be registered on the appropriate file and any necessary action to be taken on it.

It should be understood that the meeting was exploratory. Except where the extract clearly indicates it, no action by the Colonial Office is necessary. It was left that Dr. Keppel will communicate the requests to the Trustees of the various Carnegie Trusts and will let us know as soon as a decision has been taken.

C. S. Rowland

23/6



*to publish 15/6 Draft letter NIGERIA  
 to Williams 16.6 1938 Museum facilities 19*

*(200)  
 subject from  
 (7 hot)  
 over  
 when*

An extract from a confidential despatch from the Governor of Nigeria on the need for providing museum facilities in that country is attached for consideration.

It has been known for some twenty years that excavations at Ife in Nigeria had revealed bronze heads of high antiquity, artistic merit, and uncertain cultural origin. The discovery of further bronze heads of this type early in 1938 served to quicken interest in these evidences that an early civilisation had existed in the Yoruba country of Southern Nigeria. It has also served as a reminder that there are other interesting antiquities in Nigeria such as the stone figures of Esie. The Secretary of State has recently instituted inquiries with a view to the enactment of legislation throughout West Africa to secure the protection of indigenous African objects of ethnological culture or aesthetic interest. Reports have reached him that some of these bronzes have been sold by the finders, or by persons who smuggled them out of the country and sold them to museums in other countries.

There are at present no proper facilities for the preservation in Nigeria of such objects of antiquarian interest. There is an increasing danger of many valuable examples of ancient West African arts and handicrafts being destroyed or passing beyond the control, either of His Majesty's Government or the West African Governments. It is felt that the importance of having in the West African colonies themselves proper museum facilities where such objects can be housed in security and studied by the Nigerians as well as by other interested persons, cannot

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cannot be too strongly stressed: and it is hoped that the Carnegie Corporation may be able to see its way to making a grant which will meet the cost of providing a central museum and also a local museum at Ife as desired by the Governor. *If the cost of both could be met the provision of a museum at Ife is considered to be more urgent.*

~~(I have not put up a separate minute on 30059/1 below in view of the action since, as already suggested, I should not propose to press for the inclusion of this scheme in the lists of items to be considered with Dr. Keppel.)~~

---

*Copy regd. on file No. 29 on 7260/13/39*  
AIR MAIL.

N I G E R I A.

CONFIDENTIAL. (A)

RECEIVED  
14 JUN 1939  
C. O. LLOY

Government House,  
Nigeria.  
7 June, 1939.

Sir,

*on Genl. Pps  
4/11/39 Sunner*

Referring to my telegram No.215 Confidential of the 30th of May and previous correspondence on the subject of schemes requiring assistance from the funds of the Carnegie Corporation, I have the honour to inform you that I have selected three schemes from those submitted to me which I consider to be of outstanding importance.

*30384/38 Nij.  
33620/39 W.A.*

2. The first and most urgent requirement in this connection is the provision of proper museum facilities for this country. Recent discoveries of valuable antiquities have lately formed the subject of correspondence with you and I am aware that you attach great importance to the preservation and care of these antiquities. There is no doubt that in the past owing to lack of facilities for the safe custody of such objects a number of them have been removed from the country without authority and have eventually found a home in private collections or foreign museums. There has been a noticeable lowering of the standard of native artistic productions in recent years and many excellent indigenous art and crafts are in danger of <sup>extermination</sup> ~~destruction~~ at the hands of cheap imitation imports. I consider that there

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

there should be no further delay in establishing a central museum for the housing of objects of antiquarian or modern interest and where examples of old and new arts and crafts can be displayed to the best possible advantage. Funds are not available at present from the revenue of Nigeria to supply this urgent need. A government building does however exist which can be adapted as <sup>a</sup>nucleus of such a museum, and the provision of the stores, workshops and offices which would be necessary if the museum is to fulfill its practical and educational functions is estimated to cost £4,000. I have no doubt that such a museum apart from its practical value would be of considerable interest to Africans and Europeans alike and would fill the want which has long been felt and often expressed. In my despatch No. 387 of the 29th of March, 1939, I made particular reference to the Ife antiquities which had been the subject of your despatch No. 973 of the 6th of December, 1938. It is hoped to establish at Ife in the near future a small local museum where some of the heads may be safely and adequately housed near their original setting. Considerable difficulty <sup>being</sup> is experienced in finding adequate funds for this work and I trust that, in addition to the grant of £4,000 above, the Trustees may see their way to making a grant of £1,000 towards the cost of this most desirable undertaking.

1a 33620/1944

2a 30384/38  
Nig



3. The second proposal which I submit is for the provision of a suitable library for the Yaba Higher College. You are well aware that higher education in various technical subjects is now being carried out there and that a comprehensive library of reference books is essential for the efficient working of such a scheme of education. Owing to lack of funds the existing reference library is totally inadequate to the technical needs of the students. Further I consider that in addition to technical books, a good library for general reading is necessary to enable the students to obtain a cultural education as distinct from a purely technical or scientific training. The provision of a library suitable for the present needs of Yaba Higher College would cost no more than £600 and it is a grant which I feel is likely to commend itself in every way to the Trustees.

*Extracted for  
action  
to 30059/1/39  
Nig.*

4. My third proposal is for the grant of a travelling scholarship of £400 to Mr. A.V. Gibberd, Agricultural Officer, to enable him to visit the United States of America, Jamaica and South Africa to study problems connected with the development of a tropical Fruit Industry. As you are aware there is in Nigeria a real need for the development of agricultural industries which are independent of the oil market and I am advised that a most promising line for such development is the establishment of a tropical fruit industry. Mr. A.V. Gibberd has for the last eight years been stationed near Lagos for

the

*Extracted for  
action to  
20480/1/Part 73/39  
Perd.*

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the

Extracted for  
action  
to 30059/1/39  
Nig.

Extracted for  
action to  
20480/1/Part 73/39  
Nig.

the sole purpose of undertaking preliminary work in connection with the eventual establishment of an export trade in tropical fruits and has devoted much energy and enthusiasm to this work but the Director of Agriculture informs me that we have now reached the stage in which wider knowledge than can be obtained locally is required. Reports on recent consignments of both grapefruits and lemons have been most satisfactory as also have been the prices realised and one European firm is already considering the export of fruit juices on a commercial scale. The Director of Agriculture is anxious to obtain more information on the commercial aspects of such a development and to arrange for a careful study of the problems involved. To this end he proposes that Mr. Gibberd should visit the southern states of the United States, Jamaica and South Africa on his forthcoming leave. I am in entire agreement with the Director of Agriculture and consider that everything should be done to explore the possibilities of such an industry which would be of great benefit to the agricultural population of Nigeria. It has been calculated that a tour by Mr. Gibberd of the countries referred to above would cost approximately £400 and a grant from the Carnegie Corporation for this amount would be greatly appreciated.

5. I have selected these three items from a large number submitted as being urgently needed for developments of vital importance to the country and which cannot be undertaken at present without outside financial assistance and I sincerely trust that you

will

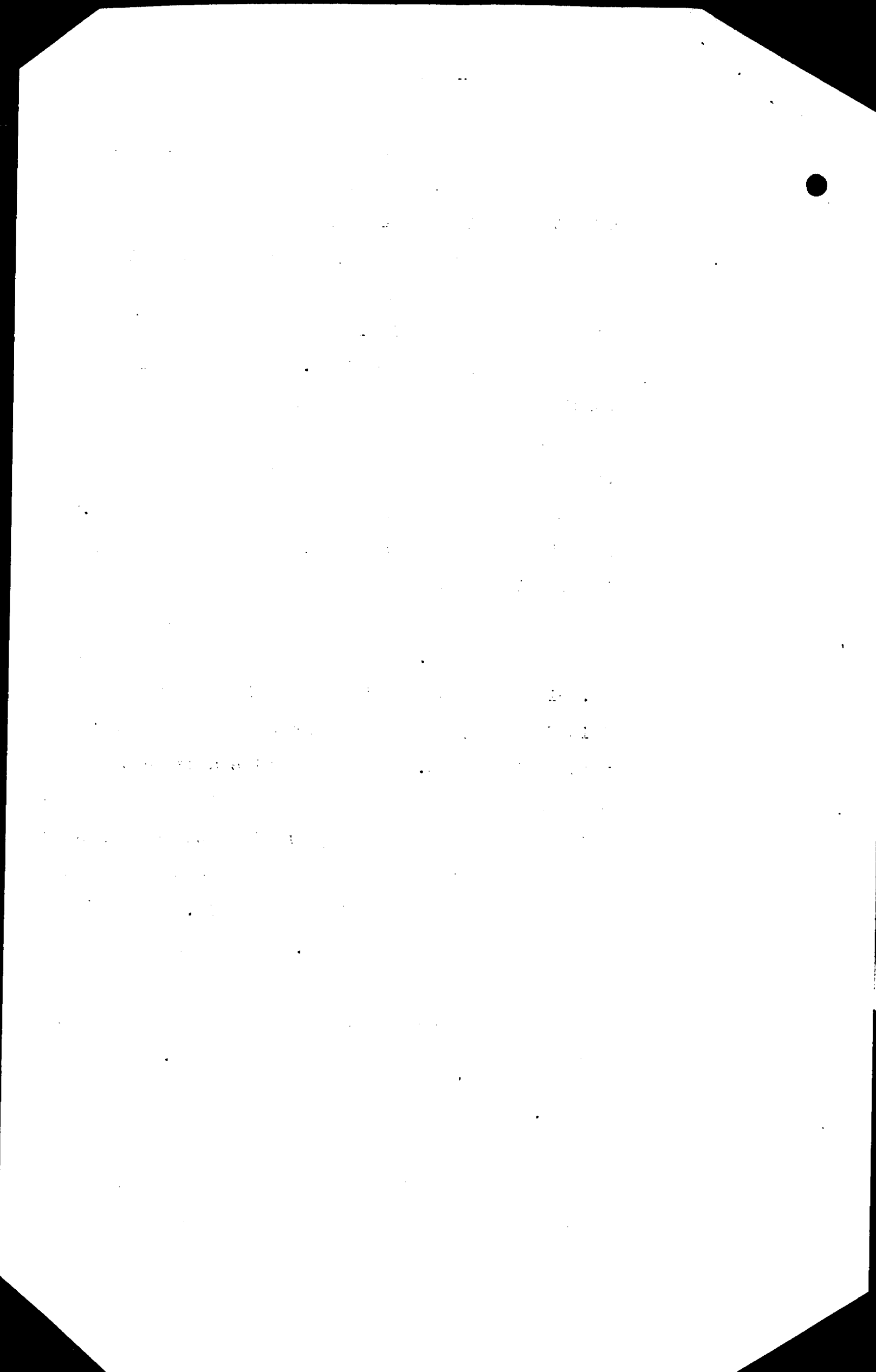
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23

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- 5 -

will be able to present them to the Carnegie Corporation for their favourable consideration.

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

*R. H. Asquith*

GOVERNOR

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JAN 29 5

253

Note of a conversation with Mr. K. C. Murray,  
Education Department, Southern Nigeria, on  
26th-May, 1939.

Mr. Murray seemed to have got it fixed in his head that it was intended that Achimota should be made the centre for a West African museum at which practically all the collections of West African cultural objects that it was desired to preserve were to be <sup>concentrated</sup> ~~centered~~. He said that he hoped that this would not be the case as he thought it was very desirable that there should be a museum of Nigerian art and craftmanship in Nigeria itself and he thought that such an institution would be appreciated by an increasing number of Nigerians and would stimulate an interest and a pride in their past. He admitted that at the present Nigeria had not got very far towards establishing a museum and it was difficult to see how the money for it was to be spared. He, nevertheless, hoped that something could be done about it before it was too late, as interesting objects were rapidly disappearing or being eaten by white ants or suffering destruction in other ways.

I told Mr. Murray that while it was the case that Achimota had already shown a special interest in this subject and would no doubt like to have as representative a collection as possible of African arts and crafts, my understanding of the Secretary of State's wishes was that so far as possible objects of cultural interest which it was desired to preserve should be suitably housed in the various territories to which they belonged. This would not, however, prevent examples from being either presented or  
lent

26

lent to institutions elsewhere, e.g. the British Museum or, as regards West Africa itself, Achimota. Mr. Murray said that the vaults of the British Museum were already congested with African material mainly collected by <sup>an</sup>Amery Talbot, but he believed that a great deal of it <sup>had yet</sup> needed to be catalogued, and there was very little room at present for the ethnological section of the Museum. He went on to mention an interesting collection of West African cultural objects at present in the Wellcome Research Institution, Euston Road. He had heard that this was likely to be sold, probably for a very small sum, and he expressed the hope that it might be possible to acquire the Nigerian objects for the prospective Nigerian Museum. I said that I thought it very unlikely that the Nigerian Government would be prepared to spend any money on acquiring this collection and Mr. Murray said that he thought it quite possible that a public appeal in Nigeria itself would meet with sufficient response to enable the sum of, say, £40 or £50 to be collected which, he thought, ought to enable a number of objects to be acquired which would be well worth having. He said he had written to Mr. Vischer on the subject [I have spoken to Mr. Vischer and I understand that he is sending on a minute about this].

I did my best to reassure Mr. Murray as to the intentions of the Colonial Office about which he seemed to have some lingering suspicions and I said that I was quite sure that when the Governor of Nigeria was able to find the money for establishing a Nigerian museum, he would find the Secretary of State very sympathetic to the proposal. I suggested

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suggested that if, in the meantime, there were difficulties about preserving locally objects of special interest it might be possible to arrange for them to be placed on loan, until the Nigerian museum was ready to take charge of them, either at Achimota or perhaps at the British Museum.

Mr. Murray is evidently keenly interested in this subject, and in the subject of African art generally, as was shown by the very successful little exhibition of contemporary Nigerian art which he organised in London about two years ago. He showed me a number of extremely interesting photographs of examples of wood-carving and bronze-casting from the Ibo and Ibibio areas of South-Eastern Nigeria. Some of the bronzes were especially striking. Their decorative motives suggested some affinity with Benin work but in other respects they appeared to be unlike anything which has hitherto been found in that part of West Africa. They were all found at one spot (I think near Awka) when someone was digging a well. It is only possible to guess at their age or the uses for which they were intended.

*D. G. R. Williams*  
26.5.37

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XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

34 - 36 Parliament Street, S.W.1.

26th May, 1939.

My dear Murray.

Just a word to acknowledge the receipt of your very interesting letter of the 21st. To begin with, I have always envisaged the opening of museums in our various territories for native art and all matters of historical or other special interest, and I am particularly <sup>glad</sup> to feel that at the present moment, thanks to people like yourself, we are nearing the realisation of this hope as far as the West African territories are concerned. As in many other things, West Africa, and especially Nigeria, will again give the lead to the whole of that continent, and that is only right because I don't think, personally, that any other territory can touch Nigeria for the wealth and interest of its art treasures. Your suggestion regarding the Wellcome Museum is a very sound one and I have already arranged with Williams, the Head of the African Department, to discuss the question with a view to obtaining

C. MURRAY, Esq.



the proper official backing. I will write to you again later when I shall have had an opportunity of going into the matter carefully with the Department.

Yours sincerely,

(Sd) Hanns Vischer

29  
Upper Cranmore  
Heyshott  
Midhurst

21st May 1939.

Dear Vischer,

The Wellcome Institute in Euston Road have, as you probably know, a museum for which the late Sir Henry Wellcome collected a lot of ethnological material from various parts of the world, including much from Nigeria. The collection is now being made more specifically medical and there are a number of duplicate and surplus works left over that rumour states may be sold in the open market.

I called the other day to see the curator of the museum in order to find if there is any chance of the Nigerian Government obtaining the Nigerian works for its intended museum. The position is that at present no decision has been made as to what will be done with the unwanted works, but at any time a decision may be made. When I suggested that the Trustees might perhaps be willing to make a gift of the surplus Nigerian works to Nigeria, the curator said that they would find difficulties in doing this since the Inland Revenue Authorities might consider that the Trustees were trying to avoid death duties. On the other hand later he said that the British Museum might be given some, or the whole might be given to some museum as a special Wellcome collection. The curator also said that it would not be possible to sell by private treaty but that the collection would have to be sold in the open market. This would be done through Messrs. Allsop & Co., 21, Soho Square, W.1.

I hope that you will agree that an influential approach should be made to the trustees to ask them to present, if they possibly can, the surplus Nigerian collection to the proposed Nigerian Museum. With the backing of the Colonial Secretary the difficulty of the death duties might be overcome.

The reasons for asking that the Trustees of the Wellcome Institute should help Nigeria with this are:-

(a). It is very important for the future of Nigerian art and culture that there should be a museum in Nigeria where Nigerians can see and study their old work. This should have as

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[Faint, illegible text on the left page]

30  
TND

2.

representative a collection as possible. Many of the works in the Wellcome collection are of a type and quality now unobtainable in Nigeria.

(b). It is part of the duty of the British Government as trustee for the Nigerians that works of artistic and ~~historical~~ historical value should be preserved for future generations of Nigerians.

I am sorry to trouble you with this, but it seemed that the opportunity of getting this collection should not be missed.

Yours sincerely  
K.C. Munnay.

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U.S. Medical.

2

1. C.P. Liston 4/6/39.

As far as Mr. Gordon is concerned no further action is needed, but if Dr. Smart considers that any general action should be taken on the lines suggested in Colonel Glen Liston's report No. 38 had better be registered on an appropriate file.

Orig. mis.  
on PF. 1288768

(Sgd.) J.E. King.

7.6.39.

(38) is of value and a copy might be sent to the Governor.

(Sgd.) A.G.H. Smart.

8.6.39.

(Reached me today)

? copy to Governor if info on case

J. Buchanan  
4/7

Dr. O'Brien

Is there anything in this worth bringing to the attention of the Bureau of Hygiene & Tropical Diseases as well as to the Governor please?

J. Buchanan  
5/7

to need send a copy to the Bureau  
Col. Glen Liston will publish his findings  
the paper will be reviewed by the Bureau.  
In addition to sending a copy to the  
Gov. one should go to Sir R. Bouchette  
under S.O. from me  
C. W. Owen  
8/7

A/

has proposed at it in D'O'Brien  
minutes.

M. Schmitt

15/7 above

2 To Briercliffe. (w/c 1) s.o. — 20 July 1939

3 To Nigeria - Conf (w/c 1) All — 24/7/39

Abd

4. Di. Briercliffe (s/o). ————— 17. 8. 39.

Comments on Glen Lister's remarks on 'Lysis'

? To Dr. O'Brien

Chamley  
Mg

? M. Schmitt a copy to Dr. Scott at B of H & TD.  
for info s.o. under your sig.

M. Schmitt

~~You please explain~~ <sup>13/c</sup> ~~that~~  
~~apostrophe~~

~~1945~~

A copy should go to Col. Glen Lister  
explaining what was done.

A copy of the correspondence might now go to  
Dr. Scott at the Bureau

As with new  
13/9

above

Dr. Scott  
C.M.P. 1945

F.R.C.P.

~~DESTROYED UNDER STATUTE~~ Boston. (w/c 4) 50

~~DESTROYED UNDER STATUTE~~

To. H. Scott. (w/c 1, 2 + A) 50

3  
29 Sept 1939.

WLB

67. de. ed. files of Boston.

4. 10. 39.

Adm 5, & comments thereon. (Extract fr. 5/0 letter to D.O. 'Bing')

No action required.

Put by

above                      after review

16/11.

WLB

4 7

EXTRACT FROM LETTER FROM LIEUTENANT-COLONEL W. GLEN-LISTON  
TO DR. O'BRIEN DATED 4th OCTOBER, 1939.

+ + +

5

Manpe ?

I have first to thank you for your letter of the 29th  
September forwarding to me a copy of Briercliffe's letter  
about Loasis. I was aware of the existence of the infection  
at Sapele, Warri, and other places in the Niger Delta but  
of course was not in a position to compare these places with  
Manpe. I have examined men from the places mentioned and  
found them infected. I know next to nothing about the  
bionomics of Chrysops beyond the fact that it seems to have a  
very limited distribution and that it prefers to live in  
dense shade. From my enquiries of patients suffering from  
the disease the flies appear to be more prevalent in what  
they describe as "grass huts" which I take to be rest houses  
or what we would call in India "Dak bungalows". I shall  
be very pleased to see Walker when he comes home and have a  
talk with him on the subject.

+ + +





30429/39 Nigeria.

6 J

C. O.

Mr. Staples 13/7/39

Mr. Whitcombe

Mr.

Mr. A. J. Dawe.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shackburgh.

Permt. U.S. of S.

Perly. U.S. of S.

Secretary of State.

17/7/39  
[Handwritten initials and scribbles]

S.O. for Dr. O'Brien's signature

20 July, 1939.

17 JUL  
Dear Briercliffe

You will be interested  
I am enclosing for your  
in the enclosed letter  
consideration a copy of a report which  
we have received from Col. Glen Liston  
in which he remarks on the prevalence  
of "Loasis" in the Mamfe District of  
Nigeria.

You will see that the letter  
was prompted by the case of  
is the result of his examination of

Mr. D. W. G. M. Gordon, late

Assistant Engineer in the Public

Works Department of Nigeria, who recently

complained of eye trouble.

Yours sincerely,

Given permission to visit  
Col. Glen Liston when he  
recently <sup>wrote in</sup> complaining of  
eye trouble which he  
ascribed to his service  
in the tropics

A. J. R. O'BRIEN

DRAFT.

*RYPERT*

SIR/R. BRIERCLIFFE, C.M.G., O.B.E.

(Director of Medical Services,  
Nigeria.)

4. 6. 39  
(copy of 1)

Copy to Secy H. 6.

FURTHER ACTION.

1 copy to 11.3.

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COPY.

Orig. ~~memorandum~~ on PF 18887659

7 /

From,

TC

The Consulting Physician to the Colonial Office,  
Edinburgh.

To,

The Under Secretary of State for the Colonies,  
The Colonial Office,  
London.

33 Comely Bank

4th June, 1939.

Sir,

I have the honour to thank you for sending to me Mr. D.W.G.M. Gordon, late Assistant Engineer, P.W.D., Nigeria; he is suffering from "Loasis", a condition in which I am much interested. He has resided in this country for eight years and has never suffered from Calabar Swellings. In these respects his case is particularly interesting. He appears to have been infected in Mamfe in 1930 and he had a worm extracted from his eye in August 1933. He again noticed a work in the neighbourhood of his eye about four weeks ago, and then became anxious that his sight might suffer from the presence of the worms. I examined his blood and found about 240,000 micro-filaria present there; they were the embryos of *Loa loa*, and, as is general in these cases, his blood showed a marked eosinophilia. Apart from the irritation in the neighbourhood of the eye and occasional headaches he has suffered little inconvenience from the presence of the worms. I reassured him about danger to his eyesight and advised him to do nothing in regard to treatment for we do not know of any cure for this condition. Mr. Gordon fortunately is not suffering much from the presence of the worms but certain cases which I have met with suffer greatly from the disease, their presence in the body in any case is exceedingly disturbing from the aesthetic (I am unable to find a more suitable word) point of view. The distribution of the disease is very

localised

Copy to Briarscliffe 2  
Nigeria (3)  
Copy to Scott &

8  
END

localised and suggests the possibility that something might be done to prevent infection. The district around Mamfe is particularly bad while certain areas in the Niger delta take a good second place. I do not think I exaggerate when I say that almost every person who has resided long enough in the neighbourhood of Mamfe becomes infected. I generally examine the blood of persons who have been stationed there for this purpose. I found one case Mr. J. Brunton, Inspector of Works, who was employed in this area, who, for a time, remained free from infection but who is today suffering very acutely from the disease.

I have mentioned these facts to draw your attention to this rather neglected disease in the hope that something might be done to combat this disturbing though perhaps not fatal disease.

I have etc.,  
(Sgd.) Mr. Glen Liston.

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C.T.  
Publications  
Nominal.

1. Governor's Deputy. No. 694 \_\_\_\_\_ 2 21.6.39.  
No. copy of "A History of Katana" by Mr. J. de J.  
Daniel.

I have read this interesting history  
of Katana. It will be very much  
more interesting for anyone knowing  
the Kana people and the local  
geography.

I acknowledge receipt with thanks  
of this interesting publication  
? Return to the Library.  
C. Alhambra  
4/8/39

Sir J. Tomkinson.

You may care to see this.

Is 'Fulani' or 'Fidani' the correct  
spelling? In acknowledging as

proposed I think we should say  
has been read with interest and  
that? The book will be placed in

the C.O. Library

(The S/S has already seen the  
Emiss of Katana)

J. M. Alhambra  
4/8





30420/39 Nigeria

52

Form 100 (1/2) 1939

G.O.

Miss Simpson  
 Mr. Edwards  
 Mr.  
 Mr. A. J. Dore.  
 Sir H. Moore.  
 Sir G. Tomlinson.  
 Sir J. Shackburgh.  
 Parnt. U.S. of S.  
 Parly. U.S. of S.  
 Secretary of State.

C.D.  
 # 9-AUG  
 12-

15 August, 1939.

DRAFT.

Nigeria  
 no. 666  
 Governor

(1)

Sir,  
 I have the honour to acknowledge,  
 to thank you for the  
with thanks, the receipt of your  
~~despatch No. 6944 of the 21<sup>st</sup> of June,~~  
 forwarding a copy of a publication  
 entitled "A History of Katsina".  
which was enclosed in your  
 despatch No. 6944 of the 21<sup>st</sup> of June.  
 This history has been read  
 with interest and will be  
 placed in the Colonial Office  
 Library.

I have, etc.

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FURTHER ACTION.



N I G E R I A.

NO. 694

6 END

Government House,  
Lagos, Nigeria.

21 June, 1939.

Sir,

I have the honour to forward herewith a copy of a publication entitled "A History of Katsina" by Mr. F. de F. Daniel, a Senior Resident for some time in charge of Katsina, which may be of interest to you as the Emir of Katsina is proposing to visit the United Kingdom shortly.

*Amadi*

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*C C Hooker*

GOVERNOR'S DEPUTY.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

etc., *1* etc., etc.

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30431

CO 583/244  
NIGERIA 1

30431

LABOUR.

Previous ca 30294/39 r 30238/39 (Legislation)	Mr. Thomas (P.S.)	18/10		
	Mr. Sidebottom	19/10		
	R98	21/10		
	Mr. Sidebottom	21/11		
	Mr. Thomas	22/11		
Subsequent P.O. file 1940.	R98	27/11		
	R96	5/12		
	Rev. 299	7/12		
	98			
R98				
Mr. Sidebottom	28/7			
X R 299				
R-98	15/8			
Library	24/8			
R 98	25/8			
Mr. Thomas	26/8			
Mr. Sidebottom	28/8			
P.S./Mr. Thomas	4/9			
Mr. Sidebottom	2/9			
Library	5/9			
Mr. Sidebottom	4/9			
R 98	17/10			
Mr. Thomas	17/10			
Mr. Sidebottom	18/10			

FILE A.

(1228) W.L. 30384/7, 17,000, 11/38.  
N.P.Co. G.082,77a.

C.O. 583 244

C.I.

Labour  
Trade Union  
Society

Five Questions by Mr. Atkinson, Written Reply  
for Thursday, 20th July. Nos. 1-5 on P.O. file.

2

1. To Nigeria Tel. No. 295. Important. con. 19.7.39.

2. former. Tel. No. 293. Important  
Ref. 1. States that five organizations have applied for  
registration as Trade Union  
(See on P.O. file)

~~DESTROYED UNDER STATUTE (s) (u) Labour Code for return~~ 24.7.39.

~~4. C. G. Atkinson, M.P.~~ 24.7.39.  
~~DESTROYED UNDER STATUTE (s) (u) 3.~~

10/8

No. 4 - put by.

C. Gray.

98. 31/7/39

despatch required  
under mins. on  
P.O. 2 & 3 on P.O.  
file.

Despatches to the Governor of Nigeria  
are required in connexion with  
the Questions and Answers at Nos 2  
and 3 on 30/7/39 P.O. attached.

Drafts for Carson H.P.

Chamley  
31/7/39

5. Nigeria. 633. (u/c 1 on P.O. file  
No. 1 on P.O. file 30431/39.) } Cons. -  
6. Nigeria. 634. (u/c 2 on P.O. file 30431/39.) } Cons. -  
6/8/39

DESTROYED UNDER STATUTE

Libby

Has encl. to 3 been  
returned?

A.H. Holden

18.8.

Mr. Hobson:

This is important  
- we are needed  
let's not be embarrassed  
replied with a covering note or some reference

E.G. 7

Mr. Thornley

Please see pencil notes overleaf.  
Libby cannot say whether encl. to No 3  
has been returned. Is any action  
required?

R.H. Holden  
25.8.

I think that Mr. Annon would almost  
certainly not have returned the envelope  
No 3 under cover of a note and that  
we must assume that he has not  
done so.

? Letter to Mr. Annon asking him to  
be good enough to return it if he has  
finished with it.

Chawley  
26/8

P.P. Mr. Thomas

would it be possible for you to find  
out by telephone <sup>if that</sup> whether he sends  
it back & if not ask him to do  
so if he has finished with it?

J.H. Scrutton  
28/8

Mr. Sivasdhan

Please see the document (1937  
Annual Report of the Mines Dept) which  
Mr. Annon has returned to me in  
response to 7. I do not think that  
this is the document you meant;

I should deduce from this that  
already returned the labour Code -  
but not to me.

A.R. Thomas

4/9

Libary

Can you say whether a copy has  
drifted back to library, recently be.

J.H. Scrutton  
4/9

I've no copies left - but we  
have two copies in library

J.H. Scrutton  
4/9

It has now been returned  
C.H. Beaupre  
5/9/39

S. B. Annon

Returns copy of labour Code.

3. 7. 39

No 8. put by

Woodhouse  
at all  
7/9.

Received

No replies have been received to  
Nos 5 & 6.

R.H. Holden  
17.10.

I think we must give  
to governor a little longer -  
? At in one month

Chawley  
17/10/7

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Mr. Thomas.

As to Mr. Thomas's remarks I think that there is bound to be some delay. As no reply to his is called for, I think. Subject by your comments. I should be inclined to wait another month before reminding the firm for replies to 5 & 6. They are very pressed locally of course. Do you concur?

J.P. Sullivan  
18/10

I agree.

A.R. Thomas  
18/10

Bring up in 1 month.

J.P. Sullivan

18/10 atms

9. Gov. No. 1026 \_\_\_\_\_ 26.9.39

States that there has been no change in the position regarding forced labour since the Annual Report for 1937 was written.

No. 6 has not yet been answered.

R.H. Hobbs  
21.11.

As in the reply to his 2 on the P.P. file to the Commission the Dept said that he was ascertaining from the firm whether there had been any change in the position. The Governor says there has not.

Notes  
3/12

The file has not, however, reached yet to  
No 6. and if nothing comes in by the  
next mail in say a fortnight - then  
I should propose to send a reminder.  
In the mean time you may like to  
let Mr. Anson have with reference to  
the inquiry in this despatch (no 9.) adding that  
we are still awaiting further info from  
the Govt. to enable him to answer  
Mr. Anson's question of the 24th July  
(no 3 on the P.O. file) fully.

J. S. [Signature]  
21/11.

6 10 To C. G. Anson Esq. M.P. S/o 22/11/39

H. C. [Signature]  
DESTROYED UNDER STATUTE  
Act 10.

S/o \_\_\_\_\_ 22. 11. 39.

? Put by  
R.H. [Signature]  
27.11.  
[Signature]  
at 11/11

[Signature]

There was no reply to No. 6 in yesterday's mail.  
Action required as directed in min. dated 21/4/59.

12 To Nigeria - cons

7/5/59  
See Jan  
R.H. Habber  
5.12.  
APZ 4/1/59  
7/1/59

AA

105  
Achnuff. 11.

22nd November, 1939.

Dear Ammon,

You will remember that you asked me a question in the House on the 24th July about the extent to which enlisted labour had been used in Nigeria during the past twelve months; on what work such labour had been engaged; and what were the hours worked and wages paid. In my written reply I informed you that according to the latest information available at the Colonial Office, all labour in Nigeria was voluntary and that no special recruiting was necessary; and I added that I was ascertaining from the Governor whether there had been any change in the position.

You will now like to know that I have had a reply from the Governor informing me that there has not been any change in the position.

I have not yet received from the Governor the further information which I promised to let you have in a reply to your other question on the 24th July about the number of Europeans and natives employed in the timber concessions in Nigeria; but I will write to you

C. G. Ammon, Esq., M. P.

again



1247

1888

Dear Madam,

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above named matter. I am sorry to hear that you are not satisfied with the result of the investigation. I have caused the same to be re-examined and the result is as follows: The same is correct and no further action is warranted. I am, Madam, very respectfully,  
 Yours truly,  
 J. H. [Name]

N I G E R I A.

NO. 1026

79.  
Government House,  
Nigeria.

26 September, 1939.

RECEIVED  
20 NOV 1939  
C. O. REGY

Sir,

5  
Referring to your despatch No.633  
of the 8th of August forwarding a copy of  
questions asked recently in the House of Commons  
regarding enlisted labour in Nigeria, I have  
the honour to inform you that there has been  
no change in the position since the Report to  
which you refer was written.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Rudin*

G O V E R N O R.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.

SECRETARY OF STATE FOR THE COLONIES,

&c.,

&c.,

&c.

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Tele

Secr

Date

IMP

No. 2

of re

have

Appli

C. O.

30431/39 P.Q.

*KEND 10*

**C. O.**  
20 JUL  
30

- Mr. Williams.
- Mr.
- Mr.
- Mr. A. J. Dawe.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shackburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

*14/7/39. done*  
*Ans 2*

*border + sent P.O. 6/19/39*

**IMPORTANT.**  
NO. 295

To enable me to reply to  
Parliamentary Question please telegraph  
urgently what Trade Unions if any have  
been formed as a result of passing of  
Trade Union Ordinance.

**DRAFT. TELEGRAM**  
*Raportuf*  
**GOVERNOR**  
LAGOS.

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C-8  
Commission  
Inquiry

L 24.6.39.

1. Governor's Deputy No. 716.  
For consideration a draft Commission of Inquiry Bill is  
requested reply by the middle of August or latest.

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This draft Bill is designed to incorporate  
and does incorporate the provisions of  
The Commission of Inquiry Ord.<sup>ce</sup> (Cap:  
151 of the Laws of Nigeria) and the Commission  
Powers (Conferral of) Ord.<sup>ce</sup> 1938 - No. 10 of 1938.

A statement is attached by the A.G.  
showing where the various provisions in  
both these Ordinances are to be found  
in the draft Bill, which is v. helpful.

The major alteration in this bill  
from the provisions of the Ord.<sup>ce</sup>, which  
will be repeated, if it becomes law,  
is in respect of the powers of the  
Commissioners to punish for contempt.  
Though the same penalties can be  
imposed on summary conviction for  
contempt by a competent court as  
previously, the maxi which can be  
imposed by the Commissioners themselves  
has been reduced (cf. S. 16 of the bill  
with ss 10 and 12(1) of Ord.<sup>ce</sup> No. 10 of  
1938).

- Additional provisions in this bill  
which were not included in either  
of the Ordinances mentioned relate to
- (i) the protection of the Commissioners  
(see S. 20 of the bill)
  - (ii) authority vested in the Governor to  
restrict the Commissioners powers as a  
condition in any Commission he may issue  
(see S. 21 of the bill, and
  - (iii) Commissioners appointed by the Secretary  
of State. (see S. 22 of the bill).

x

I am afraid that the statement  
at X above is not quite correct.

The maximum amount of the fine  
which may be imposed has not been  
reduced in the bill but there is no  
provision in the bill for a substantive  
sentence of imprisonment up to three  
months which appears in S. 10 of  
Ord. No. 10/1938.

? Approve the enactment (which  
should be communicated to the Governor  
if possible before the middle of August.  
Copies of Ord. concerned  
are attached

Chamberlain  
1/8/39.

I do not know whether powers of imprisonment  
for contempt are needed: if so they should  
be included I think.

Subject to your comments on that in  
general we can? approve enactment  
by telegram I send on mind in view of  
the request for J. B. Schmitt  
reply by middle  
of August. 2/8



I agree that power to imprison for  
contempt should be given to the  
Courts by including it in clause 16(1)(a).

I think this power must have been  
omitted in error because the A.G. says  
in his Bill that the clause retains "the  
same penalties which can be imposed by  
the Courts," which as drafted it clearly  
does not. It is not intended to give  
the Commissioners power to imprison and  
I think he should have clause 16(1)(b)  
as it stands.

T. A. Brown

2. 8. 39

Draft Bill comm. to Gov. approving  
Enactment but suggesting inclusion  
of in Cl 16 (1) (a) of power to  
imprison for contempt  
to become law. <sup>standards</sup>  
J. M. White  
2/8 done.

Draft for commission to Gov

Alhance  
2/8/39

Re. Tolson. Nigeria. Vol. 320 — 2. 8. 1939

only.





REPORT  
on A BILL  
Entitled "The Commissions of Inquiry  
Ordinance, 1939."

The Objects and Reasons clearly show the necessity for this Bill and attached hereto is a table showing how and to what extent have been incorporated the Commissions of Inquiry Ordinance, Chapter 151, and the Commissioners Powers (Conferment of) Ordinance, 1938 (No.10).

2. Attention is drawn to clauses 21 and 22 which together should mean that the Bill can when enacted be adapted to suit the needs of practically any commission without the necessity of further amendment.

*J. K. O.*  
Attorney-General.

Attorney-General's Chambers,  
Lagos, Nigeria.  
15th May, 1939.

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TABLE

showing where the sections of the Commissions of Inquiry Ordinance, Chapter 151, and of the Commissioners' Powers (Conferment of) Ordinance, 1958 (No. 10 of 1958) are reproduced in the draft Ordinance entitled the Commissions of Inquiry Ordinance, 1959.

Section in Cap. 151.	Place where corresponding provisions will be found in draft for the Commissions of Inquiry Ordinance, 1959.
1.	Clause 1.
2(1) (2) (5)	" 2(1) (2) (5).
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 2(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 15. Incorporated in clause 18.
10. Sections of Ordinance No. 10 of 1958.	Clause 19.
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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Short title and application.

1. This Ordinance may be cited as the Commissions of Inquiry Ordinance, 1939, and shall apply to Nigeria.

Power to issue commissions of inquiry.

2. (1) The Governor may, whenever he shall deem it desirable, issue a commission appointing one or more commissioners, and authorising such commissioners, or any quorum of them therein mentioned, to hold a commission of inquiry into the conduct of any officer in the public service of Nigeria, or of any chief, or the management of any department of the public service, or of any local institution, or into any matter in respect of which, in his opinion, an inquiry would be for the public welfare. The Governor may appoint a secretary to the commission, who shall perform such duties as the commissioners shall prescribe.

Particulars of commission.

(2) Each commission shall specify the subjects of inquiry, and may, in the discretion of the Governor, if there is more than one commissioner, direct which commissioner shall be chairman, and direct where and when such inquiry shall be made and the report thereof rendered, and prescribe how such commission shall be executed.

Inquiry normally.

(3) Such inquiry shall, subject to the powers of the commissioners under section 7, be held in public, unless the Governor shall give a direction to the contrary, but the commissioners shall nevertheless be entitled to exclude any particular person for the preservation of order, for the due conduct of the inquiry, or for any other reason.

New commissioners and alterations.

3. In case any person appointed to act on a commission shall be or become unable to act, the Governor may appoint another person in his place, and any such commission may be altered or revoked, as the Governor may see fit.

Commissions not affected by change of Governor.

4. No commission issued under this Ordinance shall lapse by reason of, or be otherwise affected by, the death, absence or removal of the Governor issuing the same.

5. (1) Every commissioner appointed under this Ordinance shall make and subscribe an oath that he will faithfully and impartially and to the best of his ability discharge the duties devolving upon him by virtue of such commission, and, if the inquiry should not be held in public, that he will not divulge the proceedings or the vote or opinion of any commissioner.

Oath of members.

(2) Such oath may be taken before the Governor, or before such person as the Governor may appoint, and shall be attached to the proceedings in the inquiry.

6. (1) The commissioners may make such rules for the conduct of the proceedings, the time and place of meeting and of adjournment as they may think fit, subject to the terms of their commission.

Procedure.

(2) If the commissioners shall, in any case, be equally divided on any question that arises during the proceedings of the commission, the chairman of the commission shall have a second or casting vote.

Chairman's casting vote.

7. The commissioners shall have the following powers:—

Powers of commissioners with regard to the obtaining of evidence and conduct of proceedings.

- (a) to procure all such evidence, written or oral, and to examine all such persons as witnesses as the commissioners may think it necessary or desirable to procure or examine;
- (b) to require the evidence (whether written or oral) of any witness to be made on oath or declaration, such oath or declaration to be that which could be required of the witness if he were giving evidence in a magistrate's court;
- (c) to summon any person in Nigeria to attend any meeting of the commissioners to give evidence or produce any document or other thing in his possession and to examine him as a witness or



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.

(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.

**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.

Appearance of counsel.

**15.** The following shall be deemed to be an act of contempt within the meaning of this Ordinance:—

Definition of contempt.

(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.

**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:—

Proceedings in respect of contempt generally.

(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.

(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.

(4) The summons shall be served by the police or by such person as the commissioners may direct.

Form C.  
Form D.

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.

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. of 1939).

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. of 1939).

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 (her name the commissioners) appointed by the Governor to inquire (state briefly the subject of the inquiry) at (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.

## FORM C.

THE COMMISSIONS OF INQUIRY ORDINANCE, 1939,  
(No. of 1939).

## 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. of 1939).

## 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.

## OBJECTS AND REASONS.

The Commissions of Inquiry Ordinance (Chapter 151) while suitable for inquiry into Government departmental matters is not in many respects sufficiently wide in the powers it confers on the commissioners to enable the commissioners efficiently to investigate matters which affect the public welfare as a whole. This was illustrated recently when it was necessary to pass special legislation to enable the commission appointed by the Secretary of State to inquire into the marketing of cocoa in West Africa, successfully to undertake its work. The Legislative Council was sitting at the time when it was necessary to pass the special Ordinance and thus it was possible for the commissioners to carry out their work without delay.

2. It has been considered advisable now that the laws of Nigeria are being consolidated to enact one composite Ordinance which is so drafted that it can apply to commissions appointed either by the Governor or the Secretary of State. Provision is also made enabling the Governor to withdraw from any particular commission appointed by him those powers which while given to the commissioners by the Ordinance the Governor thinks are unnecessary in any particular case.

3. If the Bill is passed into law it should result in there being on the Statute Book an Ordinance which ought to be adaptable to any commission that may be appointed in Nigeria either by the Governor or by the Secretary of State.

H. C. F. Cox,  
Attorney-General.

ATTORNEY-GENERAL'S CHAMBERS,  
LAGOS, NIGERIA.  
2nd March, 1939.

Printed by the Government Printer, Kaduna.

END 15



CP  
Dunnell

Governor. No. 765.

8-7-3

In. for consideration a draft General Loan & Treasury Bills (Protectorate) Bill & states that Mr. Lee, Attorney-General is in favor & could discuss the matter.

This draft Bill is to be substituted for the General Loan & Treasury Bills (Protectorate) Ordinance (Cap. 114; a copy of which is attached).

Under the latter the Governor can only make such payments etc. as he is required to make under the General Loan and Inscribed Stock Ord.<sup>ce</sup> and the Colonial Treasury Bills Ord.<sup>ce</sup> (copies of both attached) out of the revenues and assets of the Protectorate if the revenues and assets of the Colony are at any time insufficient for this purpose. In point of fact the accounts of the Colony & Protectorate are kept as one and it is thus not possible even strictly to apply the provisions of the General Loan & Treasury Bills (Protectorate) Ord.<sup>ce</sup> 1922, because the revenues and assets of the one cannot be separated from the revenues & assets of the other.

The purpose of the draft Bill is thus to make the revenues and assets of Nigeria & rest of the Colony only the security for the raising of loans under the General Loan and Inscribed Stock Ord.<sup>ce</sup> and for the issue of Treasury Bills under the Colonial Treasury Bills Ord.<sup>ce</sup> & to make this retrospective.

Chamberlain

29/7/39

I can see no objection

principle. The report says  
is to clear the air.

Subject to your comments  
I think we may approve

O. G. R. Williams

10. 8. 39

No legal objections

11. viii. 39 T. C. Brown

Then approved.

atroc

O. G. R. Williams

15. 8. 39

2. Lo Nigeria. 693. (1. April) —

atroc

25  
/ 8  
159.



30433/39 Nig.

C. O.



Miss Simpson  
Mr. Mr. Admonas  
Mr.  
Sir H. Moore.  
Sir G. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Perm. U.S. of S.  
Party U.S. of S.  
Secretary of State.

18/8  
S.S.  
[Handwritten signature]

C. O.  
21 AUG  
24/-

Downing Street,  
25 August, 1939.

Sir,

I have the honour to ack.

The receipt of your despatch No. 765  
of the 8<sup>th</sup> of July, and to convey  
to you my approval of the  
introduction of <sup>the</sup> a draft Bill,  
(shortly entitled the General  
Loss and Treasury Bills

(Protectoral) Ordinance, 1939.)  
which has been prepared  
to remove an anomaly in  
I have, etc.

the law relating to the  
currency for Nigeria

(Sgd.) MALCOLM MacDONALD

DRAFT.

Nigeria  
No. 693.  
Gouverneur

FURTHER ACTION.

**NIGERIA.**

**No. 765**

Government House,  
Nigeria.

8 July, 1939.

RECEIVED  
24 JUL 1939  
COL. OFFICE

*dep dep 4  
amb*

Sir,

I have the honour to transmit herewith a copy of a draft Bill which has been prepared by the Attorney-General to remove an anomaly in the law relating to the security for Nigeria loans. The necessity for this legislation is fully described in the statement of Objects and Reasons appended to the Bill, with which I am in agreement and to which I have nothing to add. I shall be glad to receive your consent to proceed with its enactment.

2. Mr. Cox is now on leave and will be available to discuss the matter should this be desired.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Maclean*

GOVERNOR.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

*M* etc., etc., etc.

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A BILL  
entitled

5

Title.

An Ordinance to pledge the revenues and assets of the Protectorate to the services of the Colony in respect of the liabilities of the Colony relating to any loans heretofore or hereafter raised with the authority of the Legislature of the Colony.

Date of commencement.

( 195 . )

Preamble.

WHEREAS the Legislature of the Colony has authorised and may hereafter authorise the raising of loans under the General Loan and Inscribed Stock Ordinance for the benefit of the Colony and Protectorate;

Cap.112

Cap.115

AND WHEREAS the Legislature of the Colony may hereafter authorise the issue of Treasury Bills under the Colonial Treasury Bills Ordinance, for the benefit of the Colony and Protectorate;

AND WHEREAS by each of the said Ordinances the Governor is required to make from time to time certain payments and remittances out of the revenues and assets of the Colony;

AND WHEREAS the accounts of the revenues of the Colony are not kept separate from the accounts of the revenues of the Protectorate but the accounts of the revenues of the Colony and of the Protectorate are kept jointly as the accounts of the revenues of Nigeria and it is impracticable to keep these accounts separate and distinct or accurately to ascertain the revenues of the Colony as distinct from the revenues of the Protectorate;

AND WHEREAS it is expedient in the interest of Nigeria and of those who hold any security secured on the revenues and assets of the Colony that the Governor should be authorised and required to make

such

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Faint, illegible text in the bottom section of the left page.

To: Mr. ...

4

END

these payments can only be made if the revenues and assets of the Colony prove insufficient.

3. For the revenues of the Colony and those of the Protectorate have not been and cannot be kept distinct as it is impracticable to ascertain exactly which portion of the general revenue of Nigeria belongs to the Colony or to a part of the Protectorate. Accordingly it has been impossible to comply with the strict letter of Chapter 114 and the necessary payments have been made out of general revenue and the security of these various loans has in fact been the revenues and assets of the whole of Nigeria.

4. Realizing that this difficulty exists it is just as well to make our law conform with what are the actual facts and what are no doubt believed to be the facts by all those who have invested money in the loans raised and Treasury Bills issued by the Colony. This Ordinance therefore clears the air and makes the law conform with the existing practice and declares quite definitely that the security for these loans is what it is generally believed by the investor and general public to be.

(sgd) H. C. F. Cox,

Attorney-General.

Attorney-General's Chambers,  
Lagos, Nigeria.

2nd March, 1960.

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30434

NIGERIA

30434

GOLD MINING CONCESSIONS.

Previous	R 288	30/7		
	"	98.	12/2	
	Mr. Thornley		17/2	
	Mr. Sidebottom		17/2	
Subsequent	R 98			
	1940.			
	R 98			
	96.	7/6		
	R 299	4/1		
	98.	13/10/62		
	Mr. Thornley	14/10		
	Mr. Sidebottom	16/10		
	Mr. Hadden	17/10		
	R 98			
	Mr. Thornley	18/10		
	Mr. Sidebottom	19/10		
	Mr. Hadden	19/10		
Mr. Williams	20			
Mr. Thornley	23/10			
Mr. Sidebottom				

FILE A.

(1229) W. 303847. 17,000. 11/58. N.P.Co. G.662/772.

C.O. 583 244

C. S. Title  
Labour

To P.O. of W. Amos for Wed 2<sup>nd</sup> Aug. 2  
See 1 on P.O. file

To Nigeria. 657 (etc! on P.O. file) cons. <sup>9/10</sup> AIR MAIL 9/10/39

Cl. requires.

No reply has been received to No. 1.

R.H. Holden  
13.10.39

Further ltr. to  
Mr. Amos on  
reply to No. 1.

? Reminder to Governor if no  
reply received or in the next  
mail.

Atkinson  
14/10

Mr. Holden.  
R 96

Has anything come in by today's mail?  
If not remind

Atkinson  
16/10/39

Now see No. 2.

R.H. Holden  
17.10

2. Gov. No. 1056. \_\_\_\_\_ 6. 10. 39.

Comments on the conditions in the mining camps.

(2) is really rather an unsatisfactory  
reply to (1) and I don't think Mr.  
Amos, who presumably had good  
reasons for asking the question would  
be likely to be satisfied with it.  
Presumably the ref: to 'regular'



Mines labour - to contract labourers  
as opposed to 'casual labour',  
which is performed by the local  
inhabitants when they feel inclined  
to return to their own homes at  
the end of his day's work; but this  
point requires to be checked up.

I think we should also ask for  
information as to the authority on  
which the 'minimum obligations'  
rest and the sanctions behind them.  
Mr. Williams saw these papers in  
my room this morning and indicated  
that he agreed but we should ask  
for additional information by way  
of a letter to Mr. Woolley.

I put up now for the drafting  
in case there may be other specific  
points, which have not been looked at, which  
require further consideration.

Chambers  
18/10

Major Ave Sumner

I quite agree that as a really informative  
reply either to members or to the Com.  
concerned No 2 is quite inadequate.

Can you suggest please any specific  
questions on which we should ask  
for further info to enable a proper  
reply to be sent to the P.Q. on 30/9/39  
in addition to the points which Mr. Williams  
mentions  
J.P. North 19/10.

3  
A detailed and complete description of housing  
conditions would be somewhat lengthy; I suggest the  
following questions as serving to summarise the situa-  
-tion with regard to important points.

- (1) What is the proportion of permanent labour as opposed to casual, on the principal mines?
- (2) Are sites for labour lines approved by any govern-  
-ment official before occupation?
- (3) Of what materials are the walls and roofs of the  
houses usually constructed?
- (4) Is any control over the plan and materials exercised  
by the Government?
- (5) What proportion of men have their wives and families  
with them?
- (6) Are the labourers allowed to maintain any gardens  
for their own use?
- (7) What tenure exists, i.e. on what notice can the la-  
-bourer be evicted from (a) his house and (b) his garden  
if he has one?
- (8) What is the usual type of sanitation?
- (9) What arrangements exist for inspection by govern-  
-ment officials, and what penalties follow infringement  
of rules applying to housing? What is the average in-  
-terval between inspections?

Kitchens, baths, recreation facilities, etc. need hardly  
be included, I think; in any case, I hope that my forth-  
-coming visit will furnish all the necessary information  
within a few months.

F. J. Oldham  
19.10.39.

Mr. Williams,

Then I think that we might ask No 2  
and say that we are relying further  
to the P.Q. the S.P.S. would wish to be  
furnished with additional information  
on the several points enumerated above.

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[The information on these matters is woefully inadequate at present and while one hesitates to worry a former member at such a time as the present, fuller information than that furnished in No 2 is clearly called for I think.]

J. B. L. [Signature]  
19/10.

Yes: as we are making [unclear] a detailed enquiry we had better do so in an official dep.

Atoria

O.G.R. Wilson

20. 10. 39

3. Do Nigeria. 820. (2 - [unclear]) [unclear] - 30/7/59.

~~Handwritten scribble~~

No reply has been recd to 3

Algonas 12/2/40

(3) went by sea mail and would give the [unclear] another month before reminding.

(Handwritten in a circle)

[Signature]

[Signature] 12/2/40

~~Handwritten scribble~~

C. O.

- Mr. Webber 23/10/39
- Mr. Seibothan 23/10
- Mr.
- Mr. A. J. Dewe.
- Sir H. Moors.
- Sir G. Tomlinson.
- Sir J. Shuckburgh.
- Parly. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

*Answered. 1 on 10 file.*

Downing Street.

C.D.  
R 25 OCT:  
D 24-

30 October, 1939.

Sir,

~~Sir~~

I have etc. to acknowledge

the receipt of your despatch

(2)

No. 1056 of the 6th of October

~~containing~~ <sup>regarding</sup> information ~~as to~~ the

~~present position regarding~~ <sup>of</sup>

obligations <sup>of employers in respect of</sup> ~~as to~~ the housing of

labour employed on ~~the~~ gold-mining

concessions <sup>in Nigeria</sup>

2. Before replying further

to the Parliamentary Question trans-

(1)

mitted to you in my despatch No. 647

of the 9th of August, I ~~would like~~ <sup>should wish</sup> to

be furnished, if possible, with

additional information on the

following points:-

(a) What is the proportion of

permanent labour as opposed to

casual labour on the principal mines?

(b)

DRAFT. *casu*

NIGERIA

NO. 820

GOVERNOR

FURTHER ACTION.

(b) Are sites for labour lines approved  
by any Government official before occupation?

(c) Of what materials are the walls and  
roofs of the houses usually constructed, and  
does <sup>the</sup> Government exercise any control over  
the plan and <sup>the</sup> materials *employed in house construction?*

(d) What proportion of men have their  
wives and families with them, and are the  
labourers allowed to maintain any gardens  
for their own use?

(e) On what notice can a labourer be  
evicted from (1) his house and (2) his  
garden if he has one?

(f) What is the usual type of sanitation,  
what arrangements exist for inspection by  
Government officials, and what penalties  
follow infringement of rules applying to  
housing? What is the interval between  
inspections?

I have, etc.

(Sgd.) MALCOLM MacDONALD

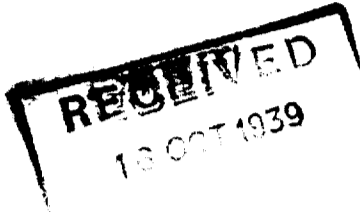
AIR MAIL.

NIGERIA.

No. 1056

5 2  
Government House,  
Nigeria.

6 October, 1939.



Sir,

Referring to your despatch No.647 of the  
1. 9th of August transmitting a copy of the official  
report of a Question and Answer in the House of  
Commons regarding gold mining concessions in Nigeria,  
I have the honour to inform you that the regular  
mines labour is housed at the expense of the employers  
and that minimum obligations allow for the prevention  
of overcrowding and for the provision of a good supply  
of water and of suitable sanitary arrangements.  
In general, conditions in mines camps are better than  
those which obtain in the communities from which the  
labour is recruited.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B.H. Adeniran*

GOVERNOR.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

etc., etc., etc.

*Amzi*  
*(3)*

AIR MAIL

FN 6  
30434/39  
neg.  
(main file)

G. O.

Mr. Whitehouse 7/8

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Stuckburgh.

Parlt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Is Answer 2

O.D.  
- 8 -  
8 - AUG

Aug., 1939.

Sir,

I have etc. to

u. to you <sup>copy</sup> copies of the

official report of a

Question & Answer in

the House of Commons

on the 3rd. of August

regarding gold-mining

concessions in Nigeria

and the conditions of

DRAFT.

Nigeria

no. 647

Gov.

copy of (a) M.P. file

FURTHER ACTION.

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~~employment of workers in~~

~~the advertisement.~~

2. I shall be obliged if  
you will furnish me with  
information as to the  
present position regarding  
~~the~~ obligations as to the  
housing of the <sup>labour employed on</sup> ~~the~~ ~~advertisement~~  
the ~~advertisement~~  
~~in the advertisement.~~

I have etc.

(Sgd.) MALCOLM MacDONALD

30436

1939

30436

NIGERIA

DEPORTATION LEGISLATION.

Previous

Subsequent

R98

25/8/39

R44 P.S.H.

Mr. Thornley  
Mr. Jones

26/8

98

29/8

R.44. P.S.H.

98

FILE A.

(1225) W/L 26384/7 17,000. 11/38.  
N.P.Co. G.682,772.

C.O. 583 244



b.s. Title

2

3/10

1 To. C. Woolley. — S.O. — Cons. 3 Aug. 1939  
also

2 Woolley 5/0. 16. 8. 39.  
Gen. Regy  
To attach  
H. Jones.  
25.8.

7/10. copy of Depotation bill & comments thereon.

This is a Nigerian paper, but as it seems to refer (at this stage) entirely to the consideration of present being given to J.L. legislation on the subject, which you are dealing with, I am putting it up to you without comment.

Chamberlain  
26/8

This up to comes for in order to see why the Dep. Leg. Co. did not take the Depotation Bill. It was found out that their speakers have little relevance to the S. Lewis controversy.

Pubby  
at once

O. G. R. Lewis

16. 9. 39

Handwritten initials



30301/25/34

evidence of repute even though such evidence would not be admissible in criminal cases has been inserted with a view to lessening the difficulties described in the sixth paragraph of Sir Donald Cameron's Confidential (A) despatch of the 6th of April, 1935. (For the same reason it has not been provided in clause 8(3) that the Judge may make a recommendation in addition to reporting his findings). It has been noted that similar provision in the Sierra Leone Ordinance evoked fierce criticism in the House of Commons and the amendment of this clause will be considered.

2. The reason for the withdrawal of the bill from the Legislative Council was the opposition of unofficial members, directed mainly against the provision for the making of a restriction order against a native of Nigeria - although the Governor in Council already has this power

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4

power under Section 18(8)(f) of the Criminal Code. The Governor withdrew the bill with the object of consulting Native Authorities in whose interest the Ordinance, if enacted, would be most likely to be used, and this is now being done.

3. Certain minor amendments were made to the bill after its withdrawal and these are underlined in red ink in the attached copy.

4. We shall be addressing you more fully on the subject in an official despatch at an early date.

*Yours sincerely  
CC booney*

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference :-					
C.O. 583 / 244					
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of the Legislative Council so far as the provisions hereof relate to the Colony and to the Southern Provinces of the Protectorate, as follows:—

Short title,  
application  
and com-  
mencement.

1. This Ordinance may be cited as the Deportation Ordinance, 1939; it shall apply to Nigeria and come into operation on a date to be fixed by the Governor by notice in the Gazette.

Interpreta-  
tion.

2. (1) In this Ordinance unless the context otherwise requires—

“Alien” means any persons other than a British subject or a native of any territory under His Majesty’s protection.

“British subject” includes a British protected person who is a native of Nigeria.

“Deportation order” means an order requiring the person in respect of whom it is made to leave and remain out of Nigeria.

“Restriction order” means an order prohibiting in accordance with the provisions of section 4 the person in respect of whom it is made from entering or from leaving an area within Nigeria without the consent of the officer specified in the order.

“Security order” means an order requiring the person in respect of whom it is made to give security in two or more sureties in such amount and for such time as may be therein specified to keep the peace and to be of good behaviour, or for indemnifying public funds for all costs charges and expenses incurred in his regard, or for both such purposes, as may be appropriate in the case.

“Person charged” means a person in respect of whom it is alleged that there are grounds for making a deportation order or restriction order or

security order under this Ordinance and includes a person in respect of whom such an order has been made.

“Judge” means a Judge of the Supreme Court or of the High Court.

“Convicted person” means a person in respect of whom any court certifies to the Governor that he has been convicted, either by that court or by any inferior court from which his case has been brought by way of appeal, of any offence punishable with imprisonment otherwise than only in default of payment of a fine or of an offence under the Immigration Ordinance, 1939.

“Undesirable person” means a person who is or has been conducting himself so as to be dangerous to peace, good order, good government, or public morals.

“Destitute person” means a person who is, or is likely to be, a charge upon public funds by reason of mental or bodily health or insufficiency of means to support himself and his dependents (if any).

“Prohibited immigrant” means a person who has entered Nigeria contrary to the provisions of the Immigration Restriction Ordinance, 1939, but has not thereby committed an offence under that Ordinance.

“Prescribed” means prescribed by Rules made under this Ordinance.

(2) For the purposes of this Ordinance a person shall be deemed to belong to Nigeria if he or she is a

British protected person or if he or she is a British subject and—

- (a) was born in Nigeria or of parents who at the time of his or her birth were ordinarily resident in Nigeria; or
- (b) obtained the status of a British subject by reason of the grant by the Governor of a certificate of naturalisation under the British Nationality and Status of Aliens Act, 1914, or under the Naturalisation of Aliens Ordinance.

4 & 5 Geo.  
5. c. 17.  
Cap. 155.

(3) For the purposes of this Ordinance a person shall be deemed to be an immigrant if at the date of the service upon him of a notice under section 7 of this Ordinance, or, in the case of a convicted person, the date upon which he is charged with the offence, he has been resident in Nigeria for less than eighteen months and save as in this sub-section provided not otherwise, unless the approval of the Secretary of State shall have been given to the making of a deportation order in respect of such person at any time before it is made:

Provided that in determining whether any person is an immigrant, any period during which a deportation order, a restriction order or a security order made under this Ordinance has been in force as respects that person shall not be taken into account:

Provided further that an alien, against whom the Governor in Council deems it to be conducive to the public good to make a deportation order, may be deemed an immigrant at any time.

Power to  
make  
Deportation  
Order.

3. Subject to the provisions of this Ordinance, the Governor in Council may, if he thinks fit, make a

deportation order in respect of an immigrant who does not belong to Nigeria and who is—

- (a) a convicted person in respect of whom the court certifying to the Governor that he has been convicted recommends that a deportation order should be made in his case, either in addition to or in lieu of sentence; or
- (b) an undesirable person; or
- (c) a destitute person; or
- (d) a prohibited immigrant; or
- (e) an alien against whom the Governor in Council deems it to be conducive to the public good to make a deportation order.

4. (1) Subject to the provisions of this Ordinance, the Governor in Council may, if he thinks fit, make a restriction order in respect of any person who is—

Power to  
make  
Restriction  
Orders.

- (a) a convicted person in respect of whom the court certifying to the Governor that he has been convicted recommends that a deportation order or a restriction order should be made in his case, either in addition to or in lieu of sentence; or
- (b) an undesirable person; or
- (c) an alien.

(2) A restriction order may either require that a person shall not leave the province in which he is living or the provinces adjacent to that province; or may require him to leave the province in which he is living and not to reside in that province or in the provinces adjacent to such province.

(3) For the purposes of sub-section (2) the Colony shall be deemed to be a province.

5. (1) Subject to the provisions of this Ordinance, the Governor in Council may, if he thinks fit, make a security order in respect of any person who is—

Power to  
make  
Security  
Orders.

- (a) a convicted person in respect of whom the court certifying to the Governor that he has been

convicted recommends that a deportation order or a restriction order or a security order in conjunction with either of those orders should be made in his case, either in addition to or in lieu of sentence; or

(b) an undesirable person; or  
in the case of an immigrant who does not belong to Nigeria;

(c) a destitute person; or

(d) a prohibited immigrant; or

(e) an alien against whom the Governor in Council deems it to be conducive to the public good to make a security order.

(2) Where a security order is made as aforesaid, a deportation order or a restriction order, as in the case may be lawful and desirable, shall be made in conjunction therewith to come into force upon default of compliance with the security order within a time therein fixed but not otherwise.

(3) Where a security order has been complied with, the order shall, for the purposes of this Ordinance, be deemed to remain in force so long as the security given thereunder subsists, and where a security order is revoked the said security shall cease to have effect.

Procedure  
for making  
orders.

6. Except where a court has in accordance with the provisions of this Ordinance given a certificate recommending that an order should be made, no deportation order, restriction order or security order shall be made under this Ordinance except where a Judge has, in accordance with the provisions of the next following two sections, made a report on the case and the Governor in Council is satisfied, having regard to the findings of fact and any conclusions of law as stated in the report, that such order may lawfully be made.

7. (1) A notice in the prescribed form shall be served upon the person charged specifying, with sufficient particulars to give him reasonable information as to the nature of the facts alleged against him, the grounds upon which it is alleged that an order may be made against him under this Ordinance, and requiring him to show cause, before a Judge at a time and place to be stated in the notice, why such order should not be made in respect of him.

Service of  
notice and  
arrest.

(2) In the case where it is proposed that a deportation order should be made but such order cannot be made without the approval of the Secretary of State, the notice shall contain information to that effect.

(3) In any case where it is intended to take proceedings against any person under this Ordinance on the ground that he is an undesirable person, and it is represented on oath or affidavit to the Attorney-General that that person is an undesirable person, the Attorney-General may issue a warrant for his arrest, and if the notice mentioned in sub-section (1) of this section shall not have already been served upon him it shall be so served not later than twenty-four hours after his apprehension.

8. (1) At the time appointed in the notice served under the foregoing section or at any adjournment of the hearing the Judge shall take such evidence upon oath as is tendered in support of the charges, and the witnesses may be cross-examined by the accused or his Counsel and the accused may on his own behalf call such witnesses and tender such other evidence as may be relevant upon the questions at issue.

Powers of  
Inquiry  
Tribunal.

(2) The Judge presiding at the inquiry may take evidence of repute even though such evidence would not be admissible in criminal cases.



(3) The Judge, after considering the evidence adduced before him and making any further investigations which he may consider to be desirable, shall make a report to the Governor setting out his findings of fact and his conclusions on any questions of law involved.

Detention in custody pending decision.

9. Where a Judge completes an inquiry under sections 7 and 8 or where a Court recommends the making of a deportation order or restriction order or security order on the grounds that the person charged is an undesirable person or a convicted person, the person charged may, if the Judge shall so order, be detained in such manner as the latter may direct pending the decision of the Governor for a period not exceeding twenty-eight days and, where reference to the Secretary of State is necessary before a deportation order is made, such further period as may be necessary for that purpose, and he shall be deemed to be in legal custody whilst so detained.

Contents of orders.

10. (1) Every security order and every deportation order shall be in the prescribed form.

(2) Every restriction order shall be in the prescribed form and shall state the area or areas which the person to whom it relates is prohibited from entering or leaving.

(3) A deportation order or restriction order may be expressed to be in force for a time limited therein or for an unlimited time, and, when the person charged is not taken into custody pending the execution thereof, shall prescribe a time within which the person charged may of his own volition comply therewith.

(4) A restriction order may require the person charged to report himself to the nearest administrative officer or officer of police at intervals of not less than twenty-eight days.

11. (1) As soon as practicable after a deportation order or restriction order or security order is made, a copy thereof shall be served upon the person charged together with a summary of the findings of fact and conclusions of law as stated in the report made under section 8 of this Ordinance. Execution of orders.

(2) A person with respect to whom a security order has been made may be detained in such manner as may be directed by the Governor until such order shall have been complied with:

Provided that, without prejudice to the provisions of sub-section (3) and (4) of this section, where the security order is not complied with, no person shall be detained under this sub-section for a period exceeding twenty-eight days.

(3) Subject to the provisions of sub-section (5) of this section a person with respect to whom a deportation order is in force may be detained in such manner as may be directed by the Governor, and may be placed on a ship about to leave Nigeria for a port outside Nigeria and shall be deemed to be in legal custody while so detained and until the ship finally leaves Nigeria and the master of such ship shall receive such person and his dependents, if any, on board the ship and afford him and them a passage to that port and proper accommodation and maintenance during the voyage.

(4) Subject to the provisions of sub-section (5) of this section a person with respect to whom a restriction order is in force may be detained in such manner as may be directed by the Governor so far as necessary for the purpose of removing him from any place which he is prohibited from entering or to any place which he is prohibited from leaving, and shall be deemed to be in legal custody while so detained.

(5) No person shall be detained under sub-section (3) or sub-section (4) of this section for a period exceeding twenty-eight days and, if at the expiration of such period he has not been removed or deported as aforesaid, the restriction order or deportation order as the case may be shall cease to have effect.

(6) The Master of a ship about to call at any port outside Nigeria shall, if so required by the Governor or by an Immigration Officer, receive a person against whom a deportation order has been made and his dependents (if any) on board the ship and afford him and them a passage to that port and proper accommodation and maintenance during the passage.

Expenses.

12. (1) Where a deportation order is made, the Governor may, if he thinks fit, apply any money or property of the person charged in payment of the whole or any part of the expenses of or incidental to the voyage from Nigeria and the maintenance until departure of that person and his dependents (if any).

(2) Where a restriction order is made, the Governor may, if he thinks fit, apply any money or property of the person charged in payment of the whole or any part of the expenses of or incidental to the removal of that person to any place in pursuance of that order and, if necessary, the maintenance of that person while the order is in force.

(3) Except so far as they are defrayed under the preceding sub-sections any such expenses shall be payable out of public funds.

Persons undergoing sentence.

13. If a person in respect of whom a security order or restriction order or deportation order is made under this Ordinance has been sentenced to any term of imprisonment, such sentence shall be served before the order is carried into effect unless the Governor otherwise directs.

14. (1) The Governor in Council by order may— Revocation and variation of orders.  
(a) at any time revoke any deportation order or restriction order or security order;

(b) vary any restriction order so as to permit the person therein mentioned to enter or leave any area which he is prohibited from entering or leaving, and may attach to the permission conditions as to security for good behaviour or otherwise, and may also vary, cancel or add a condition requiring such person to report himself;

(c) vary a deportation order so as to permit the person mentioned therein to enter Nigeria and may attach to such permission conditions as to security or otherwise.

(2) Any order made under paragraph (b) or paragraph (c) of the preceding sub-section may be expressed to have effect for the duration of the order thereby varied or for any lesser period.

(3) As soon as practicable after an order has been made under this section a copy thereof shall be served upon or sent to the person in respect of whom it is made.

15. (1) If a person in respect of whom a restriction order is in force leaves or attempts to leave or enters or attempts to enter any area in contravention of the provisions of the order, or wilfully neglects or refuses to report himself as ordered, or having, in pursuance of permission given as hereinbefore provided, left or entered any place, wilfully fails to observe any condition attached to such permission, he shall be liable on conviction to imprisonment not exceeding six months or a fine not exceeding fifty pounds or both such imprisonment and fine, and to be again removed under the original order and the provisions of sections 11, 12 and 13 of this Ordinance shall apply accordingly. Penalties for breach of order.

(2) If a person in respect of whom a deportation order is in force returns or attempts to return to Nigeria in contravention of the provisions of the order, or having entered Nigeria in pursuance of permission given as hereinbefore provided, wilfully fails to observe any condition attached to such permission, he shall be liable on conviction to imprisonment for a period not exceeding six months or a fine not exceeding fifty pounds or both such imprisonment and fine, and to be again deported under the original order, and the provisions of sections 11, 12 and 13 of this Ordinance shall apply accordingly.

(3) Nothing in this section shall prevent the making of a restriction order or a deportation order in accordance with the provisions of this Ordinance in consequence of a conviction for an offence under this Ordinance.

Penalty for  
harbouring.

16. Any person who, without lawful excuse, knowingly harbours or conceals any person who—

(a) is within Nigeria or an area thereof in contravention of the terms of a deportation order or restriction order, or

(b) having entered Nigeria or any area thereof in pursuance of permission given as hereinbefore provided, has wilfully failed to observe any condition attached to such permission,

shall on conviction be liable to a fine not exceeding fifty pounds.

Institution of  
proceedings.

17. No prosecution shall be instituted under this Ordinance except by the Attorney-General or with his previous sanction in writing.

Evidence.

18. In any proceedings under this Ordinance—

(1) the burden of proof that the person charged belongs to Nigeria shall be upon that person;

(2) a document purporting to be an order made under this Ordinance shall, until the contrary is proved, be presumed to be such an order; and

(3) any order made under this Ordinance shall be presumed, until the contrary is proved, to have been validly made and to have been made on the date upon which it purports to have been made.

19. The Governor shall forthwith report to the Secretary of State every order made by him under this Ordinance and the grounds thereof and the proceedings thereunder. Report to Secretary of State.

20. The Governor in Council may make rules for the better carrying out of the provisions of this Ordinance. Rules.

21. (1) Where any person in whose case a court has made a recommendation for deportation has appealed against his conviction in accordance with the provisions of Part IX of the Criminal Procedure Ordinance, and the Appeal Court certifies to the Governor in Council that it does not concur in the recommendation, such recommendation shall be of no effect. Cases in which recommendation for deportation shall not have effect. Chapter 20.

(2) Where a Magistrate has made a recommendation for the deportation of any alien, and such alien has not appealed against his conviction, the Magistrate shall, on the expiration of the period within which an appeal may be entered, forward to the Chief Justice or the Chief Judge the minutes and notes of evidence taken in the case, and such recommendation shall be of no effect unless the Chief Justice or the Chief Judge certifies to the Governor in Council that he concurs in the recommendation.

(3) Nothing in this section contained shall prejudice the power of the Governor in Council to make an order of deportation under the provisions of paragraphs (b), (c), (d) and (e) of section 3.

Repeal of  
Chapter 158.

22. The Aliens Ordinance, the Aliens (Amendment) Ordinance, 1924, and the Aliens (Amendment) Ordinance, 1933, are hereby repealed.

322524/39

131  
END

C. O.

Mr. Jones 2/8/39

Mr. Williams 3.8

Mr.

Mr. A. J. Dawe.

Sir H. Moors.

Sir G. Tomlinson.

Sir J. Shackburgh.

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

Answered 2  
Air Mail (2/8/39)  
J.D.

C. D.  
3-AUG  
31

3 Aug. 1939

My dear Woolley

DRAFT.

C.C. Woolley Esq., C.M.P., O.P.E., M.C.

Secretariat,  
Lagos

One point which has

been made by <sup>critics</sup> opponents

of the Sierra Leone  
Undesirable British Subjects  
Control Ordinance (more  
often referred to as the  
"Deportation" Ordinance)

is that such a measure  
was recently introduced  
into the Legislative Council  
in Nigeria but not  
proceeded with.

It would be a help  
to

(In course)

FURTHER ACTION.

to us to have, by early  
air mail if a despatch is not  
already in transit, the text  
of the Nigerian Bill and  
the <sup>facts as to</sup> ~~reasons~~ for its withdrawal.

O. G. R. WILLIAMS



S. J. Lays  
Engineer

1. Gpo. No. 803. 19. 7. 39.  
Requests that C.A. may arrange for a reduction of fees  
with Messrs. Cook, Wilson, Mitchell & Douglas-Scott.

In view of the considerable diminution  
in correspondence with these Consulting  
Engineers, £150 does seem a great  
deal of money to pay in remuneration  
therefor, and I can well under-  
stand the Governor's desire to cut  
down expenditure wherever possible.  
These days, even where such savings  
such as this may be able to be  
effected.

? Letter to C.A. to proceed as  
requested by the Governor.

Althamley  
10/8

On the other hand C.E.'s fees may  
have substantially appreciated during  
recent years & this appreciation  
may not be more than offset by  
the diminution in the extent of  
the services rendered.

In this instance also the Engineer might  
very well have taken the matter up  
direct with the C.A. Agents.

When only I think proceed  
as proposed but ask that  
when forwarding the G.E. reply





30437/39 Nigeria

4

C. O.

Mr. Thornley 12/12  
Mr. Siddeham 13/12

SS  
Gentlemen, 14/12/39

Mr. A. J. Davis.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shackleton.

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

O.D.  
15 DEC  
14

(3)

DRAFT.

The Crown Agents  
for the Colonies

with reference to  
your letter No. Z/E. 321/16  
of the 29<sup>th</sup> of August ~~1939~~  
on the subject of the fees  
and expenses charged by  
Messrs Coode, Wilson, Mitchell  
and Vaughan - Lee for their  
services as Consulting  
Engineers for the Port of Lagos  
I am <sup>you</sup> to inform that  
the Government of Nigeria  
is glad to accept the suggestion  
of the Consulting Engineers  
that their annual salary  
should be reduced to £100  
a year with <sup>effect</sup> ~~effect~~ from  
the 1<sup>st</sup> of July 1939.  
2. I am to request that

FURTHER ACTION.

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Messrs Coode, Wilson, Mitchell  
and Vaughan - Lee may be  
informed accordingly.

I am etc.

O. G. R. WILLIAMS

NIGERIA.

NO. 1150

5  
5  
Government House,  
Nigeria.

3 November, 1939.

Sir,

(H) With reference to your despatch No. 730 of the 15th of September, I have the honour to inform you that this Government is glad to accept the suggestion of Messrs. Coode, Wilson, Mitchell and Vaughan-Lee that their annual salary as Consulting Engineers for the Port of Lagos should be reduced to £100 a year with effect from the 1st of July, 1939. I shall be obliged if they may be so informed.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Austin*

G O V E R N O R.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

W etc., etc., etc.

30457/39 Nigeria

6  
4

11-SEP-39  
11-C.O.

- Mr. Whitcombe 8/9/39
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Downing Street.

15 September, 1939.

Sir,

With reference to your despatch No. 803 of the 19th of July, I have etc. to transmit to you a copy of a letter from the Crown Agents for the Colonies on the subject of the fees and <sup>expenses</sup> ~~expenditure~~ charged by Messrs. Coode, Wilson, Mitchell and Vaughan-Lee for their services as Consulting Engineers for the port of Lagos.

2. It will be seen that the

Consulting

DRAFT.

NIGERIA  
NO.  
GOVERNOR

720

29. 8. 39  
(3)

FURTHER ACTION.

Consulting Engineers suggest that their  
annual salary should be reduced to £100  
per annum as from the 1st July, 1939, and  
I shall be obliged if you will inform me  
whether this arrangement is acceptable  
to the Government of Nigeria.

. I have, etc.

(Sgd.) MALCOLM MacDONALD

ALL COMMUNICATIONS  
TO BE ADDRESSED TO THE  
CROWN AGENTS FOR THE COLONIES.  
THE FOLLOWING REFERENCE AND THE  
DATE OF THIS LETTER BEING QUOTED.



7  
3

4, MILLBANK,

LONDON, S.W. 1.

29th August, 1939

Z/E. 321/16  
TELEGRAMS INLAND: "CROWN SOWEST LONDON."  
OVERSEAS: "CROWN LONDON."  
PHONE: ABBEY 7730.

Sir,

2. I have the honour to acknowledge the receipt of your letter No. 30437/39 of the 22nd August transmitting copy of a despatch of the 19th July from the Governor of Nigeria on the subject of the fees and expenses charged by Messrs. Coode, Wilson, Mitchell & Vaughan-Lee for their services as Consulting Engineers for the Port of Lagos.

2. The Consulting Engineers have been paid a salary or retaining fee for many years together with their London Office expenses for the general direction of the Lagos Harbour Works. From 1907 to 1923 salary at the rate of £400 per annum was paid but, when construction of the Entrance Works ceased, the Consulting Engineers suggested that their salary should be reduced to £250 per annum and this was agreed to. Salary at the rate of £250 per annum was paid from 1923 until 1926 when an extension of the West Training Bank and the construction of revetment work along Marina foreshore was begun and, in view of the additional work, the annual salary reverted to the original amount of £400 per annum. The extension of the West Training Bank and the Marina revetment operations were completed in 1931 and the Consulting Engineers then suggested that their salary should be at the reduced rate of £250 per annum and this was agreed to. During all this period the London

*Copy to file*  
*(4)*  
*amount 6-*

The Under Secretary of State,  
Colonial Office.

/Office







Your views on the matter!

Yours truly:

O. G. R. WILLIAMS

NIGERIA.

Government House,  
Nigeria.

NO. 803

19 July, 1939.

RECEIVED  
18 AUG 1939  
C O R R E S P O N D E N C E

*def. mail*

Sir,

501 1258/31

Referring to Lord Swinton's despatch No.1575 of the 16th of November, 1931, on the subject of the fees and expenses charged by Messrs. Coope, Wilson, Mitchell and Vaughan-Lee as Consulting Engineers for the Port of Lagos, I have the honour to inform you that I have given further consideration to the present arrangement whereby a fee of £250 a year is payable in addition to a reimbursement for office expenses amounting to £150 annually. These charges are remuneration for the services of the Consulting Engineers in considering the changes produced in the harbour entrance and navigable channels as reported periodically from Nigeria, but would not cover any services in connection with fresh investigations or new construction for which separate fees would be paid.

*Copy to CA 2  
C.R. mail: (K)*

2. Although the foreshores on either side of the harbour entrance remain in an unstable state, conditions in the entrance channel, as well as in the internal channels of the harbour, have so far improved that correspondence with the Consulting Engineers now consists of little more than the quarterly reports submitted by the Port Engineer from which the figures appearing in the Consulting Engineers' annual report are compiled. A statement showing the progressive decline in the volume of correspondence is enclosed.

3.

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



12  
END

NUMBER OF LETTERS RECEIVED FROM THE CONSULTING ENGINEERS  
REGARDING LAGOS HARBOUR, ENTRANCE WORKS ETC.  
FROM JANUARY 1932 TO MAY, 1939.

Year	No. of Letters	Approximate number of lines	Average number of lines per letter
1932	51	506	10
1933	38	502	13
1934	46	426	9
1935	35	375	11
1936	40	382	10
1937	37	354	10
1938	25	306	12
1939	15	88	(Jan. to 6 May).

The total number of letters received (287) in the period 1932-1939 includes the half yearly reports submitted by the Consulting Engineers, and ordinary acknowledgments of letters. The latter total 97.

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B.S. Outfit  
Allowance.

1.

B.A.

To copy of a letter from Maxwell requesting a grant for kit  
reflected in accordance with paragraph 3 of the  
orig. on P.C. 54821 etc.

13. 3. 39.

2

paper of particulars enclosed in No.11 on 30213/37  
Nig. Corporal Maxwell was informed on his appointment  
to Nigeria that he would be granted an outfit  
allowance of £25.

Nigeria have either overlooked the  
correspondence on 1462/33 W.A. and/or the list of  
kit laid down on that paper is not appropriate in  
these cases.

The question of an allowance for renewal  
is dealt with on 4559/32 W.A.

Refer this point to the Governor for his  
consideration drawing attention to the correspondence  
regarding clothing allowance for N.C.O's employed  
with the P.W. and Survey Departments.

So inform the Crown Agents and say that  
Corporal Maxwell may have an advance of 1 month's  
salary (Mr. Whitcombe knows of no reason why a month's  
advance should not be allowed in these cases) In this  
particular case however on the question of kit  
allowance will not be settled before Corporal Maxwell  
sails, the full month's advance may certainly be  
allowed.

C.A. have been  
told by 'phone.

(Intld) ?  
29/3.

Note precedent.

Rly. Warrant  
No. 466803 issued  
for emb'tn.  
Journey.

Sent to C.A. 4/4/39.  
(Intd) J.E.K.

(Signed) J.E. King.

29.3.39.

(Signed) G. Venning.

29.3.39.

At once.

2. To Geo Staff 278 on P.C. 54821 copy attached etc.  
31. 3. 39.

3. Gov. No. 632. \_\_\_\_\_ 7. 6. 39.  
considers that a grant towards replacement of  
kit would be unjustified, owing to increased salary.

The Governor does not consider that a  
case has been made out for the  
grant of an allowance towards the cost  
of replacing his outfit & ~~kit~~  
Corpl. Maxwell of the R.A.M.C. in view  
of his secondment for service with the  
Medical Department. He points out  
that he has been engaged on  
usual civilian terms, which is not  
the case with the Army Personnel  
seconded for duty with the P.W. &  
Survey Dep'ts, who were paid at a  
substantially lower rate.

In the circumstances, I think we  
should accept the Governor's opinion.  
? Reply to C.A. in these terms.

Shawley  
11/8/39

Since Corpl. Maxwell is now back  
in Nigeria, I would reply to the  
Governor accepting his view that the  
grant of an ~~additional~~ allowance towards  
the cost of replacements would not be  
justified: & ask him to arrange for  
Corporal Maxwell to be informed of  
the decision:

& send copies of 3 other replies  
to C.A., N.F.

Shawley  
12/8/39



3  
The differentiation between the  
N.C.O.s + those loaned (with  
P.W.) seems a fair one, &  
unless there is any conflict  
with an agreement with  
the U.O., I agree with  
action proposed.

S.I. James  
14/8

I agree. As far as I know there is no  
conflict with any agreement with the W.O.

S.I. James  
14/8

This as proposed by Mr. Jones

above

O.G.R. Williams

17.8.39

X. To Nigeria - ~~705~~ (3 (Crest!)) - 21/8/39

NOTED PRECEDENTS

5 To CA (w/c 3+4) P/12 - 7 Sept 1939

Precedents to  
Note  
also

30348/39.

4  
4

G. O.

Miss Orton 23/8/39.  
Mr.

Mr. King 25/8/39

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Stuchburgh.

Parlm. U.S. of S.

Party. U.S. of S.

Secretary of State.

Downing Street,

31 August, 1939.

G.D.  
R 25 AUG  
D 29

Sir,

I have etc. to

acknowledge the receipt of your

despatch No. 632 of the 7th of June,

and to inform you that I accept your

view that the grant of an allowance

towards the cost of replacements of the  
for service connection with the Medical Dept. Kit of N.C.O.s awarded  
with the 5 Company, 1st Battalion, 1st  
Corporal Maxwell's kit would not be

justified. I shall be glad if you

will arrange for Corporal Maxwell to

be informed of this decision.

I have, etc.

(Sgd.) MALCOLM MacDONALD

DRAFT.

(3)

NIGERIA.

NO. 496.705

GOVERNOR.

FURTHER ACTION.

Copy this and 3 to  
C.A. 1f.

Copy to C.A. 5.

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference: C.O. 583 244					
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AIR MAIL

5

NIGERIA.

Government House,  
Nigeria.

NO. 632

7 June, 1939.

RECEIVED  
14 JUN 1939

Sir,

I have the honour to acknowledge the receipt of your despatch Staff No. 278 of the 31st of March last in which, in consequence of an enquiry by Corporal J. P. Maxwell, Royal Army Medical Corps, you call for my opinion as to whether non-Commissioned Officers at present seconded for service with the Medical Department for duties in connection with the sleeping sickness campaign should be granted an allowance towards the cost of replacing their outfit.

2. The issue of kit and the payment of allowances to cover replacements to certain Army personnel seconded for service with the Public Works and Survey Departments, to which you refer in the third paragraph of your despatch, were granted in somewhat different circumstances. Those non-Commissioned Officers and men were paid at rates approximating to those of British non-Commissioned Officers in the Nigeria Regiment, i.e. £360 per annum, or less, which were

substantially

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

Copy to CAS.

*Handwritten signature/initials*

DEPT

FORWARDED



COPY.

NIGERIA.  
STAFF.  
NO. 278.

*draft on  
10 54821wa.*

*Answer 3*

Colonial Office,  
Downing Street,  
31st March, 1939.

7  
2

Sir,

I have the honour to transmit to you, for your consideration, a copy of a letter addressed to the Crown Agents for the Colonies by Corporal J.P. Maxwell, Royal Army Medical Corps, who is at present seconded for service under your Government in connection with the Sleeping Sickness Campaign. You will observe that he wishes to know whether he is eligible for a grant towards the cost of renewing his kit.

2. You will be aware that an allowance of £25 for the purchase of kit was made to him on his appointment in accordance with the paper of particulars enclosed in your despatch No.475 of the 22nd of May, 1937, but no provision exists in the terms of his appointment for the grant of assistance towards the cost of renewals.

3. The question of the issue of kit to certain Army personnel seconded for service with the Public Works and Survey Departments and the payment of allowances to them to cover replacements has already formed the subject of correspondence, and in this connection I would invite your attention to your predecessor's despatch No.587 of the 3rd of August, 1933, and to Lord Swinton's despatch No.1709 of the 14th of November, 1932.

4.

GOVERNOR,

SIR BERNARD BOURDILLON, G.C.M.G., K.B.E.,

etc., etc., etc.

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference:—					
C.O. 583 / 244					
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30439

30439

NIGERIA

CORRESPONDENCE WITH THE SECRETARIAT.

- USE OF AIR MAIL SERVICES.

Previous

Subsequent

A98.

24/8/57

Mr. Ashworth

25/8

R 98

FILE A.

(1228) W.L. 503847. 17,000. 11/56.  
N.P.Co. G.082/77a.

C.O. 583 244

C. S. Home  
Air Mail.

W. A. Denny 2

~~Mr. Williams~~  
~~Mr. Jones~~

West African Department.  
Mr. Denny.

~~Mr. Williams~~

X |

In a letter which I received a day or two ago from Sir Bernard Bourdillon he says "Your letter dated June 7th reached me on July 1st. Would it not be better if all d/o. ~~papers~~ letters from the Colonial Office to myself or Woolley were sent by air mail as a matter of routine unless instructions were issued to the contrary".

I must have omitted to mark my letter of the 7th June to be sent by air mail. Perhaps you will consider the advisability of giving effect to Sir B. Bourdillon's suggestion.

S. J. D. D.

15.7.39

Sir G. Tomlinson's letter of the 7th June  
(see clip above)  
cannot be traced, but I have not thought it necessary to trouble him with a request for details, as this cannot affect the general question.

I cannot see myself why all s.o. letters any more than all despatches (other than purely routine ones) should be sent by air mail - they are not necessarily urgent and I should have thought the present system of marking letters to go by air mail when it is thought desirable is preferable.

If this is agreed, a letter might be drafted on these lines for Sir G. Tomlinson to Sir  
Pharabam  
24/7

I would adopt the suggestion at X: & extend the arrangement to the Gold Coast.

*[Signature]*  
20/7/39

Mr. Bagg.

Any ideas?

If the policy is to send as much as possible by air mail. I am not clear why we should use the air mail for all despatches, or even all letters, except in special cases where there was special reasons e.g. bulk, ~~secret~~ secrecy, for sending by ~~regular~~ sea mail.

I think that the Gold Coast ~~community~~ community with C.O. now makes more use of air mail for sea mail, but not so. I think, Nigeria.

D. G. R. Williams  
25. 7. 39

Mr. Williams.

As the Empire Air Mail scheme has not yet been extended to West Africa the air mail service there

there has not yet been placed on an "all up" basis. In consequence the payments made to the operating company in respect of that air service are still dependent upon the weight of mail carried.

In these circumstances I do not think that we should be justified in using the air mail for all despatches and letters sent to Nigeria and the Gold Coast. So long as the cost of the air mail is dependent upon the weight of mail carried, I think we must adhere to the principle that only communications of definite urgency should be sent by air mail, though there may well be room for ~~the use of~~ <sup>using</sup> the air mail to a greater extent than is ~~the case~~ <sup>done</sup> at present.

*[Signature]*  
25. 7. 39.

I think we can adopt Sir B. Bondillon's suggestion. We can leave Gold Coast to ask for similar arrangement if required. Normally under existing arrangements all letters but all regarded as of importance are sent by air mail, but there seems no particular point in treating a letter as ~~important~~ if it can necessarily be sent by sea because it is a letter & not a despatch. I don't quite understand the point of Sir B. Bondillon's suggestion.

Seen Feb. 25/38.

I agree. Let all concerned see this. *[Signature]*  
T.O. *[Signature]*

D. G. R. Williams 26. 7. 39.  
Bondillon 5/6 2-8.

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Health  
see

G. O.

Mr. Ingham 27/1  
Mr. Jones 28/7/29  
Mr. Williams JWS

APR 17 1939

S.O. for Sir G. Tomlinson's signature

4 END

- Sir C. Parkinson.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

S2

3 Aug 1939.

My dear Boardillon.

In one of your recent letters you suggested that it might be a good thing if all semi-official letters from here to you and Woolley were sent by air mail as a matter of routine unless instructions were issued to the contrary.

This is just to

O.D.  
31 JUL  
3 8

DRAFT. correct

Sir Bernard Boardillon  
G.C.H.S., K.B.E.

**FURTHER ACTION.**

Mr. Lilleshall  
to see on  
return.

let you know that we agree

with your suggestion that it

will be  
~~is being~~ adopted in future.

4/15

(Signed) G. J. F. TOMLINSON.  
G. J. F. TOMLINSON.

1939

Nigeria

No. 3.0.H.H.0/1

SUBJECT.

Mission Schools

Position and Requirements of Primary School Teachers

Previous

Subsequent 1940

- 6. 5. 1) Education
- 2) African Teacher
- 3) Manual (Kuti)
- 4) Missions

R.H. Morgan (to 5. 5. 39)  
 departs on interview with Dept. of Kuti  
 To Morgan. (1 answer)  
 To Mr. Manning.

2-8.39.  
 2  
 3.8.39

Mr. Mayhew  
Mr. O.G.R. Williams.

*W. Parker*

I annex a letter from Mr. R.H. Morgan, M.P. asking that someone in the Colonial Office should see a Mr. I.O. Ransome Kuti, the Federal President of the Nigerian Union of Teachers, sometime during the second or third week of August. I should be glad to know who would be the appropriate person to see Mr. Kuti.

*W. Parker*  
 3.8.39.

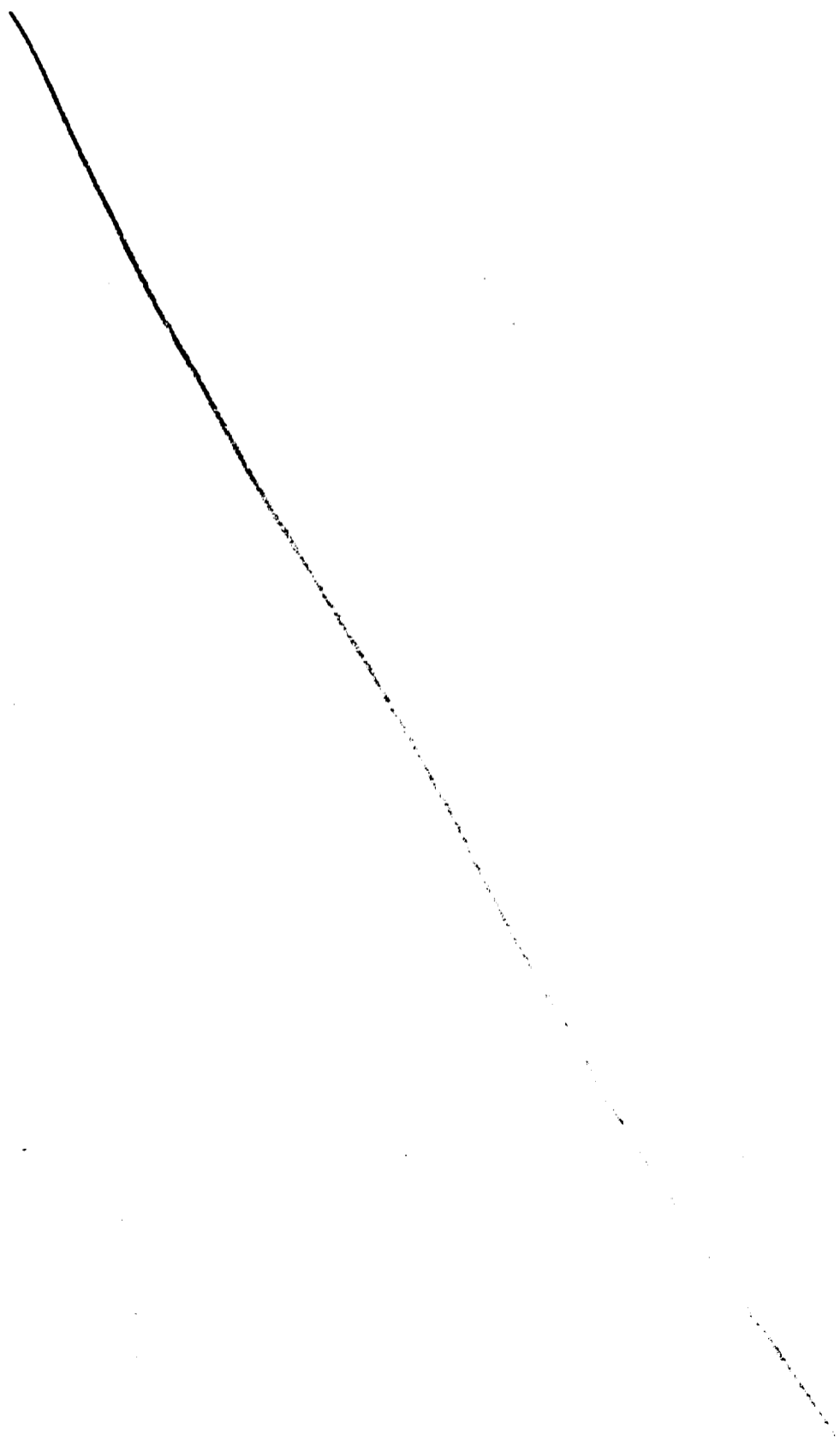
Mr. Kuti will be away all August.  
 I imagine that you will like to see Mr. Kuti yourself or deputise someone in the Dept. for the purpose. I shall be glad to attend if required.

*Arthur Hughes*  
 4-8

Mr. Mayhew or I will see Mr. Kuti (or Mr. M. if she accompanies him) on Tuesday 15 Aug at 12 noon in my room. *W. Parker* arrived

O. G. R. Williams

- 4. Mr. Manning. \$10 \_\_\_\_\_ 4. 8. 59.  
Arch. 3.
- 5. To Mr. Manning (4 ached.) \$10. ans. - 9. 8. 59.
- 6. Mrs. Manning. \$10. \_\_\_\_\_ 10. 8. 59. ●  
Gallery 15<sup>th</sup> Aug.
- 7. Mrs. Manning. \$10. \_\_\_\_\_ 10. 8. 59.  
Tr. 3 copies of news.
- 8. To Mr. Manning (5/10 Tached.) - 11. 8. 59.





~~Mr. Magowan.~~

(1) I guide you about the letter to  
Mr. Donnell.

(2) I annex ~~off~~ of a letter to  
Mr. Woolley referring briefly to our  
conversation yesterday with Mr. Kati &  
Mrs. Manning. ~~Also~~ I should value  
any amendments or expansion to  
your my case to suggest.

(3) The Comm: together with the third  
copy of the memo: can be  
rept. later for record.

Social Service Dept. etc. See eventually

O. G. R. Williams

Mr. G. P. Williams. 16. 8. 34

(1) Thanks - noted. Letter sent.

(2) I have advised a few variations for your consideration -  
to make a little clearer my view and I think you  
that Mr. Kati was not well suited to make handle or  
blame the local authorities.

Would it be well to state that it was a M.P. who  
brought Mr. Kati to our notice? Please this is likely  
to you.

I think we had better omit reference to the M.P.  
the introduction does not add weight to Mr. Kati's  
representation. O. G. R. Williams 17. 8. 34

9 To Dougall (re memo.) % \_\_\_\_\_ 17. 8. 59

10 To Woolley (re memo.) % \_\_\_\_\_ 23. 8. 59

E 1/4 Extract from 'The Scholaraster & Women Teachers Memo.'  
Aug. 10<sup>th</sup> 59

See also memo  
debt to see

Mr. Clouston will be  
interested to see in  
connection with his  
general thesis as to  
the salary rates in  
U.A. Record: 6

him 18/9  
C. J. Clouston  
27/8

(initials)

Mr. Clouston to see

See thank-you, with interest.  
The problem is obvious; but I  
still do not see how <sup>a comprehensive</sup> education  
services is to be supplied to  
Nigeria with its population  
of 20 million, including say 5 million  
children, who will require at, say  
30 to a class about 160,000 teachers  
if the average salary of a teacher  
is ~~above~~ above, say, £30 or £40 a  
year. At the ~~higher~~ lower figure  
the cost is still about £5 millions  
a year!

G. L. Clouston  
18/9

Seen Woolley  
18/9

see D. G. R. Wilson  
26. 9. 59

Dept may  
debt to see

4

12. C. M. S. (Dougall) % \_\_\_\_\_ 9. 10. 59  
To. extract from a letter from Rev. Huxley concerning on  
Kuti & his memorandum.

I have also received a copy of the  
memo from the 'super abundant'  
Abundant Kuti, of whom I saw a good  
deal during his stay here. He  
is a Yoruba and a friend of our other  
superabundant Yoruba Mr. Solanke.

I have written to Mr. Morris the D. of S.  
in Nigeria and attached a copy of my  
letter.

Hammick  
13.10.59

13  
copy of the  
letter that  
a letter has  
also gone to  
Ch. Sec. (100 p. 9)

17- Huxley at 4 in his note - enclosure to  
12 - says that the discontent is due entirely  
to salary scales. Part A in my letter - No 9 -  
to Mr. Huxley it was suggested that much  
discontent was due to <sup>delay</sup> lack of confidence in  
African teachers shown by the Director.  
17- Dougall might be reminded of this when  
12 is acknowledged?

Arthur Huxley  
16.10.

Mr. Vicker -

In view of Mr. Williams' note on green slip  
as I do not find suggestion made in any minute  
of 16-10.

But ought not to insist to know that No. 10  
has gone to Ch. Sec? If you think unnecessary  
will you send in to Mr. Williams to see a  
put by?

Att. 11/24  
23-11

114

Done. Copy attached.

Hamm Vicker

26.10

Mr. Williams.

To see of put by.

Att. 11/24  
24-11

also

O.G.R. Williams

3.11.29

*[Handwritten signature]*

15. B. C. Woodley, s/o.

15.11.29

C.D. 97

Comments on Kuti's memorandum

Pl. extract the  
passage so marked.

Mr. Williams

Att. 11/24  
29.11

If at bottom Mr. Kuti's opinion is one  
for increased expenditure on local education -  
see E of No. 10, the top lines of page 2  
of No. 15 puts Mr. Kuti's Memo. on the  
sheet.

Mr. Woodley appears to have made contact  
with the D. of E. on the questions raised  
in the Memo, viz 10 - see A of 10 -  
we have reasonable answers in No. 15 -  
B, C of 10.

Mr. Mayhew may wish to note 15, &  
then ? put by.

28.11.29

Mr. Mayhew.

You may be interested to see 15.

I may have records 10 a few weeks ago  
Mr. Kuti came to see me & to say goodbye  
before returning to Nigeria (at the present time  
with his photograph as a token of esteem & regard).  
I took the opportunity to impress upon him  
the need for great patience as it must  
necessarily take a long time for education to expand

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Reference -  
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Develop in Nigeria which is suffering hampered  
by its poverty & especially its present.  
the use of common policy about it but  
I doubt if he was convinced!

O.G.R. Wilson

1.12.39

The reply seems to me satisfactory - particularly the last para.  
I do not feel quite happy about A on p.3. The  
"advice" of Education Officer to Headmaster of Primary  
Schools is sometimes interpreted as instruction. The  
superannuation of pupils from elementary schools,  
though no doubt justifiable and even necessary  
sometimes, needs careful watching and clearly  
defined conditions in dependence on educational  
facilities available and boys, often for no fault  
of their own, are apt to begin their school life  
very late.

I would like Mr. Vischer to see when he returns  
in about a week's time. He might like to get  
further information v.o. from the Director and a  
hint as to the need for caution would do no  
harm.

Arthur Mayhew

4-12

Rec'd. to Mr. Vischer to see in a week's  
time.

alone

O.G.R. Wilson

4.12.39

by prof.

Hammacher

14.12.39

E 16, Note of an interview with Mrs. Manning (N.U.T.) - 26.7.40.  
A 17

Mr. Cox.

Mr. Dawe.

Please see attached letter of 4th April  
from Sir B. Bourdillon to Sir G. Gater. Our attention  
was drawn to this subject last year by the National  
Union of Teachers. Mrs. Manning, Assistant Secretary  
to the Education Committees of the Union, brought  
Mr. Kuti, a Nigerian mission teacher, to see me and  
Mr. Mayhew, having previously submitted a memorandum  
on the subject of the disabilities of these teachers.  
That memorandum is enclosed in (7) on this file, and  
my letter of the 23rd of August at (10) gives some  
account of the interview.

A | It will be seen that on page 30 of the  
memorandum enclosed in (7) it is remarked that it would  
require the addition of £100,000 to the Nigerian  
Education Vote to enable Mission ~~and~~ Assisted School  
teachers to be paid at Government rates, but that  
even so, Nigeria would not be spending as high a  
percentage of its revenue on education as the Gold  
Coast and Sierra Leone. X The Chief Secretary's reply  
at (15) shows that the Nigerian Government is, in  
principle, sympathetic to the case of assisted  
school teachers and would gladly help if only the  
money was available. I do not remember, however,  
having seen anything about the result of the survey

X of course this ignores  
the huge disparity between  
population & gov't revenue  
as compared with G.C.  
S. Leone  
and

of expenditure on education in relation to that of other services to which Mr. Woolley refers on page 2 of his letter.

The Governor's reference to this matter in his address to the Legislative Council, when speaking on elementary education, is as follows:-

"Progress is..... being made and the number of children at school has risen by well over 50% in the last four years. This satisfactory result is mainly due to the work of the Churches whose members have made considerable financial sacrifices in order to establish new schools. If and when additional funds can be provided by the Central Government or Native Administration this rate of expansion will be greatly accelerated."

As will be seen, the Governor has been careful not to commit himself at all definitely. If the matter is really urgent the Governor might be prepared to consider making additional provision by way of an advance from general revenue to be recouped if and when funds should be made available from the Nigerian share of the £5 millions. There would seem to be nothing to rule out in principle the use of the new Development and Welfare Fund for such a purpose, but it is of course always possible that the Committee which will consider applications would advise against the use of the Fund for this particular scheme and it would not appear to be possible to commit the Fund in advance.

O. G. R. Llewellyn

C/P 1/6 Bawdell 17.2.40 5.4.1940

(This reached me too late yesterday (Saturday) morning for me to comment before leaving the office.)  
C.M.C. 1/4

7  
The main case of the Nigerian Union of Teachers, which is stated at length in (7), has received little comment on this file. The case is admitted by the Nigerian Government at A in (15) to be reasonably accurate, and that being so it appears to me to be a very strong one. So far as the merits of the matter go, action seems to be long overdue; on the single point of a superannuation scheme, it is stated on p. 14 of (7), & has not been denied, that consideration of this has continued with no practical results for over ten years.

The Government has promised (B in 15) to tackle the general problem as soon as the financial position improves and, with funds now known to be becoming available from imperial sources, will probably find it difficult to do less than promise to submit a plan at once for remedying the situation with assistance from these funds. How far such assistance can or should be anticipated by immediate remedial action is not for me to say.

So far as Government teachers in Nigeria are concerned (a small minority), it does not seem to be suggested here that such teachers are not already on salary-scales comparable with those open to Government servants in other departments of equivalent educational qualifications & professional training. The great majority of the teachers in Nigeria, as in most African dependencies, are in the employment of the missionary societies. The views of the Advisory Committee on Education in the Colonies on the principle of equivalent remuneration for teachers of equivalent qualifications in aided & in Government institutions were set forth in the Memorandum on Educational Grants-in-Aid, published some years ago & sponsored by the Secretary of State





This question was mentioned by Sir G. Gater to Sir Alan Barlow at a meeting at the Treasury on the 10th of April, and I understood Sir A. Barlow to say that the Treasury would regard the proposed grant as an appropriate charge on the new Development Vote. That being so, I think we can certainly proceed as far as Mr. Williams suggests, but it will necessarily, of course, be a few months before any expenditure from the new Vote can be authorised.

*G. Creay.*

17. 4. 40.

B. v. for the next discussion with Sir B. Bondillon.

Attm

A. J. M.

17.4

19 Pl see annexed note of discussion.

As a precaution it might be well for Mr. Brown to say Sir B. Bondillon a line saying that it is certain to be with) start to back himself by writing to Mr. Gaskin. if he has not already done so.

O. G. R. Wilson 1.5.40

I agree. As I understand the position, the Nigerian Government is now to make the minimum additional grant to the missions as a token of good faith and encouragement, but this additional grant will not commit the Government to any further action in the future and, on the other hand, the Government

receives

*let in early!*

receives no/guarantee from the Secretary of State that the amount in question will ~~definitely~~ be made good to Nigeria from its share of the new Vote.

Mr. Cox agrees with my understanding of the position.

*G. Creay.*

3. 5. 40.

20

See my letter to Sir B. Bondillon. Copy attached.

Publy

Attm

A. J. M.

4.5

*Attm*

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Reference -  
**C.O. 583**  
**244**

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30440/39 Nigeria

11 20  
Arthur Bonville  
4th May, 1940.

My dear Bourdillon,

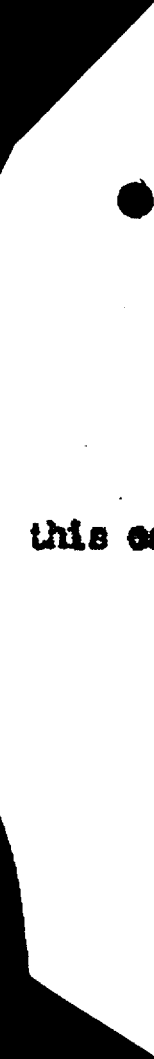
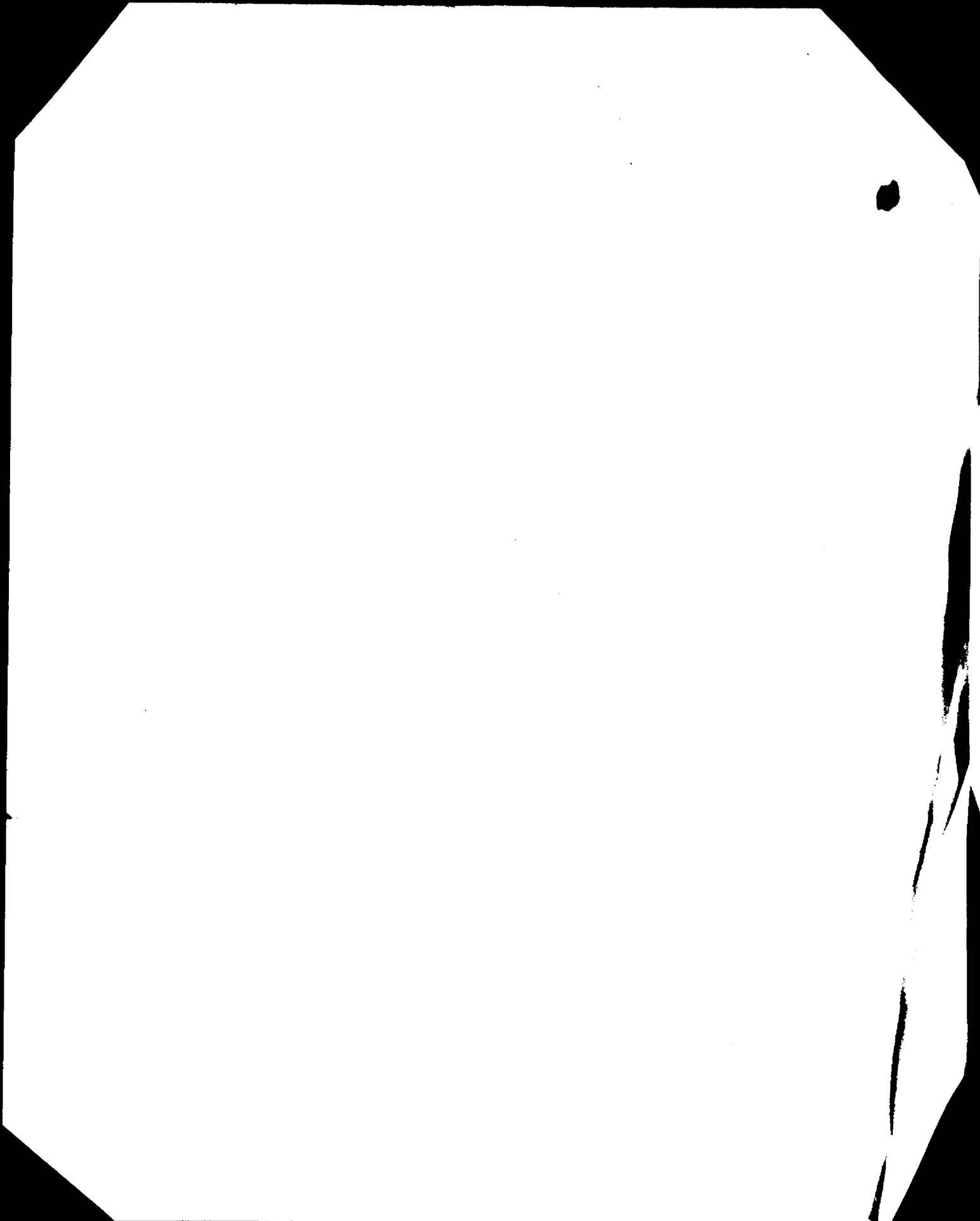
This is just a line to record our understanding of the position about the salaries of Mission teachers, following on your discussion with Cater the other day.

As we understand it, the Nigerian Government will now make a minimum additional grant to the Missions as a token of good faith and encouragement: but this additional grant will not commit the Government to any further action in the future and, on the other hand, the Government receives no absolute guarantee from the Secretary of State that the amount in question will ultimately be made good from its share of the new Vote, though we see no reason to doubt that in one way or another it will, in fact, be made good from that source.

We do not propose to initiate any actions and assume that you will send your instructions to Welley.

SIR BERNARD BOURDILLON, G.C.M.G., K.B.E.

If



this e

19  
B

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

\* \* \*

X

Sir George Gater informed Sir Bernard that as a result of further discussion with the Treasury, he was in a position to say that there would be no difficulty in principle, so far as the Treasury were concerned, about an application by Nigeria for money from the £5 million Vote to enable increased grants to be made to Mission schools. It <sup>is</sup> will be necessary, however, to have regard to the ultimate amount envisaged for such recurrent grants-in-aid so as to ensure that they were not disproportionate in relation to other needs of Nigeria, which would also fall to be financed from Nigeria's share of the new vote.

Sir Bernard thought he could satisfy the Secretary of State that his immediate proposals would not result in an unduly increased commitment, but he made it clear that a mere promise at this stage would carry no conviction to the Missions, and it was essential to give them some concrete, though small, evidence of the intention of Government to help them in order to encourage them to go on. This might take the form of the grant of a couple of increments now already overdue on the salaries of Mission teachers without prejudice to any further increases. Something of this kind might amount to a provision of £5,000 in the year.

Sir George Gater remarked that it would be more expensive to H.M.G. in the long run if, owing to the failure of the Nigeria Government to afford sufficient encouragement, the Missions had to close down a large number of their ~~schools~~ schools.

17  
14

April 4th

My dear Gater,

A really serious situation has arisen in Nigeria owing to the inability of the missions to pay their school teachers properly on their present grants, which the Government has been unable to increase for six years. I received a deputation of the Southern Provinces Board of Education just before I left; they convinced me of the gravity of the situation, but I sent them away fairly happy on the strength of a promise that I would, directly I got home, press for early assistance to enable the Government to make a large increase in the grants. I also mentioned the matter in my address to Leg.Co., with the object of restoring confidence to the teachers concerned. I have since had a letter from Bishop Ladsbury which points to the necessity for very speedy action. I should like to discuss this on Tuesday. The problem, though really acute, is a very simple one.

Yours very sincerely,

*R. H. L. L. L.*

16.  
15

NOTE OF INTERVIEW WITH MRS. MANNING, NATIONAL  
UNION OF TEACHERS - 26.2.40.

Mrs. Manning, who came to see me some time ago with Mr. Kutu, a Nigerian teacher, called today to ask what the prospects were of part of the £5,000,000 a year Fund being used to improve the position and prospects of African teachers in Mission schools in Nigeria. Naturally, I was very careful not to commit myself in any way lest she should send too optimistic a report to her friends in Nigeria. I pointed out that special, ~~enlarge~~ provision would have to be made for the needs of the West Indies, and that the remainder would have to be divided amongst the whole of the *rest of the* Colonial Empire. Moreover, it was possible, for all I knew, that some of the money would be required to enable social services to be kept going at their present level rather than on an extended scale. I was careful to say that the whole thing was under consideration at present, and that it was not possible to give any indication as to what was likely to be Nigeria's approximate share of the £5,000,000 a year, nor how much of that share could be allotted to Education, nor the exact way in which the sum allotted to Education would be used. I laid some emphasis on the poverty of Nigeria in comparison with its large population, and of the great difference in the conditions there, and, in particular, in the taxable capacity of the people, as compared with this country.

O. G. R. Williams

26.2.40

AIR MAIL.

16 15

NIGERIAN SECRETARIAT,  
LAGOS, NIGERIA.

15<sup>th</sup> November, 1939.



*Dear Williams,*

Thank you for your letter of the 23rd of  
10 August in which you informed me of your talk with the  
Revd. I.O.Ransome-Kuti, Federal President of the Nigeria  
Union of Teachers, and for the copy of the memorandum  
sent to you on behalf of the Union before the meeting.

A | You say that the discussion chiefly concerned  
the points raised in the memorandum so I shall deal with  
this first. It presents a clear and reasonably accurate  
summary of the position of African teachers in the  
assisted schools who have, undoubtedly, been hard hit  
during the recent lean years. Their conditions have been  
the subject of, or the motive for, a number of questions  
asked in the Legislative Council during the last few  
months and in the replies to two of these questions we  
B | have given a definite undertaking that the matter will  
receive attention, by way of an increase in the provision  
for

O.G.R. WILLIAMS, ESQ., C.M.G.,  
COLONIAL OFFICE,  
DOWNING STREET,  
LONDON, S.W.1.

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for grants-in-aid, as soon as the country can possibly afford it which it certainly cannot do at the moment.

In the meantime we are engaged on a survey of expenditure on education in relation to that on other services, as was suggested in the Secretary of State's circular despatch of the 3rd of June 1938, and this should indicate whether and to what extent there are grounds for the contention that education has been called upon to shoulder more than its share of the sacrifices imposed by the pressing need for economy.

The plea for the introduction of some form of superannuation scheme for assisted-school teachers is one with which we have considerable sympathy, and I may mention that the question of Government assistance towards a Provident Fund for this purpose is at present under consideration by a committee of the Board of Education. I do not think that any of the remaining points raised in the memorandum call for special comment.

As to the various matters mentioned in your letter, the Director of Education is not in favour of increased representation of the Union on the Southern Provinces Board of Education. He points out that the functions of the Board are purely advisory and that one

spokesman

*copy attached*

3.

spokesman should be sufficient to put forward the teachers' points of view; he tells me also that the Union usually presents a long memorandum to the Board, so that its views do, in fact, receive full consideration.

Mr. Kutl's complaint about children being forced to leave school is misleading; it refers, presumably, to a purge which was effected at the end of 1938 in a number of Mission schools in the Abeokuta Province. This gave rise to a question in the Legislative Council, and enquiry revealed that there had been no compulsion at all on the part of Government, the "children" (many of whom were over twenty years of age!) having been superannuated by the Managers of the Schools acting on the advice of the Education Officer; they were many years older than the average ages of the classes in which they were working and, quite apart from the fact that they were making little or no progress themselves, their presence in the schools was a serious hindrance to other pupils.

His final complaint refers to the taxation of schoolboys. The Colony Taxation Ordinance applies to adult males (that is males over the age of 16 years) but students in classes III to VI of approved Middle Schools or at any approved Training Centre for teachers etc., are exempted. This exemption does not apply, however

*Extract taken for S.T. Legn. Mr. 30231/29 Nig.*

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however, to males over sixteen years of age in Elementary Schools, and the Tax authorities proposed therefore for the first time, to enforce the provisions of the Ordinance and collect the tax from these persons. As you have noted, the decision gave rise to a good deal of adverse comment in the local press and on being brought to the notice of Government an order was issued that the tax should not be collected pending amendment of the Ordinance to extend the exemption to such persons. The amending Ordinance will be introduced into the Legislative Council shortly.

Yours sincerely

C. C. Woodley



13  
18

16th October, 1939.

My dear Rowis,

I am sending you herewith a copy of a Memorandum which the Reverend R. Kati, Headmaster at the Abeokuta Grammar School, handed to this office. Mayhew and I each have a copy and we showed it to the heads of the West African and Social Services Department. Mayhew also drew the attention of Dougal I., of the International Missionary Council, and Hooper, of the Church Missionary Society, to it. No doubt friend Kati gave copies of it to numbers of people with whom he came into contact during his stay here. There is not very much to be said about it and of course no action on our part is contemplated. I just wanted you to know that we have seen the document. In his minute Clauson points out that if a teacher's salary is to be £30 a year we shall require £5,000,000 yearly when all the Nigerian children come to school. It will

B. G. MORRIS, ESQ., O.B.E.

be a long time until that happens, but, in the meantime, we all know that the problem of teachers' salary is a very serious one in connection with the spread of education to the great masses of the people.

Friend Kuti had a very good time here, I think, and certainly lost no opportunities for increasing his knowledge of this country and enlarging the circle of his friends and acquaintances. He also paid a short visit to Dublin University, which is very popular with our Yoruba friends, and, when in London, he stayed at the WASU Hostel, which is, as you know, under the charge of his friend and countryman, Mr. Ledipo Solanke.

With best wishes,

*Yours ever,*

*(sd) Hanns Vacker*

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CABLEGRAMS: "ANCOMISSO, LONDON"

CODES:--  
MISSIONS  
CHINA INLAND MISSION

TELEPHONE:--SLOANE 9030

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CONFERENCE OF MISSIONARY SOCIETIES  
IN GREAT BRITAIN AND IRELAND

9

Hon. Treasurer  
F. P. HARRIS

EDINBURGH HOUSE

2 BATON GATE, LONDON, S.W.1

(Two minutes from Sloane Square Station)

Secretaries  
Rev. S. H. DIXON  
Rev. J. W. C. DOUGALL

PMS

9th October 1939

Arthur Mayhew Esq.  
Parliament Square House,  
Parliament Street,  
S.W. 1

My dear Mayhew,

9  
The Memorandum which you sent me from a Nigerian teacher has now been studied by the secretaries of the C.M.S., the Church of Scotland Mission and the M.M.S. I pointed out to them that the most serious criticism of the missions was not contained in the Memorandum but in the remarks which the author had made in conversation with you.

I attach some extracts from a letter of Hooper's whom none of us can suspect of any reluctance to take the African standpoint.

Yours sincerely,

*James W. C. Dougall*

Encl.

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G. O.

Mr. O.G.R. Williams. 16/8/39.

Mr. Mayless 17-8

Mr. Williams 17.8/8

Mr. A. J. Dewe.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

For Mr. Williams' signature.

O.D.  
17 AUG  
21

23. August, 1939.

**DRAFT.**

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

Chief Secretary's Office,

Lagos,

Nigeria.

(one copy prepared  
typed near)

FURTHER ACTION.

My dear Woolley.

You may be interested to  
(in his absence)

know that Mayew and I recently

had a long talk with Mr. I.O. Ransome

Kuti, Federal President of the

Nigerian Union of Teachers. Mr. Kuti

was accompanied by Mrs. Manning, who

is Assistant Secretary of the

Education Committees of the National

Union of Teachers in this country,

to which, I understand, the Nigerian

Union is affiliated.

Before the meeting,

Mrs. Manning sent to me, on Mr. Kuti's

behalf, a memorandum of which I

enclose a copy, which sets out

certain

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*Suggestions  
part of*

~~certains grievances of~~ the Nigerian  
Union of Teachers, *for improving the position of teaching, and*  
particularly ~~the~~  
teachers in assisted schools.

We did our best to make

Mr. Kuti understand the serious financial  
difficulties of giving effect to the  
suggestions contained in this memorandum  
(see especially page 30), but I doubt  
whether we succeeded in making much impression  
upon him. However, it was interesting to  
have a frank expression of views from an  
African teacher, and I think you will agree  
that, whatever may be the full facts, the  
Nigerian teachers' case is set out clearly  
and with moderation in the memorandum submitted  
by ~~him~~ *Mr. Kuti*. I understand that his Union will  
almost certainly have sent a copy of this  
document to the Director of Education.

In the course of the discussion, which  
dealt largely with the points touched upon in  
the memorandum, Mr. Kuti urged very strongly  
that the Heads of Missions in Nigeria should  
consult their African teachers and take them

more

C. O.

Mr.  
Mr.  
Mr.  
Mr. A. J. Dawo.  
Sir H. Moore.  
Sir G. Tomlinson.  
Sir J. Shuckburgh.  
Permt. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

DRAFT.

FURTHER ACTION.

72

more fully into their confidence so as  
to learn more of what the Africans  
really wanted. He seemed to think  
that a single representative of  
African teachers on the ~~(Nigerian)~~ *Advisory* Board  
of Education was inadequate, especially  
as, according to him, the ~~representatives~~ *European*  
of Missions were really out of touch  
with African opinion. Mr. Kuti  
claimed (I do not know with what  
justification) that African teachers  
were to a very large extent the  
mouthpieces of the illiterate African  
masses and were able to interpret their  
thoughts and needs ~~more~~ more  
accurately than Europeans, who,  
however sympathetic, could not  
understand the minds of Africans so  
well as educated Africans who were  
of the same stock as the African masses  
and had many relations amongst them.

Mr. Kuti had two complaints  
against

against Government to make:-

(1) that some Inspectors of Education were enforcing, with what he regarded as unreasonable <sup>severity</sup> harshness, the rule that children over age who were not profiting by their continuance at school should be made to leave. Mayhew questioned Mr.Kuti rather closely about this complaint. Mr.Kuti seemed to be convinced that in some cases (it was not really clear whether he had more than one concrete instance in mind) an Inspector had insisted on young people leaving school, despite the fact that their presence was not preventing other younger children from being admitted, and also <sup>despite</sup> the fact that their scholastic records showed that they were definitely profiting by their schooling. Mr.Kuti said that there were some cases in which scholars developed late and others in which it was not possible for their parents to send them to school at as early an age as could have been wished, and he considered that there

C. O.

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Mr.

Mr. A. J. Dawe.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

there was a strong case for more sympathetic administration of the

rule ~~to which he had referred~~

(2) The other complaint which

he made was against what he described as the taxation of schoolboys. He said that one of the effects of making tax payable by persons of 16 years of age was to force boys out of school. Many parents found it difficult enough as it was to afford the school fees, but if <sup>in addition,</sup> tax had to be paid in respect of boys as soon as they had reached the age of 16, it might well necessitate the withdrawal from school of promising scholars. Mr.Kuti urged that there could be no question of parents sending their boys to school merely with a view to evading the payment of tax, as the cost of sending them to school greatly exceeded the tax, but the addition of the tax was just enough

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enough to make it difficult in some cases <sup>for</sup> to continue the boys at school.

I have noticed that there has been

unfavourable comment in the Nigerian

Press on this point. / We merely took <sup>N.P.</sup>  
note of what Mr. Kuti said, <sup>on this and the previous point.</sup> but of course

did not promise that anything could be

done about it.

N.P. — I might perhaps to add that  
Mr. Kuti's refusal appeared emphatically to  
the sympathetic attitude which the Director  
of Education has adopted towards suggestions  
made by the Teachers. He confirmed also the  
references made in the Memorandum to the  
desires of the Government to deal fairly  
with the teaching profession. It became clear  
by the end of our talk that what he had chiefly  
in mind in seeking an interview was a hope  
that the Secretary of State could in some  
manner very produce money out of a hat  
for supplementing the present expenditure on  
education. We are satisfied that he was  
not intent to make trouble or to go behind  
the back of the Nigerian Government. The talk  
as a whole will not, I am sure, have been  
detrimental to friendly relations between the  
Teachers' Union and the Education Department.

Q. G. R. WILLIAMS

Answer 12.

34  
9

Dispatched

on 17-8-39.

My dear Dougall,

I enclose a copy of a memorandum relating to the position and requirements of primary school teachers in Nigeria, which was brought to the Secretary of State's notice by an African teacher from Nigeria at present in this country, and which has been discussed by that teacher with the head of the West African Department in this office and myself. The memorandum as a whole seemed to us a reasonable and adequate statement of views that deserve consideration. We understand that a copy of the memorandum has been given to the Director of Education in Nigeria, and we have no reason to suppose that it will not receive careful consideration. We cannot, of course, vouch for the facts in it. The extent to which, if at all, the recommendations made in the memorandum can be carried out would obviously be



conditioned by finance.

As you will see, the question of salaries and pensions for teachers in Mission schools occupies a prominent position in the memorandum. You will no doubt say that the Missions' powers in this matter are mainly determined by the financial assistance they receive from the Government. But the reason for my sending on the memorandum is not so much what is stated therein as the attitude of the teacher during his discussion of the memorandum with us in relation to the educational work of Missions. If this attitude is general, as he led us to suppose, it requires - as no doubt it is receiving - the careful attention of Missions, whether the attitude is justified by facts or not. The teacher was, I think, quite genuine in his expression of appreciation of what the Missions had been doing educationally for Nigeria, and of their

disinterested devotion. But he made it quite clear that in his opinion and that of his colleagues the Missions are not taking Africans, and particularly educated Africans, sufficiently into their councils and deliberations. He thinks that if they were in closer touch with African feeling their position vis-à-vis the Government would be strengthened and that if they were more conscious than they are of the needs and conditions of their teachers they could make out a stronger case with the Government for increased grants for salary purposes and for establishing a provident fund or pension scheme. When I suggested that in any case the Missions were making an important financial contribution to education in Nigeria which, if withdrawn, would not be met from public funds, he referred to the contributions which are also being made by African communities. And without questioning

A

the fact that funds were received from home, he said that it was most regrettable that no statement that set forth the home funds spent on education in Nigeria was ever published.

I am sure that you will not misunderstand my motives in telling you this. There is no suggestion that what the teacher said on this subject was justified by actual facts. But you will, I am sure, agree that what the Africans think about Mission education work has to be taken into account. There is no objection to your passing on the memorandum and this letter to Missions engaged in educational work in Nigeria if you wish to do so.

Yours sincerely,

(signed) ARTHUR MAYHEW

The Rev. J. W. C. Dougall.

TELEGRAMS: "CURRICULUM, KINGCROSS, LONDON."

TELEPHONE EUSTON

2442.  
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National Union of Teachers. 247.

THE BENEVOLENT & ORPHAN FUND, THE TEACHERS' PROVIDENT SOCIETY.



Hamilton House.

Mabledon Place.

London, W.C.1.

PLEASE QUOTE

GENERAL SECRETARY:  
SIR FREDERICK MANDER.

ORGAN OF THE UNION:  
"THE SCHOOLMASTER AND WOMAN TEACHERS' CHRONICLE"

E 3490

10th August 1939.

Dear Sir,

I understand from Mr. Paskin that you will be so good as to see Mr. Kuti on Tuesday, 15th August, at 12 noon. I will, therefore, call with Mr. Kuti at the Colonial Office at that hour.

I have pleasure also in enclosing three copies of the report on the position of teachers in Nigeria, which Mr. Kuti brought with him.

Yours faithfully,

*Leah Manning*

Assistant Secretary to the Education Committees.

O.G.R. Williams, Esq.,  
West African Department,  
Colonial Office,  
Downing Street, S.W.1.

THE NIGERIAN TEACHERS' CASE  
OR  
A MEMORANDUM ON SOME OF THE DISABILITIES  
OF THE NIGERIAN TEACHER.

29

At the Conference of the Nigeria Union of Teachers held in January 1936 a resolution was passed that a memorandum should be prepared showing facts and figures which could give some inkling into the sad plight of Mission Teachers in this Country and the various disabilities under which they labour. Although occasionally articles appeared in the Press as well as resolutions passed at the Nigeria Union of Teachers Federal Council meetings calling attention to such matters as inadequacy of salaries, absence of superannuation or pension schemes and other hardships, it was felt that these were not comprehensive or detailed enough to enable the casual observer to appreciate fully the seriousness of the problem.

GOVERNMENT RESPONSIBILITY

In the opinion of teachers, the sorry plight of the Assisted School or Mission Teachers is the result of the educational policy of the Government, although the policy of certain missionary bodies regarding the conditions of service of their teachers is also questionable. The Nigerian Government through the utterances or writings of the Governor or other responsible Officials has always acknowledged the importance of education and Government obligation to the people of this country in matters educational. Lord Lugard the maker of modern Nigeria in an article entitled 'Nigeria Retrospect and Prospect' published in the 1934 'Christmas Souvenir of Nigerian Affairs' writes:-

"And how, on its side, is the Government fulfilling its task? In my view its most important function is Education - in its widest sense" (italics ours).

Sir Hugh Clifford his successor did not only admit the importance of education as a factor in the successful and effective Government of the country, but went further to say (Vide Nigerian Council Address 1920) that in order to maintain a high

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the educational work of the country. After so many years of the control of the educational machinery of the country, Government is still convinced that the larger section of those who form the pivot of that machinery, namely the teachers, should still be left to the mercy of voluntary agencies who are in this country principally for the work of evangelisation, and who have very inadequate sources of income. Up to the present, Government has been unwilling to do more to safe-guard the financial status of the Assisted School Teacher than to prescribe a minimum rate of salary to be paid to certain grades. And according to a memorandum written by Mr.H.W.Mc.Cowan as Acting Director of Education on 12th October 1935 the Missions were at liberty to pay below the minimum specified in Regulation 31 if cuts were inflicted on Grants - a statement which has made the only Government regulation providing for the rate of payment to Assisted School Teachers practically null and void. This decision the Acting Director said was made at the Board of Education and accepted by Government. It is of course generally known that the vast majority of the members of the Board consists of Mission Representatives who as proprietors and employers of teachers will naturally welcome a decision which relieves them at a time of emergency of the strict legal obligation imposed by the Regulation. But on the Board there is only one direct representative of the teachers, whose fortunes or interests are really affected by any adherence to or departure from the regulation. It is obvious that that single member must have had a difficult task to convince the Board that the minimum rates in Regulation 31 were so low that no cuts imposed on grants or salaries should bring the amount received by teachers below them.

MINIMUM RATES OF SALARIES FOR TEACHERS.

A study of the last four Education Codes 1916, 1927, 1931 and 1935 will reveal a few interesting points. According to the 1916 Code a 3rd Class Certificated Teacher must be paid at





drawn up by or with the consent and approval of the Government one will appreciate the statement made above that Government policy towards Assisted School Teachers in this country leaves much to be desired. Even in our sister Colony the Gold Coast, Assisted School Teachers have for a number of years now been paid on scales approved by Government, not to mention Colonies in the West Indies where Government and Mission Teachers are paid on the same scales and enjoy statutory pensions equally. In Nigeria, Government takes the position that so long as it is provided in the Code that a Certificated Teacher shall not be paid below £40 a year whatever may be the complaints and grievances of teachers, it cannot interfere. So that whatever Mission teachers suffering from cuts, levies or inadequate remuneration at one time or the other appeal to the Government, the only answer is that Government will not interfere so long as Rule 31 is not contravened; besides Mission teachers are employed by the Missions and not by the Government. If only it is known that quite a number of those classified as Higher Elementary Teachers are men and women with some twenty to thirty years of creditable service, one will call to question the system under which a Government that acknowledges its responsibility for the education of the people can be contented that it has discharged its obligation to those who do the educating by merely providing that teachers of such grades irrespective of length of service and experience shall not be paid lower than £3.3.4d a month or may be paid lower if there is a cut in grants.

SCALES OF SALARIES OF MISSION TEACHERS.

Western Area.

Grade I. Trained Elementary Teachers:

Scale III	£30 - £33 - £36
II	£39 - £42 - £45
I	£48 - £51 - £54 - £57.

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- "(i) The varying ability and usefulness of teachers with the same 'paper' qualifications
- (ii) The different purchasing power of money in different cases, for example, an 'A' man can live comfortably in his own town for about half what it would cost him in 'B' or 'C'.
- (iii) The fact that some schools are richer than others."

It can easily be imagined what degree of dissatisfaction and discontent there must naturally be in an area where there is no fixed scale of salary and where the remuneration of a teacher is left entirely in the hands of his own Manager.

Although the ultimate maximum of the best qualified teacher is £108 per annum, by a ruling passed several years ago a teacher who had attained the maximum for a Higher Elementary Teacher, that is £72 p.a., or any of the older teachers who had secured the First Class Certificate of a previous Code but had not obtained the Senior Certificate had his increment stopped. There are therefore many instances of teachers who in 1931 were receiving a maximum salary of a First Class 1916 Code, that is £108, who now find themselves drawing about £96 a year, with no hope of further rise so long as they do not secure the Senior Certificate. The explanation is that the 1931 cut brought those teachers down from £9 a month to £7.5/- and before they could recover their former pay by the slow progress of £3 p.a. rate of increment a barrier was placed at the end of 1934 and their salary became static. Many teachers of these grades are men with large families and many dependents, and only a few years before were holding the highest qualification required of any Nigerian Teacher. Many also have given from twenty to twenty-five years of certificated service and are fast approaching middle age. There are others too who had secured their Second Class Certificate 1916 Code and were within a year or two of obtaining their First Class when on account of the change in scale of salary and qualifying regulations are now receiving from £6 to £7 a month without any hope of increment.



1st Grade Teachers:- Men £240 - £12 - £300  
 Women £160 - £12 - £300  
 Superintendents £325 - £15 - £450 and  
 £450 - £20 - £720".

There is no publication to show that this attractive scale has in any way been reduced. It would seem however that the scale, especially in the top grade, is meant for show only, for no one has yet attained anywhere near the maximum. The fact remains however that the Mission Teacher is even in a worse plight. It is interesting to observe that a Government teacher in charge of a school in Calabar who was formerly in Mission service was a few months ago promoted to the First Grade and is according to the above scale drawing £240-£12-£300, while his former colleague who is still in Mission service and is many years his senior in the profession is still receiving his £108. It has been argued that increments in the Government Service are not automatic and that there are not many Government Teachers nowadays. We must also observe that increments in the Mission service are not automatic and the Government scale is what the Government consider to be fair remuneration for those who are engaged in the scholastic profession whether they are few or numerous. While on the subject of salaries, mention must be made of the hardships which Mission teachers have experienced in consequence of the economic depression. Any curtailment of grants paid to Assisted Schools always eventually recoils on the Teacher. In the 1931 crisis, cuts in salaries of Mission teachers varied from 10% to 25% or more (See the Director's Memorandum referred to above). In some cases the cut actually introduced a much lower scale of salaries. What a contrast this is to the comparatively lighter burden borne by the Government Staff when a levy (percentage ?) was imposed on their salaries.

If a Mission teacher earned £10, he would lose from £1 to £2.10/- while a Civil Servant earning the same pay would lose only a few shillings.

In some cases teachers were compelled to pay an appreciable

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portion of their salaries into a levy fund to support distressed areas of the Mission field, even if their schools were not in debt. Even those teachers whose salaries were not cut, lost their increments. One of the results of this frequent reduction of salaries was the pathetic incident of a strike in Calabar in 1936 in which 100 teachers were involved. Although officially the strike could not be condoned yet the Annual Report of the Education Department for 1936 indicated that the teachers concerned deserved some sympathy in their financial difficulties.

The following scale which is modest enough has been recommended by the Nigeria Union of Teachers and ought to be introduced with the minimum of delay and replaced by a better scale when the economic conditions of the country improve:-

A. Probationary Teachers

(a) Teacher holding Middle Class 2 Certificate

£18 - £3 - £42

(b) Teacher holding Middle Class 3 "

£21 - £3 - £42

(c) Teacher holding Middle Class 4 "

£24 - £3 - £45

(d) Teacher holding Middle Class 5 "

£30 - £3 - £48

(e) Teacher holding Middle Class 6 "

£36 - £3 - £60

B. Trained Uncertificated Teachers

£36 - £3 - £60

C. Higher Elementary Teachers

£42 - £6 - £78 // £84 - £8 - £156

D. Teachers with Senior Certificate, Yaba Diploma, Old First Class, and Second Class, A.C.P., L.C.P., etc.

£96 - £8 - £160 - £10 - £200 per annum

E. University Graduates

£120 - £10 - £240

F. There should be bonus or allowance per annum for Headmasters: minimum £10 per annum.

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PENSIONS OR SUPERANNUATION SCHEMES FOR NON-GOVERNMENT TEACHERS

In reply to a petition sent to His Excellency the Governor in Council in 1927 asking for the introduction of a Pension Scheme for Non-Government teachers, the following was communicated to the petitioners by the Secretary, Southern Provinces :-

"His Excellency appreciates the desirability of having a pension scheme for non-government teachers such as that advocated by the petitioners but does not think the time is ripe to consider it. The advantage would be the establishment of equality of service for all teachers. Any such scheme, however, requires very careful and previous explanation."

It is some twelve years since this was written and no effort has been made by Government to provide for the teachers' old age or retirement beyond a suggestion that a provident fund to be contributed to by the Mission and the Teachers should be started.

In December 1928 the Director of Education, Southern Provinces, was able to inform Heads of Mission that after some discussion at a previous meeting of the Board of Education it had been unanimously decided that a Contributory Pension Scheme for European Teaching Staff in Mission Schools should be proceeded with. In the case of African Certificated Teachers the same meeting of the Board decided that no further action could be taken till the whole question had been considered by Mission Councils. This consideration had continued for over ten years with no practical results.

In July 1937 after some years of agitation by teachers and repeated questions in the Legislative Council, a circular was sent to Proprietors of Assisted Schools asking for a statement regarding the attitude of teachers to contributory Pensions or Superannuation Scheme or Provident Fund. The last sentence of that Circular was the following:-

"There is very little hope of Government being willing to contribute funds towards pensions or to such Schemes." Is it not natural that Mission Authorities who have always complained of inadequacy of funds should feel disinclined to consider the schemes if there was no likelihood of Government

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support?

In reply to a request for suggestions on the same matter the following recommendations were made by the Nigeria Union of Teachers :-

"Pension Scheme for Assisted School Teachers -

Recommendations by the Nigeria Union of Teachers

1. The Nigeria Union of Teachers is of the opinion that a Pension Scheme is preferable to a Provident Fund Scheme for teachers in the Assisted Schools of Nigeria.
2. There should also be a Gratuity attached to the Pension. It should be understood that if the Government is unwilling and unable to provide gratuity, teachers are prepared to make a compulsory saving of about 5% of their salaries monthly for that purpose, and the money so saved together with the interest thereon should be kept by the Government for these teachers.
3. A Board of Control consisting of an Official of the Education Department as Chairman, 2 representatives of the Mission and 4 representatives of Teachers should be appointed to have control over the money so saved for the benefit of the teachers concerned.
4. For the purpose of this Pension Scheme teachers should be divided into three grades as follows :-
  - 1st Grade - Graduates, Senior Teachers, First and Second Class Teachers
  - 2nd Grade - Third Class and Higher Elementary Teachers
  - 3rd Grade - Uncertificated Teachers and Elementary Teachers.
5. Rates of Pensions :-
  - 1st Grade. (a) Teachers with 15 years' but below 20 years' service - £36 per annum.
  - (b) Teachers with 20 years' but below 25 years' service - £48 per annum.
  - (c) Teachers with 25 years' service and over - £60 per annum.
  - 2nd Grade. (a) Teachers with 15 years' but below 20 years' service - £24 per annum.
  - (b) Teachers with 20 years' but below 25 years' service - £36 per annum.
  - (c) Teachers with 25 years' service and over - £48 per annum.

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possibility of granting more favourable terms to Mission teachers than it allows to its own employees, many of whom are not pensionable! Now teachers in Government Service are pensionable employees and it is strange that Government should go out of its way to draw a comparison not between Mission teachers and Government teachers, who belong to the same profession, qualify in the same examinations and work under the same educational regulations, but between Mission teachers and the less favoured employees of the Government Service whose service to the country may not at all be as important as that of the teachers. Secondly, Government rejects the claims of Mission teachers because Government must keep in sight claims of similar treatment which might be preferred on behalf of teachers in Native Administration Schools. The fact that Native Administration Teachers may make the same claim is no argument that Mission teachers do not deserve to be considered.

As for the common plea, that has been mentioned with wearisome frequency, that Mission teachers cannot claim certain scales of salaries, Statutory Pensions and other privileges because they are not in the public service, we shall deal with it in a subsequent part of this memorandum.

It is really pathetic that Government discrimination against Assisted School teachers is so great that it has found it impossible to accept even the recommendations of the Director of Education that the gratuities and pensions of those teachers with over twenty-five years' service should be paid from public funds. The following remarks of the President of the Nigeria Union of Teachers in his presidential address of 1938 in connection with Pension or Superannuation Scheme are very illuminating:-

"But an equally important factor in the doubts and fears of a teacher is the amazing indifference with which his old age or permanent incapacity by ill-health has been treated until recently. The scandalous and nerve-racking state of affairs had long been tempered down of late by the Governor's announcement that he was prepared to consider a provident fund scheme to which the teacher and the Missions must contribute while Government acts as the custodian of the fund to which a subsidy

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these conditions have been satisfied the teacher can now sit for his First Class. If he passes he is not yet awarded the certificate. All he has gained is the privilege of proceeding to an 'advanced training course', provided he has not been adversely reported upon since the date of the examination. To attend this 'Advanced Course' he must leave his job and dislocate his ordinary domestic life. He is encouraged to take his wife who herself will be under training. The allowance he receives during this year for his upkeep is less than the salary he obtained while in the School room. If at the end of this Course he is well reported upon by the Principal of the Institution at which the training is given, then and not till then will he be granted a First Class Certificate.

The regulations made it plain that 'no person shall be allowed to sit more than three times for the same examination without the special permission of the Director'. One wonders whether there has ever been any other country in the world where such a remarkable system for the training and qualification of Teachers was embodied in a Code approved by the Government, a system which apart from being bewildering and impracticable would almost destroy the teachers' own self respect and domestic happiness. Teachers' protests against the new regulations fell on deaf ears. The only saving grace was the introduction of a 'Preliminary' Examination for old First Class Teachers in place of the Second Class A. This took place in June 1928 and the standard was so high that very few passed and some failed because their previous reports had not been considered satisfactory. This Examination was never repeated. Before teachers could settle down to these new conditions and before even the Institutions which were to provide the 'Advanced Courses' were completely built and staffed, the regulations were replaced by a new set published in the 1931 Code. These regulations are the ones in force now and recognise mainly three grades of teachers, Elementary Certificated Teacher, Higher Elementary Certificated Teacher and the Senior Certificated Teacher.



The Teachers' Senior Certificate is of such a high standard that generally not more than from 2 to 4 per cent of the candidates reach the pass standard any year. It is awarded only to a teacher who holds a Teachers Higher Elementary Certificate and has satisfied the following conditions:-

- (a) Has been teaching in a school or schools approved by the Director of Education for not less than seven years after securing his Higher Elementary Teachers' Certificate.
- (b) Has received seven satisfactory annual reports from the Director or his representative, and
- (c) Has, subsequently to obtaining a Teachers' Higher Elementary Certificate, passed an examination in two of the following subjects:- Agriculture, Drawing, General Elementary Science, Hand and eye training, Advanced History, Advanced Geography, Infant School Methods, Mathematics, Nature Study and Botany, History of Education, Advanced English, Religious Knowledge (and methods of teaching it).  
In the women teachers' syllabus advanced Domestic Science and child welfare is included.

Tutors of recognised correspondence colleges who have seen the syllabus and questions of the Senior Examination are of the opinion that the papers are of practically the same standard as the Intermediate Arts or Science Examinations of London University.

A point worth noting is that although those who had been awarded Second Class A of 1927 have been given Senior Certificates of the 1931 Code, this decision having been arrived at after a hard tussle at the Board of Education Meeting of January 1932, holders of all other certificates under a previous code including holders of Honorary First Class Certificate of 1927 are classed as Higher Elementary certificated teachers. There is a case in Calabar where a teacher with over thirty years of service is so classified. Teachers who complete their qualifications under one Code cannot claim exemption in a subsequent Code but must be reduced about two or three steps lower.

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who could secure other jobs in the Government or Merchantile employment resigned. The Missions complained and in order to placate them a ruling was made some years ago - then Mr. T. Hyde was still in the Education Department - that a teacher should not be considered for employment in the Government Service unless he had been out of Mission employment for at least six months. Thus with Government connivance Mission teachers were debarred from joining Government Service even when there were vacancies, and forced against their will to remain in positions they had regarded as intolerable. If that was not oppression and deprivation of an ordinary right of citizenship one wonders what else it was. Fortunately this ruling is not now in force. The bond that students entering Mission Training Colleges signed provided that on completing their course they must teach for five years either in a Mission or Government School. Many teachers who are today in Government employment can recall their bitter experience as soon as they gave any indication that they wished to enter Government Service after their training under the Mission. It came as a surprise to the Government some years ago when it was revealed casually that some Missionaries imposed an additional bond for three years' service upon their students without the knowledge of the Government: so that instead of the five years' service authorised by the Code the student has to serve for eight years. Some Missions too have a system whereby they receive from their students after their course a refund of every penny that is spent on their training at Assisted Mission Training Colleges. This practice like the other is being carried on without the knowledge of the Government.

Many of those who were pupils or pupil teachers in mission schools were not allowed to enter the Normal Class in Bonny so as to be trained to be Government Teachers. In spite of the difficulties Mission teachers experience in leaving their jobs for Government Service it will be found

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- that most probably some 90% of teachers in Government Schools and quite a large proportion of employees in the Clerical and other Branches were formerly in Mission teaching service. Is that an argument that they had been satisfied with their lot? It is only to be hoped that the Missionary Societies whose acceptance of the responsibility of education has placed them in the position of employers to thousands of men and women whose service to the country is not adequately rewarded merely because they are Mission employees, will co-operate with the teachers in demanding improved conditions of service.

Are Teachers Public Servants?

In official replies to teachers' representations and at interviews held with Education Officers it has always been impressed on Teachers that Government cannot accept any responsibility for seeing that Assisted School Teachers are paid at the rates of salaries prescribed for teachers in Government employment. In the boom years when the revenue was in a healthy state teachers were told boldly that beyond laying down minimum salaries as had already been done it was neither possible nor expedient to interfere with the conditions of service which the proprietors of Assisted Schools might prescribe for teachers employed by them. In the years of depression, the parlous state of the revenue was an additional reason why the matter could not even be considered and cuts on the already low salaries of the teachers were perhaps considered inevitable.

If the teachers still pressed for some consideration pointing out that after all the mere fact of being employed under the Mission or Native Administration was an accident but that the Mission teacher was serving the country in the same way as did the Government teacher, official rejoinders would sometimes assume a very stern and unsympathetic tone. A Director of Education once told a group of teachers in a Provincial Centre that he had absolutely no sympathy with

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● Mission teachers in the matter of salaries when he thought of the huge sacrifices that European Missionaries were making, that a Mission teacher was generally in his home with his own people while a Government teacher was transferred away from his home. He added that even Government teachers were not adequately paid as compared with clerks to whom they were superiors intellectually. He was surprised that Mission teachers in that area should be demanding 'high' salaries instead of pursuing their work in a spirit of true christianity. Another Director of Education observed in a memorandum to a Union of Teachers that Mission teachers should not agitate for better salaries for they entered Mission service 'with their eyes open'. A third Director observed that is Mission teachers persisted in comparing themselves with Government teachers their sense of grievance must be aggravated. In the Annual Report on the Education Department for 1936, the following remarks were made by the Director:-

"In former days when we had attendance grants assessed on efficiency plus a fixed amount for certain grades of teachers, we heard very little of the argument which since assessment has been made on the actual salary bill of every school, has raised its ugly head - ugly because it does engender feelings of discontent - that inasmuch as Mission teachers do the same work as Government teachers they should be paid at the same rates. This of course is ideal, but it is for often that the Government teacher is paid in the first place as Government servant and not as a teacher, in other words, his rates of pay must bear some relation to those of the Clerical Service".

The view that the Mission Assisted School Teacher should not be paid at the rate of the Government teacher since the latter 'is paid as Government servant' not as a teacher is one which seems to apply to Nigeria or British West Africa particularly for there are other tropical Colonies of the Empire where Government and Mission Teachers enjoy equal privileges in salaries, pensions and other conditions of service. This arrangement has in no way retarded the educational progress

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of those countries. It has rather furthered progress by encouraging teachers to hold on to their jobs and to approach their tasks with a reasonable measure of contentment and sense of security.

In the following extract from the Memorandum on Educational Grants-in-aid published by the Advisory Committee on Education in the Colonies, the principle of equal pay for Government and Aided School teachers, or of adequate remuneration of teachers generally is clearly recognised:

"There seems to be no convincing reason why a grants-in-aid Code should relegate teachers in aided institutions to a lower scale of salary, and to a lower educational status, than what is accepted as suitable for Government Education Officers. It is educationally desirable that all agencies engaged in large education operations should set before themselves the task of establishing an educational cadre, whether of teachers, supervisors or inspectors, with the same standard as those of Government Education services, and that Government co-operation should make it possible for such agencies to offer the same prospects for educational work as are offered in Government service, if they think it desirable to do so either generally or in individual cases. It is already the custom in at least two Colonies to accept as expenditure on which grants are calculated salaries on the same scale as those adopted for the staffs of Government Schools, provided that the qualifications are equivalent to those required of members of the Government Staffs. There is from the Government stand-point no obvious reason why a teacher who prefers educational work under the auspices for instance of a religious body should on that account be paid less generously than a teacher who places his services at the disposal of Government".

The Advisory Committee on Education in the Colonies is a Committee of experts which advises the Colonial Office and has made it clear that discriminatory treatment of Government and Aided-school Teachers is educationally unsound.

The following is an extract from the Director of Education

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experienced by the Government teacher or Civil Servant in the same District on account of his official status. The Mission teacher is forced by the rules of his church or mission to conform to a most rigorous standard of conduct and may lose his job for an alleged offence which will not affect a Government teacher or any other employee.

If such a worker has not the fullest claim to state support, one wonders what type of person should have. After all Government funds are the contribution of the people and it is unfinkable that those who educate the people's children should receive less care and support from Government funds than others who staff the various Government Departments.

The suggestion of the ex-Director of Education that the Mission would object to their Assisted-school teachers being paid at Government rates because other Mission workers such as pastors, evangelists and the staff of Unassisted Schools would complain, may be good enough argument to curb down Assisted School Teachers agitations, but is not an argument that we believe Government itself can accept, and it serves no useful purpose to elaborate on it. From all accounts the Missions have always given their teachers the impression that if the funds are there, they would never grudge paying their teachers more generously and in many Missions the salaries of Assisted School Teachers who are partly supported by Government have no relation to the pay of other Mission workers who are merely supported by the church, to whose funds the teachers themselves are regular contributors.

The Only Solution.

The only reasonable excuse that may be offered for the inadequate payment of Mission teachers is that Government grants paid to the schools are insufficient and are sometimes curtailed. Besides Mission sources of revenue are limited. This raises the all-important question whether Government expenditure on education is adequate. We have it on the authority of the

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present Director of Education that the percentage of school-going children actually going to school in Nigeria is five, whereas in Uganda and Kenya it is 35 and 12½ per cent. respectively.

If our percentage of juvenile illiteracy is so alarmingly high and the bulk of our teachers are being kept on starvation wages and have no provision made for their old age, is it not essential that the Government Education Vote should be many times what it is at present?

The Gold Coast and Sierra Leone spend on Education percentually more than double the proportion of their revenues than Nigeria does.

The following figures illustrate this statement:-

Nigeria:

1938/39 - Revenue	£9,282,548
Expenditure	£6,881,608
1937/38 - Revenue	£9,444,628
Expenditure	£6,855,325

*The - all money it includes the balance of work in revenue in the year.*  
D.S.W.

Gold Coast.

1937/38 Revenue	£3,613,302
Expenditure	£3,610,854

Sierra Leone.

1935 - Revenue	£637,956
Expenditure	£599,913
1936 - Revenue	£658,848
Expenditure	£638,577

Expenditure: Education Department.

<u>Nigeria:</u> 1937/38. Expenditure:-	Personal Emoluments	-	£131,496
	Other Charges	-	£142,569
	Total	-	£274,065
1938/39 Expenditure:-	Personal Emoluments	-	£138,161
	Other Charges	-	£144,659
	Total	-	£282,820
<u>Gold Coast</u> 1935/36. Expenditure:-	Personal Emoluments	-	£ 62,210
	Other Charges	-	£114,457
	Total	-	£176,667
1936/37 Expenditure:-	Personal Emoluments	-	£ 66,256
	Other Charges	-	£118,290
	Total	-	£184,546
1937/38 Expenditure	Personal Emoluments	-	£ 67,987
	Other Charges	-	£144,470
	Total	-	£212,457.

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Sierra Leone.

1935	Expenditure:-	Personal Emoluments	£25,703
		Other Charges	<u>£14,734</u>
		Total	<u>£40,437</u>
1936	"	Personal Emoluments	£25,997
		Other Charges	<u>£14,670</u>
		Total	<u>£40,667</u>

The late Director of Education, Mr. McGowan pointed out in the Annual Report of 1936 that to pay Mission Assisted School teachers at Government rates would mean an addition of £100,000 to the Education Vote. An addition of this amount to the vote will certainly not make Nigeria spend as high a percentage of the revenue on Education as do, the Gold Coast and Sierra Leone, not to mention some other tropical Colonies which spend more than four times Nigeria's percentage. A little computation will show that if the Nigerian Government added £100,000 to the Education Vote for 1937/38 it would make the vote for that year just a little over 3% of the Revenue for the year when the Gold Coast Expenditure on Education for that year was about 6% of the Revenue. Scores of thousands of pounds of allowances and other items of Government expenditure might well have been curtailed in order to increase the Education Vote, if Education which is frankly acknowledged as 'Government's most important function' is to be really progressive. The drafting of qualified Africans into the inspectorate grades of the Education Department will also cut down expenditure on 'Personal Emoluments'. It is not the desire of teachers that any branches of the Government service should suffer from any special effort to improve the educational service of the country. It is their hope that Education shall cease to become the Cinderella of the public service of this country and aided-school teachers the victims of an indefensible cheese-paring policy.

The following excerpt culled from the maiden issue of the 'Gold Coast Teacher' the official organ of the Gold Coast Teachers' Union - presents the views of an educationalist

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In his presidential address early this year the President of the Nigeria Union of Teachers said :-

"The story of a Provident Fund dates as far back as the time of Sir Selwyn Grier (1926 - 1928 or thereabouts, when the provisions were ordered to be put in force at once in the case of the European Teachers, while from that date until now the Missions have not been able to come to any workable decision IN THIS GREAT MATTER which affects the future of the African Teacher so seriously - for the sense of insecurity of his future through old age or possible invalidation must make it practically impossible for him to settle down to teaching as his life work, and to do it with all his heart. Now that the teachers themselves have found a solution, and their savings have run up to four figures, I very solemnly appeal to our new Director of Education and our sympathetic Governor, to take the matter in hand at once and deal directly with the teachers themselves."

"Grant-in-Aid":

"Perhaps we might here give a thought to the question of Grants-in-aid with which is bound up the question of the teachers' salary: I need not take up much of your time at this juncture on this big question which is being exhaustively treated along with certain other matters by a Special Committee appointed for the purpose by this council. But I cannot resist the observation that the time has come when a so important public servant as the School-master shall cease to be the victim of every change in the economic arena. It is simple justice that when times are bad they should be bad for all, and not for a particular section of those whose duty to the nation is the foundation on which rests the other functions of the State. The revision of the block Grants-in-aid was due to come into force this year - for the tension in the ranks of the teachers in this matter of poor and irregular salaries

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"has been so high of late that teachers are deserting the service in big batches. But times are bad, revenue is dwindling, and therefore the revision must be postponed to 1940, and presumably on and on if times continue to be bad. But why should times be always bad for the teachers alone? Is our own branch of the public service second to any other in the country? Schoolmasters and Mistresses are properly wards of the Government, and the Missions are only helpers. Let me not be misunderstood that I am referring invidiously to Government Clerks as I was misunderstood sometime ago. I speak generally in the public interest. Discontented teachers can only render half-hearted service, and turn out half-baked men and women with a low standard of efficiency which deprives them of real ability to climb the difficult ladders of life. The next thing which will be heard of is that the African is incapable and unworthy to fill a position of trust or requiring high intellectual ability. Already in the C.M.S. area West of the Niger (Lagos Diocese) the order had gone forth that there would be no increment to Teachers' salaries throughout 1939. Why should this be? If money can be found for other branches of the public service why should it not be found for that branch of the service always described as the most important? Why should it not be found for these most important public servants whose increments have come practically to a standstill for many years, and were restored only two years ago? It is perhaps not generally known that this increment is just in some cases £4 a year, and in very many cases £3 a year, while in other cases of the public service £6 a year or more which means in effect that money could not be found to pay for education half of what it cost to provide increment for the other branches of the service!!!!

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"The Present Plight of the Nigerian Teachers".

"There is a limit to human endurance and even to that of Balaam's Ass, and I beg the Government no longer to postpone dealing with this vexed question. About two months ago I sent a questionnaire round our various branches in order to test the exact position of the Nigerian Teacher. The replies I got from fifteen various places are a great eye opener. I have already placed a copy at the disposal of the Federal Secretary. Things are not at all very bright, and I can see that the intensified suffering in 1939 will deprive us of a great many more of our very best men."

"Late Distinguished Nigerian Medical Officer on Malnutrition of Teachers:"

"Let us look at another aspect of the matter: How do we expect a teacher of whom so much is expected in these days, with talks of malnutrition in the air to feed himself well with inadequate pay? A Medical Practitioner at one time a distinguished Medical Officer in Nigeria once wrote:

'When I was in Aba I saw a number of teachers suffering from malnutrition. The salaries were quite inconsistent with their ability to give justice to their job or even themselves. It meant a very low standard of living existing under certain conditions in a profession which owed a great responsibility for the proper teaching to children of the example they themselves showed. In other words how can we expect a teacher, ill-nourished to teach a new generation to look forward to a better and brighter future? A badly paid, badly nourished teacher of this type is bound to be discontented in his outlook, and cannot be expected to teach his children on sound principles. In other words it suppresses the need for all accepted responsible occupations to have a reasonable standard of living themselves, and shows that good food in that respect is dependent on a reasonably sound economic standard. A Union which aims at reasonable standard wages for teachers is a sound, and I think, necessary body.'

I am very grateful and I think our Union, yea, the whole teaching force in Nigeria must feel very grateful to this distinguished officer for this piece of humanity in him."

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference :-					
C.O. 583 / 244					
COPYRIGHT PHOTOGRAPH - NOT TO BE REPRODUCED PHOTOGRAPHICALLY WITHOUT PERMISSION OF THE PUBLIC RECORD OFFICE, LONDON					

"NIGERIA'S EXPENDITURE ON EDUCATION COMPARED WITH OTHER PLACES."

"But I would very humbly suggest to our Governor that the surplus revenue in 1937-1938 was in the neighbourhood of Three Million pounds, while those of Gold Coast and Sierra-Leone could only be reckoned by thousands. And yet according to statistics compiled lately in the journal 'Africa' we are still spending 3.8% of revenue on Education in Nigeria, while Gold Coast 6.5% and even Tanganyika 4.6%. Sierra-Leone too, from other sources is known to spend much more than we.

If it is suggested that the Gold Coast and Tanganyika have smaller areas to deal with, the answer is that their revenue is very much smaller than ours too. And we plead with the Government to release more money not only for the sake of salaries but also for both consolidation of ground already won, and the working of rural education programme now taken in hand by Government."

"THREATENED FATE OF GOVERNMENT TEACHERS"

"There is a matter on which I should like to see a resolution tabled by this Council. The late Director of Education in his report for 1936 referred to Government Teachers as 'a slowly diminishing band' - a hint that the Government is planning not to replace wastage by death or retirement of the teachers in Government Schools. If this is true, it is a matter against which we must raise a protest. We have never at any time suggested that Government Teachers should be removed or reduced in pay, but that Government should see to it that sufficient grants-in-aid are paid to save the Mission teachers from starvation wages. The Director's hint therefore should not be allowed to pass unchallenged.

PUBLIC RECORD OFFICE					
1	2	3	4	5	6
Reference :-					
C.O. 583 / 244					
COPYRIGHT PHOTOGRAPH - NOT TO BE REPRODUCED PHOTOGRAPHICALLY WITHOUT PERMISSION OF THE PUBLIC RECORD OFFICE, LONDON					





TELEPHONE,

EUSTON 2442-3-4-5.

TELEGRAMS,

"CURRICULUM, KINCROSS, LONDON"

Hamilton House.

Mabledon Place.

London, W.C.1.

65  
END/

1st August 1939.

My dear MacDonald,

In case I do not see you before I leave for my holiday I do wish you could do me one favour. The Federal President of the Nigerian Union of Teachers, Mr. I.O. Ransome Kuti, now residing at 1, South Villas, Camden Square, London, N.W.1., is very anxious, during his stay here, to have a discussion with one of your representatives at the Colonial Office regarding teaching conditions &c. in Nigeria. Could you arrange for one of your Officials to see him sometime in the second or third week of August? If you could send a reply to this note to Mrs. L. Manning, a former M.P. - address as above - who would like to accompany the gentleman on his visit, I should be very much obliged.

With many thanks in anticipation.

Yours sincerely,

*R.H. Morgan*

Rt.Hon. Malcolm MacDonald, MP.

M.P. for Stourbridge.

30442

30442

NIGERIA

REFORMS IN THE PLATEAU PROVINCE.

Previous

775/30

Subsequent

R98

9/6/9

Mr. Thorsley

14/9

Mr. Sidebottom

14/9

R96

21/9

R99

23/9

- 98 -

FILE A.

(1228) Wt. 30384/7. 17,000. 11/88.  
N.P.Co. G.682/77a.

C.O. 583 244

B.S. Notice affrs  
Villagers in District area.

Genl. Deputy Comr.

2  
22. 8. 39.

States that the villagers who <sup>were</sup> expelled from the  
District area in 1930 have been allowed to return.

This is satisfactory  
? Despatch to Lt Governor  
acknowledging receipt (1) and  
say that the D/S is glad to note  
that it has now been found  
possible to permit these villagers  
to return to their ancestral homes.

Shankar  
14/9

Ack receipt noting contents with  
Satisfaction.

J. B. ...  
14/9 atms

2 To begin conf. — 1 and. — 28. 9. 39.

abs

30442/39. NIGERIA.

32

C. O.

Mr. Whitecombe. 21/9

Mr.

Mr.

Mr. A. J. Dano.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shackburgh.

Parat. U.S. of S.

Parly. U.S. of S.

Secretary of State.

C. D.  
R 21 SEP  
D 22 -

13 Sept., 1939.

Sir,

I have etc. to ack.

the receipt of your confidential

despatch of the 22nd August

regarding the present position

in the Dimbuk Area of the

Sendam Division of the Plateau

Province, and to inform you

that the contents of the

despatch have been noted with

satisfaction.

I have, etc.,

DONALD

**DRAFT.**

NIGERIA.

CONFIDENTIAL.

Govr:

FURTHER ACTION.

**NIGERIA.**

**CONFIDENTIAL**

Government House,  
Nigeria.

4  
END

RECEIVED  
13 SEP 1939  
C. O. RECY

22 August, 1939.

Sir,

2 on 775/30 Nigeria  
Referring to the late Sir Graeme Thomson's Confidential despatch of the 13th of August, 1930, on the subject of the Police Patrol in the Dimbuk Area of the Shendam Division of the Plateau Province, I have the honour to inform you that I have now given permission to the villagers who were compelled to settle in the plains to return to the sites of their old villages in the hills.

2  
2. Although satisfied with their present settlements in the plains from the material point of view, the expatriates have always maintained that these settlements have not the spiritual value of their former homes, in which the graves of their ancestors and other objects of veneration are situated.

3. The request of the villagers to be allowed to return was supported by the Native Authority and I am satisfied that there is no danger of these people reverting to their former lawlessness.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*C. H. ...*  
GOVERNOR'S DEPUTY.

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



2.9 Transport.  
Communications  
Cameroon.

1. F.O. (C.13408/87/17). ————— 16.9.59  
Enquires as to the reply that should be sent to St. Aubin  
request for the making of a road between Yola  
and Gbom in St. Cameroon.

I cannot find any pp in the  
Registry concerning this road  
? Serpateh & Governor wish to  
draft a memo for copy of  
to F.O. for info:

Chamley  
18/9.

Before we write to Nigeria, we should  
think, see this, in view of the strategic  
aspect. It is not clear whether  
we are creating new routes, or part of one  
which has already been the subject of  
previous investigation.

O. G. R. Williams

26.9.59

seen. The route in question is not  
actually part of the one we have  
been investigating.

P. Whistler 28/9

Then a proposal by Mr. Thomas

etc

O. G. R. Williams

29.9.59

2. To Nigeria. 786. (w/pend: 1) <sup>30/10</sup> Cons: - 11/1/39.

3 To F.O. (w/ea)  $\frac{B}{1A}$  - 12 Oct. 1939

4. Gov: 1207 \_\_\_\_\_ 22/11/39  
Refs. (2) States similar request was made by the Gov. of French Cameroon. + encloses copy of his reply also copy of Estimates.

Copy of (1) and encls: to F.O. <sup>ref. (3) +</sup> in reply to (1)

A. Whistler. 13/12

Whistler  
12/12

J. M. ...  
19/12 at home

5 To 30 (w/ 4) B16. 18.12.39

OKS

6 F.O (C. 20586/87/17.) \_\_\_\_\_ 29.12.39  
In a copy of a letter to the Fr. ambassador informing him of the Nig. Govts. decision.

Copy encls to 6 to for Nigeria  
to inform w/ 4.

J. M. ...  
3/1 at home

7. To Nigeria. 10. (w/pend: 6) H.I. - 8/1/40.



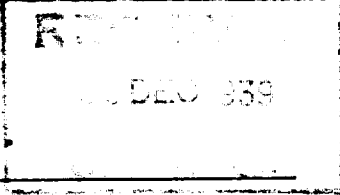
In any further communication on this subject, please quote  
No. C 20586/37/17  
and address—not to any person by name, but to—  
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

3  
6

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 copies of the under-mentioned paper.

Foreign Office,

29 DEC 1939 , 19



*dup. encl. attached*

Reference to previous correspondence :

*Colonial Office letter of 18<sup>th</sup> Dec. No. 30444/39*

*5* Description of Enclosure.

Name and Date.	Subject.
<i>To the French Ambassador of 29<sup>th</sup> Dec.</i>	<i>Proposed road between Yola (Nigeria) and Garoua (Cameroons)</i>

*By order of the Secy. of State*  
*(Signature)*

Similar letter sent to W.O.

No. C 2022/27/27

*D*

FOREIGN OFFICE, S.V.I.  
29th December, 1950.

Your Excellency,

With reference to Your Excellency's note No. 489 of the 24th September, in which you drew attention to the desirability, for strategic reasons, of constructing a road linking Yola (Nigeria) and Garoua (Cameroon), I have the honour to inform you that this question has now been examined by the competent British authorities.

2. I understand that the Government of Nigeria fully share the French Government's desire for the establishment of a good road connexion between the two territories, but they regret that they are unable in present circumstances to set aside funds for this purpose.

I have the honour to be, with the highest consideration,

Your Excellency's obedient servant,  
(For the Secretary of State)

His Excellency  
Monsieur Charles Gerbin, O.C.V.O.,  
etc., etc., etc.,

45

NIGERIA.

Government House,  
Nigeria.

NO. 1207

22 November, 1939.

*Dep.*

11 DEC 1939

Sir,

(2)

Referring to your despatch No.786 of the 11th of October on the subject of a proposed road between Yola in Nigeria and Garoua in the Cameroons under French Mandate, I have the honour to inform you that a similar request was this year addressed to me direct by the Governor of the French Cameroons and to attach a copy of my reply thereto.

2. The position remains unaltered excepting that the estimates, a copy of which is also attached, would not now cover the cost of the road owing to the increased price of materials.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Amis*

GOVERNOR.

*copy to 30*

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

&c., &c., &c.



Route "A".

Estimated cost of Rendering Maiduguri-  
Bama-French Border Road all season.

To necessary work of converting 70 miles of Road to all-season	...	...	...	£	3,500
Cost of Culverts	...	...	...		700
Bridges at Maiduguri	...	...	...		4,320
Bridge at Bama	...	...	...		3,960
Bridge at Bolango & Bank	...	...	...		3,500
Drift at Boundary	...	...	...		250
			Total:		<u>£16,230</u>

Estimated cost of Little Gombi, Pella, Mubi,  
Burha Route.

Route "C".

Item No.	Quant.	Denom.	Description	Rate	Amount.
1.	18	miles.	Conversion exist- ing dry season road to 3rd class standard, 4 cul- verts per mile.	£ 70	£1260
2.	7	"	Ditto through the Pella pass 8 culverts per mile.	£100	700
3.	22	"	Conversion exist- ing dry season road to 3rd class standard 4 cul- verts per mile.	£ 70	1540
4.	16	"	Construction 3rd class all season road 4 culverts per mile.	£100	1600
5.	200	ft.	Bridging over Mayo Yedseram	£12	2400
6.	75	"	Bridging over Mayo Digil	£12	900
					<u>£8400</u>

Estimated cost of Song-Zumo-Sorau-Belel-Demsa  
approximately 66 miles.

Route "B".

Item No.	Quant.	Denom.	Description.	Rate.	Amount.
1.	66	miles	Construction 3rd class all season road with an average of 4 cul- verts per mile.	£100	£6600
2.	2	"	Embankment over Mayo Kilinge swamps.	£600	£1200
3.	700	ft.	Bridging over Mayo Kilinge	10	£7000
4.	150	"	Bridging over Mayo Giriba	10	£1500
5.	100	"	Bridging over Mayo Pandi.	7	£ 100
					<u>£16,400</u>

30444/39 Nigeria B

C.O.

Mr. Rowley 18/9  
Mr. Hillier 2/10

Amud (4)

Q.D.  
R-200T  
D-6

Mr.  
Mr. A. J. Dene.  
Sir H. Moore.  
Sir G. Tomlinson.  
Sir J. Shackburgh.  
Permt. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

S.B.

Sir,

I have the pleasure to transmit to you a copy of a letter addressed to the Secretary of State for Foreign Affairs by the French Ambassador in London on the subject of a proposed road between Yola in Nigeria and Garma in the Cameroons under French Mandate and to request you to furnish me with a report containing the information necessary to enable a reply to be sent.

Yours faithfully,  
Malcolm MacDonald

DRAFT.

Nigeria

No. ... 786.  
Governor

Enclosure (1)

(Tolson)

FURTHER ACTION.

Copy to the  
Under-Secretary  
of State for Foreign  
Affairs for  
information  
ref: (1)

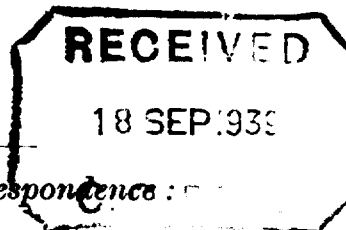
Copy to 3

(Sd) MALCOLM MacDONALD

In any further communication on this subject, please quote  
No. **C 13408/87/17**  
and address—not to any person by name, but to—  
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

THE Under-Secretary of State for Foreign Affairs presents his  
compliments to *the Under Secretary of State for  
The Colonies* and, in transmitting herewith, by direction  
of the Secretary of State, a copy of the under-mentioned paper, would  
be glad to be advised what answer should be returned to *the French  
Ambassador.*

Foreign Office,  
16<sup>th</sup> September, 1939.



Reference to previous correspondence:

*copy sent* (21) Description of Enclosure.

Name and Date.	Subject.
From the French Ambassador No. 460 of 8 <sup>th</sup> Sept.	Proposed road between Yola (Nigeria) and Garoua (Cameroons)

Similar letter sent to *W.O.*

COPIE

(C 28402/87/17)

No. 460.

Ambassade de France

en Angleterre,

Londres,

8 septembre 1939.

Monsieur le Secrétaire d'Etat,

L'attention du gouvernement français a été attirée sur l'intérêt qu'il y aurait à établir une liaison routière entre Yola (Nigeria) et Garoua (Cameroun); ces deux localités sont distantes d'environ 120 kilomètres. Si cette route était établie, il serait possible de relier ces deux villes par une voie qui ne serait pas affectée par les inondations régulières qui affectent la région du Tchad en saison des pluies.

D'après les indications reçues par M. le Ministre des Colonies, il semble que les autorités britanniques locales n'ont pas encore décidé si l'établissement de cette liaison méritait d'être promptement réalisé.

Le gouvernement de la République est convaincu pour sa part que, pour des raisons stratégiques, cette route devrait être établie dans le plus bref délai possible.

Je serais donc reconnaissant à Votre Excellence de bien vouloir provoquer une étude de cette question par les services britanniques compétents et de me faire connaître leur décision.

Veillez agréer les assurances de la haute considération avec laquelle j'ai l'honneur d'être, etc.,

(Signé) C. CORBIN.

Son Excellence  
Le Très Honorable Vicomte Halifax,  
Principal Secrétaire d'Etat  
de Sa Majesté Britannique  
aux Affaires Etrangères,  
Foreign Office.



30445

1939

30445

NIGERIA

REVISION OF LAWS.

Previous

Subsequent

1944

R98

29/10

Mr. Threlby

29/10

Mr. Williams

30

C.D

—

298

2/10

R98

17/10

Mr. Threlby

17/10

Mr. Sidebottom

—

298

18/10

R98

23/10

Mr. Threlby

23/10

Mr. Sidebottom

23/10

R96

23/10

98

—

FILE A.

C.O. 583 244

C.S. Legal.  
(Lansd).

1. H. Cox.

27.9.39

2

To: H.C. in connection with the revision of the last  
a quote that they may be fixed. to H.C. by  
air mail.

This is clearly a method of  
same urgency and I suggest that  
we send the ~~letter~~ envelope by  
Monday's air. mail under cover of  
an s/o letter to Mr. Woolley  
with attached draft copy.  
I also took a letter to Mr. Cox  
letting him know what we have  
done.

Chambers  
29/9

O.G.R. Nixon

30.9.39

DESTROYED UNDER STATUTE.

(Lansd) - so

DESTROYED UNDER STATUTE.

Woolley. (w/elt & orig) so  
encl

20 Oct 1939.

AKS

4. ~~Gen Table No. 553.~~ 13.10.39.  
DESTROYED UNDER STATUTE

Sets the policy containing 'copy' for her  
has been received.

Draft letter to Mr Cox,  
A. G. of Nigeria, or promised  
at (2)

Whomley  
17/10

Mr. Marshall

17/10 at home

5. To Cox ~~type~~ 18 Oct 1939.  
DESTROYED UNDER STATUTE

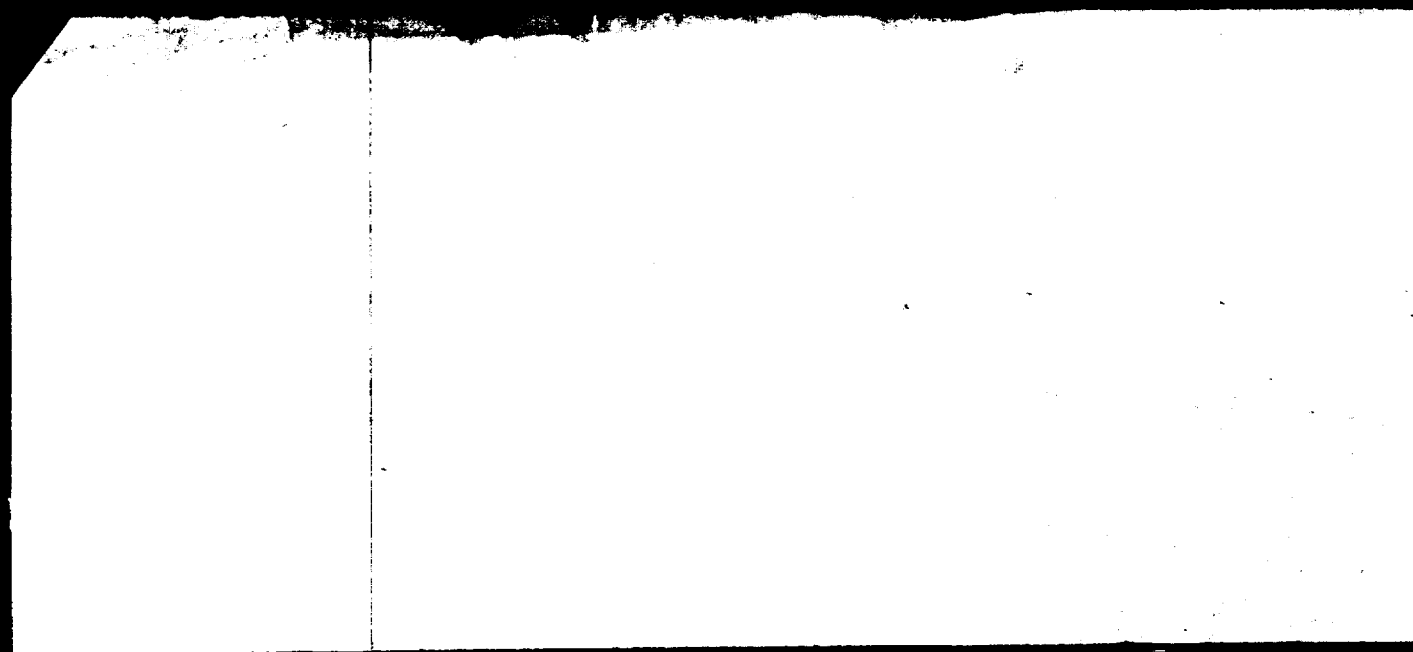
6. H. box. 18.10.39.  
Adm. 2. To further chapters of 'copy', and requests that  
they may be sent by air mail.

? Send envelope (at back) addressed  
to the C.R.L. to E.S. Nigeria, under  
covering a 3 p.m. ~~by~~ asking that  
it be handed to the A.G. ~~by~~  
air-mail

Whomley  
23/10

Mr. Marshall  
23/10 at home

7 Do Nguyen Ch. Sec. (w/ Padet) - s.p.k. AIE 31  
DESTROYED UNDER  
CAB



That it may be sent by the first  
available air mail to Lagos.

I personally am proceeding by air  
to Lagos on the 21<sup>st</sup> inst. and I had  
intended taking this copy with me,  
but I see from the <sup>included in</sup> list of things  
that cannot take by air with me,  
any printed or manuscript matter;  
as this includes both I have no  
alternative. I have addressed it to  
myself in Lagos as there are one  
who reference I need to make  
before sending it to Kaduna for printing.

I have the honor to be

Sir,

Your obedient servant

J.R. Cox

Attorney General  
Nigeria

#1  
RC

The Royal Asiatic Society  
Northumberland Avenue  
London W.C. 2

27<sup>th</sup> Sept 1957

The Under Secretary of State  
The Colonial Office  
S.W. 1.

RECEIVED  
29 SEP 339  
C. O. REGY

Consolidation of the laws of Nigeria.

Sir:

I have the pleasure to ask that the enclosed envelope may be sent in the Colonial Office bag by air to the Chief-Secretary in Government of Nigeria as soon as possible. It contains "copy" in connection with the revision of the laws which has been being done in Nigeria, having been appointed Commissioner for that purpose.

I have learnt from my clerk, Mr. [unclear], to whom the envelope is addressed that the operators who have come out from England specially for this work will be getting short of "copy" and as I am anxious that this should not be the case that the envelope should go by air.

623

May I ask you kindly to inform me, as it will be  
within your knowledge, if and when the air mail  
in question has safely arrived in Nigeria. The  
"copy" to me could consist of a considerable amount  
of reference acts applied to Nigeria, under the  
Nigeria in Colonial - eighteen chapters of the  
Nigeria Statute Law and I am naturally anxious  
to know that the work I have done has arrived  
there safely. I have, however, made a note of what  
I am sending you so that if the work happens to  
miss that I must do again.

I have the honor to be,

Sr,

Your Obedient Servant  
J. H. H.

Attorney General of Nigeria -  
Commonwealth Secretary to Law  
(a letter)

I know the C.R. will send this of to Kaduna  
from Lagos for me but if you think it better to  
send it direct to Kaduna, please do so.

J. H. H.



30446

1939

30446

NIGERIA

WAR EXPENDITURE CONTRIBUTIONS

Previous

Subsequent

30446/40.

R98	14/10			
Mr. Thorneley	17/10			
Mr. Sodele Wain	17/10			
Mr. Williams	18/10			
Mr. Dawe	18/10			
98	23/10			
Mr. Poy	24/10			
Mr. Thorneley	25/10			
R98				
Mr. Welsh	1/6			
R. 98.				

C.O. 583 244

G.S.

Title

Financial.

High  
to  
H.H.

1.

Gov. Tel. No. 550

13. 10. 59.

States that our Native Affairs in Calabar Province have offered £200 to Britain's war expenditure. Explains why contribution should be refused.

This is a grand gesture by the Oran N.A.s but we must, I think, agree that it should be declined in view of the parlous state of Nigeria's finances, and the very considerable extra cost now being made on the ~~state~~ local exchequer.

Draw up a draft Tel: to Governor in reply in the lines suggested by the Governor.

Alhambra  
17/10

I also feel that these papers should then go to Mr. Poynton for communication to the M. I with a request that the Ministry should give it suitable and wide publication, which I am sure would be tremendously appreciated and do a great deal of good in Nigeria. Such publication should however refer to 'Native Administrations in Nigeria' and should not mention this particular grant; as it is more than possible that similar offers may have been made to D.C.s who have not got through to the Top - and a deal of heartburning might then

? note by  
Mr. Curran  
29. on 16/6/39  
J. W. L.

be avoided.

A recent office circular ref:  
refers to offers of this kind is  
attached for guidance.

Whalley  
17/10

I do not think that this offer can be considered  
as being entirely genuine as that of Hongkong  
to which the Office holds refer, and I agree  
with the fact that it ought to be declined but  
with great appreciation. I submit a sketch  
of the <sup>above</sup> transaction. I think his Majesty  
should certainly see with a view to some publicity.

J. W. L.  
17/10

Daguer.

I hope that if publicity is given to the  
offer it will not lead to other Native  
Adm. making similar offers in the  
expectation of their being gratefully  
declined!

O. G. R. Williams  
18. 10. 39

AT  
18/10

2 — 20 Gov Nigeria } — 19.10.39 3  
Dec 10 544

Recd by  
in Popiton

M. Devine

I have imparted to the Commission in the M/I the fact that "former Administrations have made statements open to some degree in the prosecution of the law", & that that S.C., while greatly appreciating such offers, thinks that local magistrates should take precedence & that the <sup>mag</sup> jobs should be kept against future needs in the Administrations.

M. Devine  
24.

add

Shawley  
" 25/10

I have noted this on 1676/39 Genl.

Shawley  
28/10/39.

~~RAM~~

3. Extract fr. 'The Times' 25.10.39.

~~RAM~~

Seen by  
Mr Bowler  
(See slip on  
42345/39 IT.)

~~Extract fr. 'Daily Telegraph' 2.10.40.~~

2 — To Gov Nigeria } — 19.10.39 3  
Dec No 544

Receipt  
in Popiton

McDevine

I have imparted to the Commission in the M/I the fact that "Native Administrations have made spontaneous offers to assist H.M.G. in the prosecution of the war", & has that S.C., while greatly appreciating such offers, thinks that local law procedures should take precedence & that the <sup>major</sup> jobs should be kept against future needs in the Administrations.

W. G. W.  
24.

alt

W. G. W.  
25/10

I have noted this on 1676/39 genl.

W. G. W.  
28/10/39.

~~W. G. W.~~

3. Extract fr. 'The Times' 25.10.39.

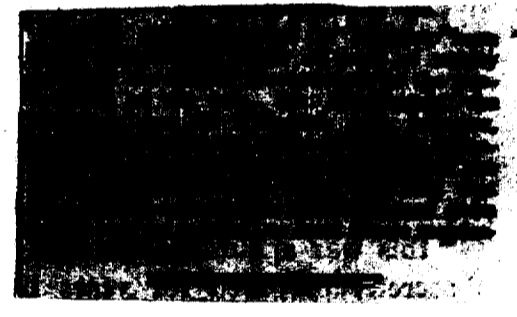
~~W. G. W.~~

Sent by  
Mr Bowler  
(See slip on  
42345/39 IT.)

~~Extract fr. 'Daily Telegraph' 2.10.40.~~

4  
3

Times 25/10/39



Put on file  
for record  
WJ

3046/39 *hygiene* 5

C.O.

C. D.  
19 OCT 20 1910

544

*Coded sent*  
*12.15pm*  
*19.10.10*

Mr. *Worthington* 17/10

Mr. *Lithman*

Mr.

*(b) - Yours ltr 550.*  
*ORON*

X Mr. A. J. *Dunn* 18.10

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shackburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

*Attn*  
*18/10*

*from water administration*

*offer quality appreciated ltr*

*please reply ~~in reply of 11.10.10~~*

*on lines proposed.*

SECCER.

DRAFT. *ltr ltr*

*Gov*  
*Hygiene.*

FURTHER ACTION.

*Re in ltr 10/10/10*

**COPY FOR REGISTRATION**

COPIED  
1.

**Telegram from the Governor of Nigeria to the Secretary  
of State for the Colonies.**

**Dated 13/10/39. Received 11.15 p.m. 13/10/39.**

RECEIVED  
16 OCT 1939  
C. O. REGY

**No. 550.**

ORON Native Administrations in Calabar  
Province have quite spontaneously offered contribution  
of £200 to Britain's war expenditure. Consider  
acceptance undesirable in view of financial situation  
and suggest you should reply expressing appreciation and  
gratitude but saying that in view of the heavy extra  
expenditure and loss of income which the war is causing  
to the Government of Nigeria you consider native  
administrations will serve the cause of the Empire best  
by conserving their resources in order to help the  
Government of Nigeria if called upon to do so.



30447

NIGERIA

30447

INFANT WELFARE WORK IN ABEOKUTA PROVINCE

Previous

Subsequent

1940

R98

C.O. 583 244

C.S. Medical (Title)

Nonical  
C.D.F.  
Infant.

W. G. Williams

D. O'Brien

2

Mr. O.G.R. Williams.

I have already mentioned to you the application for assistance from the Colonial Development Fund which Miss McCotter hoped the Nigerian Government would put forward on behalf of her infant welfare work, etc., at Abeokuta and elsewhere.

Miss McCotter, who is a W.A.N.S. pensioner and is now employed by the Abeokuta Native Administration, is at present on her way back to West Africa. She is a personal friend of mine, and called on me two or three times during her recent leave. She then told me of this application and asked what I thought about it; I had to reply, of course, that the future of the C.D.F. was in any case very uncertain now, <sup>but I said</sup> and that in normal times I thought that the application, if supported by the Government of Nigeria, might have had a chance of success; and that its chances would have been improved if emphasis had been <sup>made</sup> ~~made~~ not so much on the infant welfare work as on the midwifery training aspect.

I attach to this a copy of the local Resident's letter putting forward the application, and also a photograph which Miss McCotter left with me on her last visit here. You will see that the application is for a grant to enable sub-stations to be established or expanded at Ilaro and Owode, and to provide a second European Sister to run these two District centres and to relieve Miss McCotter during her rare occasions of leave. (Miss McCotter must be well over 60 now; but she has a habit of doing two years' tours in West Africa). I do not know

whether

whether you have heard anything from Nigeria about this application, but I thought I had better let you know about it.

G. C. Gray

25th October, 1939.

Mr. Thomas met Miss McCallin last

August. &c.

He appears to have no papers about this. Have you any doubt?

O. G. R. Williams

26. 10. 39

Mr. Williams

Miss McCallin who is an old friend of mine came to see me on two occasions regarding this application. I explained to her the procedure & told her that nothing could be done under the Govt. of Nigeria excepted her application or applied themselves. This she well understood & expressed the hope that I would back the scheme should it be put submitted for. I promised her I would.

Miss McCallin has been doing splendid work at Abeokuta which I would like to see excluded.

I attach a photograph which she

left me which will interest you. <sup>3</sup>  
Would you please return it.

Done  
O.G.R.

O. G. R. Williams

27/10

R. for record kept

at home

O. G. R. Williams

27/10/39

at home

4

ENCLOSURE TO 30447/39 NIGERIA.



Resident's Office,

Abeokuta,

19th July, 1939

The Honourable the Secretary  
Western Provinces,  
Ibadan.

Infant Welfare work in the  
Abeokuta Province.

I am informed by Miss McCotter, Sister-in-Charge of the Egba Native Administration Infant Welfare Centre, that on the 11th of July, His Excellency was graciously pleased to grant her an interview at which she urged that a grant should be obtained from the Colonial Development Fund in order to extend Infant Welfare work in this Province. Miss McCotter states that His Excellency was doubtful as to whether such assistance would be forthcoming but authorised her to submit a written application through this office.

2. In discussion with Miss McCotter it was agreed that I should write, so as to save her the trouble, but she has seen the draft of this letter and has stated that it meets with her approval.

3. At the outset I would observe that, according to the annual report for 1938, the population of the Abeokuta Province was 536,499; and that, so far as I can trace from the records in this office, the grants received from the Colonial Development Fund, as recorded in the Auditor's letter No. N.A.19/53 of the 16th of November, 1936, are as follows:-

August 1932	Egba N. A.	£105	Sanitary Improvements
" "	Ilaro N.A.	£140	" "
October "	Egba N.A.	<u>£ 20</u>	" "
	Total	£265.	

4. In the ten years that have elapsed, therefore, since the Colonial Development Fund was instituted the natives of this Province have enjoyed assistance to the

extent

extent of 0.1 pence per head of the total population. If I have read His Excellency aright in a Confidential despatch dated the 5th of April, the Colonial Development Fund provides annually a sum of one million pounds which is distributed amongst some sixty million inhabitants of the Colonies and Protectorates. In ten years the amount by which each of those inhabitants might expect to benefit would appear to be  $\frac{3}{4}$ <sup>s d</sup> so it is clear that the people of the Abeokuta Province are entitled to some further consideration.

5. One has only to visit the Abeokuta Infant Welfare Centre at 6.0 a.m. on any morning of the week to realise how much the work is appreciated by the Egba women; while the eulogies in the Inspection Book of Governors, Lieutenant-Governors and Chief Commissioners who have paid a visit indicate in no uncertain terms their own estimate of the value of the work performed. If I observe finally that the average daily attendance for the month of June, 1939, was 548 I trust I have left no room for doubt as to whether money provided for the extension of this work will be well spent or not.

6. Important as the actual welfare work itself is, however, perhaps of even greater importance, taking a long view of the subject, is the training which is afforded to African girls in Midwifery and Infant Welfare Nursing as a result of which the Egba Centre claims to be the only institution in Nigeria which practises Midwifery in the houses of the native women. In this connection Miss McCotter writes as follows:-

"Since the Centre was opened 18 midwives have been trained and passed the Local C.M.B Examination. The training is for a period of 3 - 4 years. The midwives attend the women in their homes and nurse them during the puerperium. The infant is brought daily

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3  
 5/20/17/9/12/20

daily to the Welfare Centre. Three girls also were trained for the Baptist Mission and are doing good work. Two Nurses have been supplied to the Ife-Ilesha Division of the Oyo Province. The Oni has asked that two Ife girls be trained at this Centre while two Nurses have been working at Lagos. At the moment 14 pupils are in training for Midwifery and Infant Welfare."

7. There is also in this Province a second Infant Welfare Centre at Ilaro in the Ilaro Division which is run by an African Assistant. Here, however, the average daily attendance for the months of January to June, 1939, inclusive was no more than 12 and Miss McCotter feels that if European supervision could be given the popularity of that clinic would increase considerably.

8. The question will naturally be asked as to what the Native Treasuries themselves are contributing to this work. The answer is that in 1938-39 the Egba Native Administration incurred actual expenditure to a total of £862 which was partly offset by receipts of £239 in fees. There was thus a net loss to the Treasury of £573 and in the current year it will be greater by the amount paid for Miss McCotter's return passage to the United Kingdom if she proceeds on leave as at present arranged. The Ilaro Group Native Treasury disbursed a total of £87 and received £23 in fees. There was thus a net loss of £64.

9. It may be thought that the Egba Native Treasury with a revised estimated revenue for 1939-40 of over £47,000 (exclusive of Reimbursements for Government works) could reasonably devote a little more than 1% of that Revenue to work of this nature. But the revised surplus at the 31st of March, 1940, is under £20,000 and before it can undertake any additional expenditure it is essential that the Treasury should increase its reserve funds. The same remark applies to the Ilaro Group Native Treasury which anticipates

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10  
END

as follows :-

<u>1. CAPITAL</u> (Non-recurrent).	
(I) Erection of Clinic at Owode	£200
(II) Furniture and Equipment for Clinic at Owode	30
(III) Furniture for quarters at Abeokuta	20
(IV) Furniture for quarters at Ilaro	50
Total	£300

(Note). Partly furnished quarters are available at Abeokuta.

<u>11. ANNUAL</u>	
(I) Salary of European Sister	£300
(II) Transport Allowance at £10 per month for an average mileage of 1,000 miles per month	120
(III) Passage U.K. to Nigeria and back (£104 every second year)	52
(IV) Salaries of 2 African Maternity Nurses at Owode @ £36 each	72
(V) Provision for additional drugs, dressings etc. for Ilaro and Owode	100
Total	£644

13. I have therefore to request that the Advisory Committee may be asked to consider a grant from the Colonial Development Fund of £300 for capital expenditure and £650 per annum for four years to extend Infant Welfare work in the Abeokuta Province. It is suggested that after three years the matter should be brought up for consideration as to whether the grant should be continued at the end of the four-year period or not.

(Sgn) I.W.E.DODS  
 ACTING RESIDENT  
 ABEOKUTA PROVINCE.

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C. S. Cameroun  
Plantations.  
Agre

2

1. Gov. Tel. No. 611 Baf. ——— 28.10.39.  
Enquires whether a suitable man can be found to  
manage the Cameroun plantations.

This tel: is self-explanatory. There  
ascertained from M<sup>r</sup>: Melville that  
M<sup>r</sup>: Gant is the representative of Elders  
and Tyffes who are handling the  
purchase of the Banana crop and who  
was sent to Nigeria from French W.A.  
to negotiate the question of purchase  
with the Nigeria Govt.

I have mentioned the matter also  
to M<sup>r</sup>: Tohy and suggest that this  
file shld: go to him via M<sup>r</sup>: Melville.  
Shld: seem to be a question for  
discussion primarily between Sir F.  
Stockdale, Econ. Dept. and the Econ.  
Dept.

I do propose.

C. K. Shawley  
3/10

N.B. The Cameroun Plantations papers  
are at present in circ: with the  
Defence Section and I have not  
held up this file for them, as this  
is somewhat urgent.

C. K. Shawley  
31/10

Sir Frank Stockdale.

I pass this through you <sup>with the best intention</sup> as I think you  
are more likely than anyone else to be able to  
suggest

suggest (a) the best way of and (b) the best source from which to meet this requirement. No indication is given of what salary would be payable or from what source it would be met. Presumably, the Custodian of Enemy Property would meet it from funds released from the sale of plantation produce, but this point would have to be cleared up. The first step is to find someone. Would the I.C.T.A. or the Jamaica Government be able to help here?

I am sorry not to send on the main file, but as you will see from the previous minute, it is in circulation.

*J.P. Stockdale*

31.10.39.

Appointments had an application the other day from a Britisher with considerable experience in banana cultivation in Central America. The person concerned is now in this country & offered his services for any post for which he might be considered suitable in the Colonial Empire. He is obviously the man to consider, if after interview he is considered suitable and if the references he can give in this country are satisfactory.

Pass to Appli for the papers of the applicant above & refered to. An early interview might be arranged when a decision on the salary issue might take place. It should be somewhere between £500 & 600 for the person concerned, as he has had several years banana experience.

*J.P. Stockdale*

1/11

How are his references. He is drawing \$750.

*M.S.*  
8/11

I don't know if Economic Dept. has anything to say about this. Gun seems only a minor interest.

J.P. Barlow

1/11

As to Stockdale before.

*Colclough*

1/11

I agree, but ~~Mr. Stockdale~~ Mr. Hibbert ought to see the Enemy Property

If this man is not an inspection satisfactory, perhaps in any case, we ought to consult Mr. Stockley, Managing Director of Elders & Fryffs, Mr. Gent's firm. He told me they were very ready to help us with personnel of this kind.

*G.L. Rawson*

3/11

I see no objection to the proposal - in a colony it is to be welcomed, since the main duty of the Custodian is to see that enemy property, such as plantations is preserved - as his responsibility was stressed in a circular telegram sent on the 26 Oct. (N-107). Nor do I see any objection to the assumption of Mr. Stockdale at 'A' in his minute.

*Stockdale*

3/11

He has already asked the Comptroller referred to (Mr. Long) to call at an early date? Has he replied? Fully 6/11

No reply in yet.

Regy 6/11

P.T.O.

Appts 32774

Sir F. Stockdale: Mr. R. B. Longe seemed likely to be very suitable for this - see esp. No. 8 on his file. He has, however, withdrawn (No. 14). If, as you suggested over the telephone, Mr. Clason is capable of enquiring as to speaking to his employers, & mentioning Mr. Longe, he will (in fairness to the latter) make it clear that Mr. Longe's initial enquiry was referred to any useful form of war service that he was not suggesting employment connected with the banana industry. In fact he only approached us because he thought that the Admiralty wd. not want him. The banana suggestion was made by us & he has clearly been very logical & this from what we have as we also noted who wd. appear to be suitable. J. Ashford 7/11/39

(11/11/39)

(3)

Mr Clason,

You will see from Appls that Mr Longe has stated that his company will not release him. He is employed by the Compagnie des Bananes in the French Cameroons & I gather that he is due to go back sometime next week.

You know Mr Stockley & perhaps you might be disposed to ring him up. I think it might be said that we would like Mr Longe if he could be spared

J. Ashford  
8/11

I have discussed the question with Mr. Stockley.

He says that he knows all about this business. He cannot withdraw Mr. Longe from the Cam., where he is second-in-command, without finding a substitute. He is seeing a man who might do as substitute to Longe & Mr. Longe on Monday. If the man he sees to-day will do, he will release Mr. Longe. He wd. come to this way as it wd. give Mr. L. a leg up to put him in sole charge.

Mr. Clason has since heard from Mr. Stockley that he was got a substitute & that he is prepared to release Mr. Longe. A. J. Cook 13/11

? Wait.

G. L. R. Clason  
8/11

O. G. R. Villiers  
8. 11. 39

See minute in Appls file 32714 (R. B. Longe)

J. Ashford  
12/11

And mine. ? You will telegraph Nigeria as suggested. No question of appt. to a scheduled post office so I do not think a submission to the Colonial Service App. Bd. is needed.

A. J. Cook  
14/11

typed by J. Ashford  
included assumption of A. J. Cook's name in my minute of 31.10. Ask for confirmation of the  
14/11

Presumably he wd. be wanted for the duration of the war & such time after as was necessary to enable the plantations to be released from the Order



passages provisionally for Mr. Longe  
 & his wife on the 16<sup>th</sup> & if for  
 any reason the appl. falls through  
 Elders & Foyles will take them  
 over - Mr. Longe is arranging in  
 this with his firm's Passage  
 Dept. C. A. would like written  
 authority for booking these passages  
 & perhaps Dept. would arrange  
 for this to be sent <sup>immediately</sup>. I have also  
 asked Mr. Stanford of the Passport  
 Office to help in the matter of  
 an exit permit, explaining  
 that Mr. Longe is not yet appld.,  
 & he will see that this goes through  
 with the minimum of delay.

Mr. Longe is going to call on  
 me again on Thursday at 2.15  
 for further information, so may I  
 be informed, please, <sup>as soon as</sup> any reply  
 is received. He is in considerable  
 difficulties to know what to take  
 with him in the way <sup>of</sup> ~~articles~~  
 linen, cutlery etc. as this is  
 all found in his present job.  
 I said that I thought a grant  
 would be given him on arrival  
 to meet such expenses if he  
 had to sail without getting them  
 here.

N.B.

6  
 He would personally like to go to  
 Nigeria, but is afraid that if he  
 is allowed to get back to his old  
 job, his firm will not be prepared  
 to release him again.

A.S. Lock,

12/12

To Governor Nigeria Tel no 733.  
 12. 12. 39.

DESTROYED UNDER STATUTE

Copy of 4<sup>th</sup> 95  
 for appl. file  
 of Mr. Longe

see note sheet: Ref. (5) states he prefers not to proceed with appl. considered  
 Longe not sufficiently experienced or qualified

Mr. Lock has been advised re: (6) by  
 telephone. Summary 14/12.

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Mr. Sidebottom.

7

We spoke. Mr. Longe called again this morning. The French Consulate cannot guarantee letting him have a visa in under five days to a week, so that the possibility of his sailing this Saturday to return to the French Cameroons to continue with Elders & Fryffers no longer appears to be practical politics. His ~~return~~ <sup>with</sup> ~~is~~ <sup>is</sup> ~~suggested~~, therefore, have to postpone his sailing until the next boat in any case & he suggested that we should do the same in respect of the provisional sailing arrangements made by me with the C.A. This will mean that Rex will be ample time for a visit from Nigeria & also will give him a chance of getting any cutlery, linen etc., which he would not otherwise have needed, if he does go to the Br. Cameroons. It can always be explained to Nigeria, if necessary, at a later date that it was not found possible to complete his sailing arrangements in the limited time available & that he is, therefore, catching the next boat.

You

About the 23<sup>rd</sup> Dec., to the C.A. full on.

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x  
Lange & wife

You agreed that it would, in the circumstances, be more satisfactory to postpone his sailing & I have informed the L.A. accordingly by phone. Perhaps you could arrange for this to be confirmed in writing - the passages to be taken over by Elders & Dyffer (whom Mr. Lange informs are as prepared to do so) if the appl. falls through. C.A. will get in touch with Mr. L. regarding the necessary agreement etc. as soon as they hear from us that he is apptd.

Mr. Lange will call on me again on Friday morning for further information.

A.J. Loch  
12/12.

6. Gov. Tel. No 837 \_\_\_\_\_ 13/12/39  
Refs. (5) States he prefers not to proceed with appl. considers Lange not sufficiently experienced or qualified

Mr. Loch has been advised by telephone  
Re. (6). ~~Advised~~ 14/12.

8

Sir F. Stockdale.

We cannot with this press be long away further on the job. For the same <sup>general</sup> reasons it is presumably undesirable to pursue the channel suggested by his clause in his minute of 3/11 above. Colleagues suggest can you please advise as to whether we should now approach Jamaica etc. so we should presumably ~~soon~~ <sup>soon</sup> communicate with you in the first instance. makes it is worth while sounding E.C.T.A. informally with that organization first. I pass this thought over to Mr. Loch who should see before tomorrow morning when he is seeing Mr. Lange again.

I gather a Mr. Probert was on leave from his office in going to discuss the matter with you. The first evidently ~~ambivalent~~ <sup>ambivalent</sup> a rather serious appointment.

The Governor in Virginia is being very difficult in regard to this. I have heard <sup>from unofficial sources</sup> that there are some indications of non-co-operation on the part of some of the Germans and that supplies of fuel from their relatives have not come up to expectation. The cause for this I do not know nor has the Governor told us anything about it - officially

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They will not find a man with better personality  
nor with better experience than Mr. Longe,  
whom it will be seen has had 19 years  
experience with business in Jamaica, Guadeloupe  
Colombia, St. Vincent, Grenada and the French  
Camerouns.

Enquiry from Jamaica for a man could hardly  
be made after the vigorous protests which have  
been received from the industry there and from  
the Governor in regard to the admission of  
Cameroun bananas into the United Kingdom  
market and to the arrangements made for  
their transport here.

Further we could not go to Vestey's when it  
has already been decided that the business  
of transport from the Camerouns is to be  
entrusted to Elders & Dyffers.

Objections from Nigeria may have been stimulated  
by Mr. Greenidge, who is Attorney General and who  
interested himself in bananas in British Honduras  
and by Mr. Colley, who with his Jamaica experience  
would be opposed to Messrs. Elders & Dyffers. These  
need not be taken seriously. The only difficulty  
which may be experienced is the Germans not  
co-operating with Elders & Dyffers, but there  
is no reason to suppose that Mr. Longe would not  
be able to get on with the Germans well.

Mr. Longe is due to sail on Dec 23<sup>rd</sup> & I would  
suggest that we set out in greater detail his  
various experiences, inform the Governor of the  
representations from Jamaica and that we  
would propose to make the offer to Mr. Longe  
at £840 p. annum, with such addition

9  
as compensation for <sup>lack of house</sup> furnishings, etc. as the  
Governor may determine. The agreement should be  
for one term of 18-24 months.

F. A. Stockdale  
14/12

I entirely agree with Sir F. Stockdale.  
I regard the suggestion to import a  
private spy of Vestey's as outrageous,  
& I shall be full Sir F. Stockdale's  
objections to approaching Jamaica.

C. L. M. Dawson  
14/12

I submit draft telegram, which I am passing  
through Sir F. Stockdale ~~and Mr. Greenidge~~. Please  
at once if you agree.

O. G. R. Wilson  
15.12.39.

I have added to the draft telegram after discussion  
with Mr. Roebuck this morning. He says that estate  
managers salaries range from £600 - £1200 per  
annum, and he feels that the person selected  
should have a salary which would enable him to  
maintain prestige of position.

Mr. Roebuck was obviously rather doubtful that he had  
not been given complete charge of this work. He said  
that he had volunteered to stay on in the Camerouns  
until June next before taking leave, but this was  
not agreed to, and he further added that as he  
could retire it was probable that he would not  
return to duty in West Africa.

F. A. Stockdale  
15/12

4 To forward Nigerian tel 749.  
15.12.39

the 56  
on 12/19  
Lange

8 Gov. Tel. 861 Conf. 19.12.39  
Suggests that agreement for 1 ton should be offered at  
£1,000 p.c.

I have spoken to Sir F. Stochdale who  
considers that the terms in 8 & 9 to be  
acceptable to Mr. Long. Mr. Lock  
is expecting Mr. Long to ring him up to day  
& if this happens he will tell Mr. Long that  
an offer with the terms of 8 will be sent  
to him. Now write to him offering him  
approx. on terms indicated in 8. to be  
sent on 25 Dec. This is very late  
time to arrange for his med. exam: but  
Mr. King, with whom I have spoken, will try to  
arrange for this to be done before tomorrow.  
I send the thing to Mr. Lock.

O.G.R. Melrose abscon  
20.12.39

Offer has been prepared after  
speaking to Mr. Fanchough. I have  
deleted the clause in the agreement  
relating to W.O. Pension Contributions. The  
hon. should in due course be uniform  
J. King  
20.12.39

Trans 5697  
9 To G.A. (re offer letter) 21/12/39  
Nigeria tel 491 Conf 22.12.39

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Recie for  
despatch  
See p. 15

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11/8

Telegram from the Governor of Nigeria to the Secretary  
of State for the Colonies.

Dated 19th. December, 1939. Received 4.5 p.m. 19th. Dec. 1939.

~~SECRET~~

RECEIVED  
20 DEC 39  
C. C. REG

IMMEDIATE.

No. 861 Confidential.

7. Your telegram No. 749. I accept your view. Appointment will carry housing and heavy furniture but not linen, silver etc. therefore propose salary of £ 1,000 per annum with passage(s) and leave similar to Government conditions. If you concur, offer Leave agreement for one tour of eighteen to twenty four months. Appointment will be under the Custodian and not the Government.

30448/39

C. O.

- Mr. Williams. 15/12
- Mr. F. Steadale 15/12
- Mr. Chas. 15/12
- Mr. A. J. Dawe.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

CODE.

see minute.

Immediate.

No. 749 Confidential.

Your telegram No. 837 confidential.

I have consulted my advisers who <sup>(after personal interview)</sup> are fully

satisfied as to suitability of Longe ~~who~~ <sup>both on grounds of personality & in view of</sup> ~~has had~~ 19 years experience with banana plantations

in Jamaica, Guatemala, Colombia,

Italian Somaliland and French Cameroons.

Enquiry from Jamaica could hardly be made

the after/vigorous protests which have been

received from that Colony with regard to

admission of Cameroon bananas into the

United Kingdom and to <sup>propose</sup> transport arrange-

ments. <sup>suggestion of</sup> ~~however~~ Alternative application

to Vestey's hardly practicable now that it

has already been decided that transport

business from Cameroons is to be <sup>entrusted</sup> ~~contracted~~

to ~~Mr.~~ Elders and Hiffes. ~~Subject, therefore,~~

~~to your concurrence,~~ <sup>propose</sup> to offer him

~~Longe~~ agreement for one tour, from 18-24

months at <sup>not less than</sup> £840 p.a. with such addition as

compensation for lack of house furnishings

etc./

DRAFT. TEL.

IMMEDIATE.

LAGOS.

GOVERNOR.

for 29/5

Remove such information as my advisers have does not indicate likelihood of obtaining any candidate from Jamaica with qualifications approaching those of Longe.

having regard to protective attitude taken up by that firm in the past to the Colonial & particularly

FURTHER ACTION.

Jamaica banana industry are particularly

In all the circumstances I am satisfied that Longe is the only immediate candidate & probably better than any other who could be found. I hope you will agree

Accepted 8th month 12/17  
dated 9.15 pm 15.12.39

to 16/1-

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etc. as you may determine. *Roebuck has been cancelled and he*

2. Please reply <sup>*to immediate*</sup> ~~early as possible~~

as Longe due to sail 23rd December to  
resume duty in French Cameroons if not  
engaged by you.

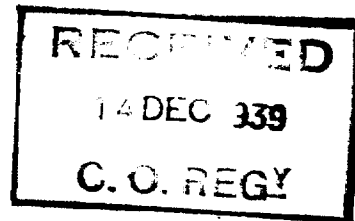
*suggested that salary  
proposed might be too  
low if person named is  
to maintain prestige of  
position. He says that state  
manager salaries range  
from £600 to £1200 per  
annum.*

COPY FOR REGISTRATION 30448/39

B 6

TELEGRAM from the Governor of Nigeria to the Secretary of State for the Colonies.

Dated 13th December, 1939. Received 5.09 p.m. 13th Dec.



Rm 98 10.50 AM 14/12/39

IMMEDIATE.

No. 837. Confidential.

Your telegram No. 733. Prefer not to proceed with appointment of Longe is not sufficiently experienced or qualified.

Interests of Elders and Fyffes Ltd. in plantation are not necessarily identical with ours and it would be preferable for our purposes that post of Plantation Manager should be held by a man unconnected with them who would not be reluctant to take independent attitude. Woolley states that he feels sure a man possessing requisite qualifications could be found from Jamaica and I would be grateful if enquiries could be made from that source. Should regard salary of £1200 to £1500 with usual Government housing and passage concessions etc. as justified for suitable man. If no good candidate available from this source should like to follow up suggestion made by Vestey's that they might supply man to satisfy our requirements.



*Amund. J. ... sent p. 5/11/39*

C. O.

Miss Macpherson. 15. XI. 39  
Mr. Oldenwards 15/11  
Mr. Littletham 15/11  
Dr. Ffitchdale 15/11  
Mr. J. ... 16/11  
Mr. Williams Water  
Sir H. Moore.

No. 639 Confidential.

Sir G. Tomlinson.  
Sir J. Shackburgh.  
Perm. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

Your telegram No. 611

(1) Confidential. Through the good

offices of Managing Director of  
Elders and Fyffes it would be  
possible to secure the services

of Mr. R.B. Longe, at present

Assistant Manager of the

Compagnie des Bananes in the French

Cameroons, a subsidiary of Elders

and Fyffes. His present salary

is £60 per month and all found,

including household linen, silver

etc. and servants. He would

like to know if he would be

provided with furnished house in

which everything is found, and

wishes to bring wife out. A

salary of not less than £70 per

month would be necessary and possibly

more

**C. D.**  
R 18  
D 18

*amund*  
**DRAFT.** TELEGRAM

GOVERNOR

LAGOS

**FURTHER ACTION.**

*Copy to be placed  
in 32774 app'ts.*





R. 5.

Title.

Slave  
Geary (Herald).

1. Sir W. Geary (S20/39) 2 3. 11. 52  
Reports & report on the alleged usurpation of the  
Sheftainy of Slave.

The Registry knows nothing of Alawe of  
Slave or of his "constitutional representations"  
(p. see encl. to 1 - half-way down)

I would suggest a despatch to the Governor  
with copies of 1 & encl., inviting him to  
furnish, if available, information respecting  
Alawe of Slave's <sup>since 1923</sup> activities on this subject &  
of the Nigeria Govt's action.

As Adebayo has definitely asked Sir W. Geary  
to take up this matter I fear it will be  
impossible to eliminate the latter from the  
business [e.g. by encouraging Adebayo to submit  
a petition, on his own account, in the  
proper way]

? As proposed in my 2<sup>nd</sup> para. &  
~~with~~ a letter to Geary, ack. (1) &  
informing him of action taken.

M. D. Webber. 7/11

The proper way of getting representations on such a matter as this started is, as it was proposed to inform Sir William Geary (see paragraph 2 of No.2 on 30022/88/37 below), by making representations to the Governor through the Administrative Officer in charge of the district to which the petition relates. I find nothing to indicate in the enclosure to No.1 whether this course has or has not been followed and Sir William Geary now asks us to obtain a report. I think we should discourage <sup>in W.G. camp</sup> this method of getting the matter raised, and, if you agree, I should propose to explain to ~~Sir William Geary~~ <sup>him</sup> the proper method and suggest that he should advise his client to follow it in the first instance if he has not already done so. Refer, as regards the last paragraph of Sir William Geary's letter, to the reply sent to him on the 3rd of November (No.9 on 30109/124/39 below).

J.B. Sutherland

7.11.39.

I agree that we should proceed as you suggest.

10/11/39 H. Duncan.

Typed off omni accordingly.

J.B. Sutherland

10/11/39 atms

9 attach d/f encs.

H.E. Webster 10/11

2 To Geary - among 1 - 14/11/39

3. Sir W. Geary (89 a/39) 15.11.39.  
States that there have already been discussions between Adeboye and Govt. Requests that the Govt may be asked for a report.

Mr. Duncan.

Sir William Geary's activities in this country on behalf of his client in Nigeria should, I think, be discouraged so far as possible. No. 2 has not succeeded in putting him off and he again asks for us to ask for a report. I should be inclined to reply that while the Secretary of State fully appreciates that discussions may have taken place between his client and the local authorities in Nigeria, Mr. MacDonald regrets that <sup>until</sup> representations ~~of this character~~ from a person resident in a Colony ~~should~~ reach him through the proper channel, i.e. through the Governor, as <sup>paid down</sup> ~~no doubt~~ in Colonial Regulations he is not prepared to take any action in any particular case.

and Send copies of correspondence i.e. 1, 2, 3 and above reply to the Governor lf. for inf. <sup>+ enclosure</sup>

J.B. Sutherland

16.11.39.

M. Sidebottom.

I should be inclined slightly to modify your proposed reply and say that the S.O.S. notes that he has written to his client as requested in para. 2 of

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30449/39 Nigeria.

(\*3950-194) Wt. 4000-29 20,000 2/20 T.S. 085  
(\*4940-194) Wt. 25498-28 20,000 2/20 T.S. 085

Downing Street,

20  
17 November 1939.

C. O.

Mr. Webber. 17/11

Mr. Sidebotham. 17/11 p

Mr.

Mr. A. J. Dawson.

Sir H. Moore.

Sir G. Tomlinson.

Sir J. Shackburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Sir,



52.

I am etc. to acknowledge

your ~~farther~~ letter 89a/39 of the

(3) *from which it is noted*  
15th November ~~concerning your client~~

Mr. J. A. Adebayo.

~~2. The Secretary of State notes~~

that you have written to your client

as suggested in paragraph 2 of the

(2) letter 30449/39 from this Department  
of the 14th November.

2. Mr. MacDonald appreciates,  
of course, that discussions may have  
taken place between Mr. Adebayo and  
the local authorities in Nigeria; but,  
as you are no doubt aware, Colonial  
Regulation 184 lays down that any person  
in a Colony who wishes to address the  
Secretary of State must transmit his  
communication to the Governor requesting  
him to forward it in due course to the  
Secretary of State.

DRAFT. *crsm*

SIR WILLIAM NEVILL M. GEARY, BT.  
Oxon.  
Hoath,  
Tonbridge.

*Ch. M. G. (S)*

**FURTHER ACTION.**

Copies of 1 and  
enclosure, 2 and 3  
to Governor, Nigeria  
lf. for information.

S. ~~W~~ I am to <sup>adv</sup> inform you that a copy of  
the present correspondence is being forwarded  
to the Governor for his information.

I am, etc.

(sgd) O. G. R. Williams.



Your letter 30449/39 .

*Per 16.11. 28 5 3*

From Sir William Nevill M. Geary Bt. Oxon Hoath Etonbridge 89a/39

To the Under Secretary of State Colonial Office 15/11/1939

Sir ,

Re J.A. Adebayo .

I beg to acknowledge yours of yesterday , ref. no. as above .

I should deem that it is quite clear from the enclosure that there has already been a discussion , perhaps an acrid discussion , between my client and the local authorities , will you re-read the enclosure

However ex abundante cautela I have already asked for further information , and will repeat the request contained in yours .

Meanwhile to save time will you call for a report as craved by me your most obedient humble servant

*Wm Nevill M Geary*

Solicitor for Adelsnago , claiming to be Alawe of Ilawe

*Copy 11/15/39*

*2*  
*2007 4*

30449/39 Nigeria

6

Downing Street,  
November, 1939.

answd. 3

2  
C.D.  
NOV  
14

C. O.

- Mr. Webber. 10/11
- Mr. Sidelothan 11/11
- Mr.
- Mr. A. J. Dase.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shuckburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Sir,

With reference to your

(1) letter 82a/39 of the 3rd November requesting a report on the matter raised by Mr. J. A. Adebayo in the enclosure, I am etc. to explain that representations of the kind put forward in Mr. Adebayo's letter should be made in the first instance to the Governor through the Administrative Officer in charge of the district concerned.

**DRAFT.** for conson.

Nevil M  
SIR WILLIAM GEARY, BT  
Oxon Hoath,  
Tonbridge,  
Kent.

ed p. 11/11

*This note from the enclosure begins with under reply whether this procedure has in fact been followed and*

**FURTHER ACTION.**

2. I <sup>am</sup> would therefore <sup>to</sup> suggest

that you should advise your client to follow/

*adopt this course*  
~~follow this procedure~~ in the

first instance if he has not

already done so.

3 With reference to the

second paragraph of your letter

I am to invite your attention to

the reply (30109/124/39) sent to

you from this Department on 3rd

November.

I am etc.

(9 m 30109/124/39)

Copy

Sir William Nevil M. Geary Bart  
Oxon Hoath  
Tonbridge  
Kent  
England.

69 Baddley Avenue  
Ebute Metta  
Lagos.  
2/8/39.

Sir,

I have the pleasure to approach you upon a political matter in which my interest is extraordinarily concerned.

I have often heard of your unpoluted activities on the matter of Klewu of Ewu since the question has been handed over to you.

My own matter referred to above is almost exactly the same as that of Klewu of Ewu.

In outlining this particular case of mine, I have to point out that my father Alawe of Ilawe is the plaintiff. Alawe of Ilawe is one of the independent Native rulers of Ekiti land from time immemorial by virtue of his position and right as one of the direct sons Odudua (The traditional father of Yoruba Obas). By virtue of this right and position, the Alawe of Ilawe, as an Independent Native Ruler wore a crown and managed his own district affairs independent of any native ruler until 1923 when a usurper laid a provoking challenge on Alawe's right and position. Though Alawe of Ilawe has been very much active against this challenge in constitutionally representing the matter to the Government and demanding for a settlement to be effected, yet,

As you will realise in a matter of this sort, several stages have been reached, several atrocities have been perpetrated at Ilawe and the Government turning here and there has not since effected any settlement.

Practically the matter is now at a stand still and the condition miserable and unsettled.

In view of your activities on the Klewu's case, I adore you as a defender of native rights and liberties.

I shall be glad, therefore, to know if you will be pleased to take up this matter and assist me and my people of Ilawe to fight the matter to a successful end.

Should you be prepared to accept me as your client in this case I shall prepare the full details of the matter ready for your arrival in the Colony or forward them to you in England according to your directions.

I have the honour to be  
Sir,  
Your obedient Servant,

J. A. Adedunjo

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*[Faint, mostly illegible typed text, possibly a letter or official document.]*

3/11/19  
 To the  
 Sir.  
 Re  
 Will yo  
 I do no  
 no nati  
 Govern  
 govern  
 2 I wou  
 x to Koku  
 ernment  
 I am yo  
 8 on 30/09/124/3  
 Date: 24/10/19



B.S. Nominal,

1. F.C. Royce.

Comments on the present situation in Nigeria.

17. 11. 59.

2

Mr. Dave.

For the history of Mr. Royce see Mr. Creasy's note at 85A and Mr. Fiddian's minute of 19/10/55, both on Mr. Royce's personal file.

I do not think you need read his long letter, which is a curious mixture of shrewd and possibly, to some extent, justified comment with other criticism which, to say the best of it, is biased, and some of it is so wrong-headed as to be absurd. In paragraph 4, for instance, he refers to Nigeria as a rich country. Whether it could in the future be made rich depends on so many at present unknown factors. But what ought to be clear to anybody with Mr. Royce's experience of the country is that it is a poor country, and that its poverty as compared with its relatively large population constitutes its principal problem. The failure to realise such a fundamental point as this really puts a good deal of Mr. Royce's criticism out of court. I do not think it would be profitable to comment at length upon the various points raised in this letter, and I suggest that

A | it would be enough to reply thanking him for the trouble that he has taken in putting his views before the Secretary of State. It seems unnecessary to add let S.B. and Mr. W. know to accept them.

O. G. R. Williams

2.12.59

Sir C. Parkinson

You should perhaps see this. There is a certain

you need force in some of his criticisms.

? As at "A."

H. J. W.

4.12

M. Packin

If you concur, please return to Dept. for action.

[this is my first introduction to M. Royce. He is of a type which will not rest & we may have other letters from, or inspired by, him - & may be PQ's also.]

and

11.12.39

AS proposed - But we should take any opportunity that offers to meet such of his criticisms as are justified.

M. W.

11.12.39

To Captain Royce anavy 1. - 18.12.39.

Recd. by  
W. Williams

See memo 4  
30.1.40 on

13319 10a

(H. Royce)



C. O.

- Mr. Whitehouse 15/12
- Mr. Siblethorpe 16/12
- Mr. Williams 16/12
- Mr. A. J. Dowe.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir J. Shackburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

30457/39 kg  
L

18<sup>th</sup> Dec., 1939

Sir,

DRAFT.

Capt. F. C. Royce,  
Punchbeck,  
Spalding,  
Lincs.

FURTHER ACTION.

Recd. to me  
ans

I am etc. to ask the  
 recd. of your letter of the  
 17th. of November concerning  
 the administration of  
 Nigeria, and to express his  
 thanks for the trouble which  
~~Mr. MacDonald~~ ~~denies~~  
 you have taken in  
~~me to thank you for~~  
 putting your views before  
 him. G. R. WILLIAMS  
 I am etc.

Confidential.

Pinebeck  
Spalding  
Lincolnshire

41

17<sup>th</sup> November 1939

From Captain F. Cloyce  
To Rt. Hon. The Secretary of State for the Colonies,

Right Honourable Sir,

The recent deplorable state of Nigeria's finances, and now the Nigerian Government's intimation that pensions are to be taxed, give me the opportunity I have awaited for some considerable time, to bring to your notice a few matters of which you may or may not be aware, and I consider it my duty to do so in such a manner that there can be no doubt about the seriousness of the situation in that country as I see it; and I will say that my observations are borne out by opinions of thoughtful officers who are still in the service. I am no alarmist.

1. I wish it to be understood from the outset that this is in my own handwriting purely on account of the present war, and that in other circumstances I should have no hesitation in making such a scandal more widely known. I have no personal axe to grind; my sympathies are primarily with the welfare of the Empire's "protected subjects"; the welfare of the Empire is a corollary.

2. As regards the tax on pensions, it is small; and nobody is more ready to pay

Answered 2.

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secure

employment for a young man in whom I am interested. Owing to my ill-health, I stayed only six months, but long enough to make observations, some of which I put before you.

7 TRADE, as you know is almost the sole preserve of the United Africa Company, which has such a strangle-hold on the country, that the remaining firms, including the Shipping Company exist there virtually on sufferance.

8. Compare the prices at source of palm, cocoa and other products with this monopoly and the pooling system into which the smaller firms are forced with those of 12-20 years ago when there was keen competition between firms, and buying was left to the firms' accredited agents at the trading centres on a commission basis. They are down. Compare also the prices of the corresponding manufactured articles at home, - cocoa, soap etc. They have gone up. So have the imported goods which the Natives are expected to buy.

9. I read that the Commission which you appointed to investigate the causes of the "Cocoa Riots" on the Gold Coast some two years ago reported that the trouble was due to excessive competition. Such a finding is untrue; the trouble was due to the entire absence of it. The whole incident was a fine example of the complete exploitation of the Native. (The Chief, who is sufficiently well-known





--- paid

every 6 months. Wages range from 4½ for unskilled to 1/- a day for skilled labour!! During the employers absence on leave, I took charge of his business and practically trebled his output. Shortly after his return, the men, instigated by the headmen struck for better wages. Naturally, I refused to treat with strikers, and insisted on their ~~on their~~ return to work, and that any grievances should be represented in an orderly manner. This involved dismissing some of the headmen, who incidentally were guilty of a certain amount of extortion, but to no greater extent than is to be found in the rest of the world. I represented the men's grievances to the employer, who came up from Lagos and announced to the men that he would refund their passage money (8/-!) to each man who had been in his employ for a year or more, and reminded them that if there was any more trouble, there was no difficulty in getting as much labour as he wanted from the same source; which is tragically true. The men had to be satisfied.

16. During my time there I invited the District Officer and the Resident to come and see the work, having been a Political Officer myself. Neither came, and I must say I should have been pleasantly surprised if he had. It would have been most unusual.

17. The SERVICES and the Departments need drastic overhaul. Paragraph 25(b) of my letter to you of November ~~1933~~ 1933 is eloquent testimony to the fact, as seen by every thinking Native in the Country. Cooperation between them today

85  
or p.f

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--- Today

simply does not exist.

The first essential is a Governor who has been trained to know his men. This is not possible for a person who has spent his life at an office table where he has little or no opportunity of studying even the office work of any department other than his own.

18. The history of Nigeria shows that it was most prosperous under the direction, for example, of Lord Lugard whose successful military career had made it essential that he should know who were working for him. Other examples of ideal, broad-minded men for whom it was an inspiration to work, unfortunately now dead, are Col. Sir H. Moorhouse, Col. Jenkins, Sir Graeme Thomson all of whom knew most officers personally, and Captain Brackenbury, who did not join the service until he was 36, and who, as Resident transformed Abeokuta Province from the most dangerous into the happiest in the whole Protectorate (unfortunately there is again that ominous atmosphere of suspicion and distrust at the time of the trouble of 1918-22.)

19. In a crisis such as there is in Nigeria today, it is not merely necessary that the Governor should be a financial "expert" with the ruthlessness of, say, Sir Donald Cameron, and lacking in personality; he should be able to coordinate his Administrative Service and the departments and have their confidence, and so inspire them with a detached interest in the country.

20. With new appointments in the Political Service (as I prefer to call it in view of the



(---the

duties it is supposed to perform) a young man is introduced straight from a University to a table where he is to study office routine to the exclusion of all else, instead of being sent or taken among the people to learn their ways at first hand. All he gets nowadays is a mental picture of them which he must gather from political files - if he is allowed to read them.

21. Today a Division is virtually administered on paper from one of the huge Secretariats to which, I understand, yet another is being added at Ibadan to that at Enugu. (Why this should be necessary in days of improved communications and motor cars it is difficult to understand, unless it is justification for the retention of a vast spending Department like that of the Public Works; or as a monument to the first officers to adorn them as their new heads, whose record shows that they joined the service 2 1/2 years ago when the last war had already outlasted the 3 months which had been predicted as its duration).

22. A typical example of a Divisional Officer's programme in an apparently quiet division is: -  
Rise at 8 am; Office 9-1 pm; rest in the afternoon; gardening or recreation till dusk; or perhaps a trip in his car at 4<sup>th</sup> per mile along a main road. He travels maybe a total of 8 days a month to Rest Houses set right away from the people he is supposed to be visiting, and to which the inhabitants have to carry his fuel and water. I went to villages that 9.

...that

had not been visited by a Political Officer for more than 10 years. He seldom visits a Native Court to give confidence to litigants and as a check on judicial corruption, accepting to hear appeals. In the old days, constant visits to Native Courts ensured their comparative integrity, with the result that the work of a Provincial Court with a conscientious Officer as its Commissioner was reduced to a negligible minimum. In recent years the jurisdiction of the Native Courts has been reduced and the Provincial Court system abolished. In its place has been established an elaborate judicial system (with full-bottom wigs) costly to maintain and expensive to litigants, and lacking that essence of the success of the Provincial Court - immediate contact with Native Custom. There was no good reason whatsoever why the Legal Profession should not have been admitted to the Provincial Court when asked for, even to satisfy the Legal Profession for whose appetite the new system was introduced. The District Office staff has not been correspondingly reduced.

23. A Divisional Officer knows nothing of the work of the departments in his division.

24. In matters of Native Administration a laudable advance in cooperation has been made in the Western Province by the Annual meetings of the Yoruba Paramount Chiefs. But on the other hand, disintegration has set in apace at the bottom of the scale. In the Abokuta



--- systematic

development of the District would at least provide them with one eventually.

25. EDUCATION. Huge sums are being wasted on this. The output of schools is of the Clerk type, and the higher schools produce material which in its present state cannot the country, cannot absorb. Agriculture is neglected. I know from experience the Chiefs welcome Agricultural training and gladly granted land to various schools at my suggestion for working by the pupils on a considerable scale. But the Chiefs are not encouraged to visit the schools. Schools are not visited by the Political Officers with the Chiefs, and are very rarely visited even by Education Officers because the Officers are tied to their Offices by the flood of paper from Headquarters and the proximity of their home comforts.

26. In some of the schools sedition is taught openly and in the "Aba" riots of 1930 even Government schoolboys were among the ringleaders as well as the police.

27. Secondary Government schools are closed or handed over to the mission or individual natives with grants on the grounds of "economy"; while at the same time large sums are spent on places like Yaba, Omenahia etc, turning out the type the country does not absorb, for the purpose of "making a show".

28. AGRICULTURE. The Produce Examination Section is good, but I fail to see why the onus for the quality of the produce should lie

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--- lie

with the Native producer instead of the European firms who buy and export it for their own benefit. It would almost make it appear that the firms are philanthropic; and after all, the country does belong to the African.

Otherwise the Officers of the Agriculture Department are rarely seen. The model farms at Moor Plantation, Agege, Umuahia etc may be excellent in their way, but nobody ever visits them, and one is made to feel that they are decidedly the preserves of the Agriculture Department. They have given nothing of value to the country, and African Agriculture has not advanced one single step through their efforts since their inception. Agriculture has gained nothing from the large army of Research Officers, and their work would profitably be left to the established schools in Trinidad or elsewhere. The remark I heard from a "highly thought-of" officer, that the fault with Nigerian palm-trees is that they pollenate a fortnight too early would be funny if it were not so tragic.

29. 75% of the rest of the department's personnel could well be dispensed with, and the money thus saved spent on supplying fertilisers to the Native farmer, and so tend to stop the still unchecked and wasteful "shifting Cultivation". His work done by practical agriculturists of the stamp of M: D. H. Urquhart would prove highly beneficial. His officer it was, alone, who tackled the cooperative preparation

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... preparation <sup>13.</sup> and marketing of cocoa for small farmers, which was so highly appreciated by them on its business-like basis. 16

30. FORESTRY. In my six months in the forest country, no visit was paid by a European forestry officer, and it was extremely difficult to obtain the services of one of the several unsupervised forest guard or the ranger.

31. Formerly, where one tree of economic value was felled, it had to be replaced by 12 saplings. This is no longer the case, and the timber resource must soon fail with the present reckless and unchecked exploitation. Minimum felling girth should be strictly enforced.

32. Instead of replacement of mahogany in its home in the forests, the forestry Department conceived the idea of making plantations of it, where, of course, the young trees, observed even to a layman, started to branch at an early age and could never produce marketable timber.

33. The all-important forest Reserves might as well not exist, since they are being exploited in exactly the same way as the non-Reserve Areas.

34. MILITARY. Here again it was quite unnecessary to build costly new barracks at Enugu for the troops from Calabar and Abakaliki; the Central Province properly administered do not require the presence of military force, which, as used, has caused bitterness and resentment that are extremely difficult to eradicate.

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2  
1907/1908



--- extension;

increments; and destructive criticism of brother officers; slanderous and baseless scandal.

Let some of those who want to, - and some who don't - come home and serve in the forces and fit themselves for their work as men, which such a large proportion are not. Their very speech betrays the type I mean. No one should the right type require to have his military pay made up to his Civil Scale.

38. It is easy to see, too, the undercurrent of unrest among the people. I have mentioned Abeokuta where there was such serious trouble up to 1922. The "Women's movement" of 1930 still exists in the Owerri Province; so does the "Spirit movement" of 1927 in Calabar - both of them subversive movements; and the latter even have an established "Church". I make these allegations in all seriousness and as a warning against renewed outbreaks.

Political Officers must be released from their offices and made to travel every village and encourage "Complaints." Sitting in office makes paper work. In such a country offices are for clerks with fixed hours. Their work is disturbed by the presence of an officer. An officer is always on duty and can well do what little paper work will accumulate, in the seclusion of his own house, and with greater efficiency.

39. There are far too many of the Youth about with nothing to do. Even the Scout movement is largely subversive. In the Western Provinces that excellent system of PAWNING which if



--- which if

kept in check is of incalculable value, has been abolished. because those at home who know nothing of it but the sound of the word, alleged that it savoured of slavery. One might just as well say that the whole of the Nigerian Civil Service should be dismissed because there was a Budget deficit in the neighbourhood of £1000000.

The result is that thousands of the youth lack parental control and resort to crime. It might be different if there were compulsory education and sufficient schools to absorb them all. as it is, it requires a costly POLICE FORCE of such a size and always growing that it is unable to keep its own corruption in check.

41 These are necessarily very cursory observations, and some may appear trivial, but I claim to know the Natives of Southern Nigeria well enough to be able to say that they do not pass unnoticed by them, and they know me as well as any Officer who has served among them.

I have the honour to be  
Sir,

Your Obedient Servant.

J. C. Horsey.

Hon. Hon. the Secretary of State for the Colonies

Downing Street

S.W.1.

30452

NIGERIA

30452

ALIENS RESTRICTION LEGISLATION.

Previous				
Subsequent				
Act 33527/39 (Immigration)				
1940				
R98	23/4/39			
Henry Legal	24/11			
<del>Mr. Sidobottan</del>	25/11			
Mr. Sidobottan	27/11			
(3 pp) Mr. K. Robinson	28/12			
Mr. Sidobottan	/			
F.D. Webb	30/4			
Mr. Robinson	1/5			
Mr. Jee	4/5			
Mr. Sidobottan	6/5			
Mr. Webb	6/5			
G.S.	8/6			
Henry Legal	14/6			
R98				

C.O. 583 244

B.S. Title.

2

1. Gov. No. 1042. \_\_\_\_\_ 3.10.39.  
Trs. copies of Regs. No. 46 of 1939 (Spares to Liby.).

Libby Legal

2. Gov. No. 1099. \_\_\_\_\_ 18.10.39.  
Trs. copies of Ordance. No. 24 of 1939 (Spares to Libby.).

Pl. put up  
copies of relevant  
legislation.

Ch. 159  
attached.

R.H.H.  
23.4.

No. 1. I imagine Section 2 (i)K will be

N.B. Mr. Welles has asked  
me to note that Mr.  
Robinson would like  
to see this file.  
R.H.H.

the covering authority for pretty well most  
Regulations which may ensue on this subject!

Reg. 4. The responsibility of the Commissioner of  
Police to the Governor in all cases is no  
doubt implicit

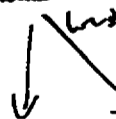
This follows, under the  
statute, the  
same order, § 12(5)

Reg. 12 (5) Who will bear the cost of passage etc.

of aliens independent who have no property etc.  
to be applied by the Governor as in 12(6)?

As for me I see all ships who have  
dealings in Nigerian ports will be subject  
to this somewhat arbitrary provision.

I would comment.



Reg 24 This is also fairly stiff. "Reasonable  
suspicion" is always - & especially I should think,

Reg. 27(e) & Reg. 2-  
definition of "seaman".  
I think there should be  
some provision for an  
alien seaman who  
for some reason or other  
was enjoying "extended"  
shoreleave. At present  
such a man could describe  
himself as a seaman &  
thereby escape the Regs.  
for too long a time to  
be healthy.

among Nigerian police, - a most uncertain  
basis for imprisonment without warrant.

? To Mr. Robinson & to Legal Advisers.  
for their views. I put this

No. 2. Mr. Robinson wishes to see.  
subject to legal Adviser's views, & signify  
non-disallowance. M.P. Webster 25/11

Mr. K. Robinson, Before I start by this  
has you any comments w.r. to 1 or 2.

J.P. Webster  
25/11

Mr. Subbotkin.

P1. see minutes on 33163/39 & 33527/39.

I think the main point on which we require  
a decision is whether with the W. A. facts  
we to be allowed to take power to  
secure the regulation of aliens in peace-time  
as well as in war-time: - This is the effect  
of the enactment at (2), & as you may  
remember Mr. Dale has recorded on 33163/39  
his view that such powers are not required  
& suggested that the Govt. should be informed  
that the S. G. is prepared to agree to the  
Gambia enactment's remaining on the statute  
book during the present war. I have  
pointed out on that file that I do not agree -  
& also draw attention to the resolution of  
the W. A. Governor's conference on 33527/39, on  
which file I think the decision on this general  
point of policy could most conveniently be  
taken.

K. E. Robinson.  
19. XII. 39.

3

3. Gov. No. 85. 2. 2. 40.  
In. for necessary action, a memo. by legal Adviser  
drawing attention to certain discrepancies in the Aliens  
Restriction Ordinance.

Nos. 1 & 2. As on 33163/39 Gambia, we have  
here "compulsory registration" provisions incorporated  
in a general Aliens Restrictions Ordinance, and it  
seems, in view of para. 3 of 2-5 on 33527/40 W.A.  
we should (as with the Gambia) signify non-disallowance  
of the Ordinance behind (2) and ask the Acting Governor  
to revoke those regulations which will be redundant  
when the "compulsory registration" legislation is  
enacted. I am not, however, at all sure of what  
form the latter will take, whether, in fact, it will  
be part and parcel of aliens restriction legislation.

No. 3. The Commissioner revising the laws  
has raised two points in connection with the Aliens  
Restriction Ordinance (Cap. 159: page 1624 in volume  
below, which should be returned to Room 89 please.)

(1) This Ordinance contains no definition of  
the word "alien". Mr. Cox suggests that the Ordinance  
should be amended to include the definition given  
in Ordinance No. 12 of 1924.

(2) The Ordinance behind (2) on this file  
makes it necessary to delete the words "in time of  
war or imminent national danger or great emergency  
by Order in Council" from the title of Cap. 159. It  
is suggested furthermore that the Governor in Council,  
rather than the Governor, should make the regulations.

The Governor supports Mr. Cox's suggestions  
and I think, subject to Mr. Dale's observations, we  
should authorize the necessary legislative action.

J. Webster.  
1.5.1940

- (1) & (2). I should ask (1) & 3  
the ordinance in (2).
- (3) No. obsns.

K. E. Robinson.  
2.5.40.

- 2. No obsns. G. 3?
- 3. In case again, Govt. will regard to the proposed defn. of "alien".  
The proviso to the defn. in cap. 158 was no doubt inserted  
for mandatory purposes, to prevent discrimination. But

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30452/1939.

C. O.

Mr. Webber.

Mr. Robinson

Mr. Dule

Mr. S. Parkinson

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.



17 May, 1940.

Sir,

I have etc. to ack. the

(2) receipt of Sir Bernard Bourdillon's despatch No.1099 of the 18th of October, and to inform you that the power of disallowance will not be exercised in respect of Ordinance No.24 of 1939 entitled "An Ordinance to amend the Aliens Restriction Ordinance".

2. I take the opportunity,

in

3 DRAFTS

NIGERIA.

No. 299.

O.A.G.

FURTHER ACTION.

1	2	3	4	5	6	7	8	9	10

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in this connection, to acknowledge the receipt of Sir Bernard Bourdillon's despatch No.1042 of the 3rd of October, 1939, transmitting copies of Regulations No.16 of 1939. (1)

I have, etc.,

(Signed) LLOYD

Call 1-234 567 890 123 456  
Fax 1-234 567 890 123 456

30452/39 Nigeria.

C. O.

Mr. Robinson 7/5

Mr. Dale 7-5

Mr. Sidat Ram *S/S/P*

Sir A. Burns

Mr. G. L. M. Claxson

Mr. C. J. Jeffries

Mr. A. J. Daws

Sir J. Shuckburgh

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

*S.S.*  
S.S.

6  
8-MAY  
8

I have to refer to Sir

(3) Bernard Bourdillon's despatch No 55 of the 2nd of Feb. transmitting a memo. by W. H. C. Fox on the subject of certain discrepancies in the log relating to aliens in Nigeria.

**DRAFT.**

Nigeria

Secret *S*;

etc.

a. I agree with the recommendation in para 2 of the despatch but I would observe that the proviso to the definition of "alien" in ~~chap. 158~~ the Aliens Registration Ordinance (chap. 158) was apparently inserted to avoid discrimination, having regard to the terms of the Mandate. As you will be aware from my sec. despatch of the 23587/70 29th of April, it has now been decided that the compulsory registration of aliens resident in the Cameroons under

**FURTHER ACTION.**

British Mandate is justifiable, & to this extent, the proposal in the memorandum enclosed in your Sir Bernard Bowdell's despatch would require modification in accordance with the action taken as a result of that despatch.

3. I would further suggest, for the consideration of your address, that the definition of "alien" contained in Capt. 158 ~~is too wide in that it does not exclude all British protected persons~~ might be revised. This expression "native of any territory under His Majesty's protection" seems too narrow when compared with the ~~persons~~ <sup>accidentally</sup> I would suggest that a definition to the effect that "alien" means any person ~~not being~~ <sup>who is not</sup> a British subject, or a British protected person would be preferable. ~~in view of the~~

terms of S 2(b) & 3 of the British Protected Persons Order, 1934, copies of which were enclosed in my despatch No. 12/18 of the 7th of June 1934

I have etc.

(Signed) MALCOLM MacDONALD.

(15 on 20330/1/34 G. G. G.)

30652/37 Nigeria.

7  
May 1960.

- Q.A.
- Mr. Webb 6/5
- Mr. Robinson see act aft
- Mr. Dale
- Mr. Sidebottom
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shackburgh.
- Parlt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

3 DRAFTS

Nigeria  
No...  
Q.A.G.

FURTHER ACTION.

Sir, I have etc. to ask the receipt of Sir Bernard Bowdell's despatch no. 85 of the 2nd of February transmitting a memorandum by Mr. H.C.F. Cox on the subject of certain discrepancies in the Aliens Restriction Ordinance.

2. I agree with ~~your~~ the recommendation in paragraph 2 of the despatch, but with regard to the proposed definition of "alien" I would observe that the proviso to the definition in Cap. 158 of the laws of Nigeria was apparently inserted, ~~having regard to the provisions of~~ <sup>to avoid</sup> ~~for the purposes of the mandate,~~ <sup>to prevent</sup> ~~to prevent~~ discrimination. As, the Mandate



You will be aware from separate copies. ~~It has now been decided that~~  
 known, certain conclusions have been reached regarding the <sup>regulation</sup> position in this  
 connection of aliens in the Cameroons under British Mandate, <sup>as I consider therefore</sup> I ~~would~~  
~~recommend~~ that <sup>the</sup> ~~Mr. Gair's~~ proposals made in  
 paragraph 2 of the Memorandum <sup>enclosed in your despatch. will require</sup> be  
 modified to the extent of omitting <sup>modification accordingly.</sup> to this extent.  
 from the proposed definition of "alien"  
 in cap. 159 the proviso referred to  
 above. I have etc.

30452/39 8

C.O.

Mr. Webber 6/5  
 Mr. Robinson ~~after~~ ~~see~~ ~~out~~ ~~off.~~  
 Mr. Dale ~~see~~  
 Mr. Siddeboham  
 Sir H. Moore.

SECRET.

Sir G. Tomlinson.  
 Sir C. Bottomley.  
 Sir J. Shuckburgh.  
 Perm. U.S. of S.  
 Parly. U.S. of S.  
 Secretary of State.

Under  
 The Secretary of State presents  
 his compliments to Mr. Woolley  
 and with reference to paragraph  
 2 of <sup>the S.G.S's</sup> ~~his~~ despatch no. x  
 of the x invites  
 [the latter's] attention to  
 paragraph 2 of <sup>the S.G.S's</sup> ~~his~~ secret  
 despatch of the 29<sup>th</sup> of  
 April.

3 DRAFT

3 par. { no. relate of  
 O.A.G., Nigeria. } despatch to O.A.G.  
 replying to (3)  
 vide acc. draft

FURTHER ACTION.

(2) on  
 33527/40)

AIR MAIL.

9  
3

NIGERIA

Government House,  
Nigeria.

NO. 85

2 February, 1940.

Sir,

I have the honour to transmit herewith for your information a copy of a memorandum by Mr. H.C.F.Cox, Commissioner Revising the Laws, in which he draws attention to certain discrepancies in the Aliens Restriction Ordinance (Chapter 159) and the Aliens Deportation Ordinance (Chapter 158) as amended by Ordinance No.12 of 1924, concerning (a) provision in the Aliens Restriction Ordinance for definition of the word "alien" and (b) the authority for making restrictive regulations under the same Ordinance.

2. I recommend that the necessary legislative action be taken to give effect to Mr. Cox's proposals and should be glad to receive, in due course, your authority to proceed therewith.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*B. H. Austin*

GOVERNOR.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

&c., &c., &c.

*Amil* (circled)

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5. Work on the revision has drawn my attention to another amendment that appears necessary to the Aliens Restriction Ordinance. The title and sections 1 and 2(1) as they appear in print on page 1624 of Volume II are as they were originally enacted by Ordinance 15 of 1914: subsection (1) of section 2 has however been amended by Ordinance 24 of 1939 and now reads:-

"2(1) The Governor may at any time by regulations impose restrictions on aliens, and provisions may be made by the regulations - "

You will observe as the law now stands the Governor may make regulations, not the Governor in Council but yet in the original title the authority was "the Governor .... by order in council to impose restrictions on aliens .....".

4. You will see the title refers to orders by the Governor in Council and the body of the Ordinance to regulations by the Governor alone. Now this should be corrected and it appears to me that regulations relating to aliens is rather a subject for the Governor after taking the advice of his Executive Council than for the Governor alone.

5. I suggest therefore:-

(1) The title be amended -

- (a) by the insertion of the words "in Council" after the word "Governor", and
- (b) by the repeal of the words "in time of war or imminent national danger or great emergency by Order in Council" ; and

(2) Subsection (1) of section 2 be amended by the insertion of the words "in Council" after the word "Governor" in the first line thereof.

6. If my recommendation that these regulations should be made by the Governor in Council is not accepted

it

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2. 12

it will still be necessary to amend the title by repealing the words "in time of war or imminent national danger or great emergency by Order in Council" and this amendment could be included in a list of minor amendments consequent upon the revision.

7. I recommend that this subject be referred to the Secretary of State and he be asked:-

1. Whether he approves of amending the Aliens Restriction Ordinance to include therein a definition of "alien" similar to that in the Aliens Deportation Ordinance; and
2. Whether he approves of the Governor alone making the regulations or whether it should be the Governor in Council.

The appropriate amendment indicated earlier being used according to what the Secretary of State may decide.

(Signed) H. G. F. Cox

Commissioner Revising the Laws.

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NIGERIA.

NO. 1099

Government House,  
Nigeria.

18 October, 1939.

RECEIVED  
20 NOV 1939  
C. O. REGY

13  
2.

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.24 of 1939  
entitled "An Ordinance to amend the Aliens  
Restriction Ordinance", together with the usual  
report by the Attorney-General thereon.

I have the honour to be,

Sir,

Your most obedient, humble servant,

*B. H. Amadi*

GOVERNOR.

THE RIGHT HONOURABLE

MALCOLM MACDONALD, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

&c., &c., &c.

*Amadi*

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Assented to in His Majesty's name in so far as the provisions hereof relate to the Colony and to the Southern Provinces of the Protectorate, and enacted by me in so far as the provisions hereof relate to the Northern Provinces of the Protectorate this 6th day of October, 1939.

B. H. BOURDILLON.  
*Governor.*

L.S.

No. 24.



1939.

Colony and Protectorate of Nigeria.

IN THE THIRD YEAR OF THE REIGN OF

**HIS MAJESTY KING GEORGE VI.**

SIR BERNARD BOURDILLON, G.C.M.G., K.B.E.

*Governor and Commander-in-Chief.*

AN ORDINANCE TO AMEND THE ALIENS RESTRICTION ORDINANCE. Title.

[12th October, 1939.]

Date of commencement.  
Enactment.

BE IT ENACTED by the Governor of the Colony and Protectorate of Nigeria, with the advice and consent of the Legislative Council so far as the provisions hereof relate to the Colony and to the Southern Provinces of the Protectorate, as follows:—

06544/127.

Short title  
and  
application.

1. This Ordinance may be cited as the Aliens Restriction (Amendment) Ordinance, 1939, and shall apply to Nigeria.

Amendment  
of sub-  
section (1) of  
section 2 of  
Chapter 159.

2. Sub-section (1) of section 2 of the Aliens Restriction Ordinance is hereby amended by deleting the words:—

Amended  
powers with  
respect to  
aliens.

“ when a state of war exists between His Majesty and  
“ any foreign power, or when it appears that an  
“ occasion of imminent national danger or great  
“ emergency has arisen.”.

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.

F. F. WILKINSON,  
*Clerk of the Legislative Council.*



R E P O R T

on

A Bill entitled an Ordinance to amend the  
Aliens Restriction Ordinance.  
\*\*\*\*\*

The short title of this Ordinance is the Aliens Restriction (Amendment) Ordinance, 1939, and in my opinion the assent of His Excellency the Governor may properly be given thereto.

2. Clause 2 of the Bill will delete from subsection (1) of section 2 of the Aliens Restriction Ordinance (Chapter 159 of the Laws of Nigeria, 1923) the words set out therein, which limit the Governor's powers of making regulations to restrict the movements of aliens to a time during a state of war or when national danger threatens or great emergency has arisen and will enable him to do so at any time. It will introduce into Chapter 159 of the Laws of Nigeria an amendment which 9 & 10 George V, Chapter 92 introduced into 4 & 5 George V, Chapter 12.

*C. W. G. Greenidge*

Acting Attorney-General.

Attorney-General's Chambers,

Lagos, Nigeria.

4th October, 1939.



# REGULATIONS

MADE UNDER

THE ALIENS RESTRICTION ORDINANCE,  
(Chapter 159).

In exercise of the powers conferred upon the Governor by section 2 (1) of the Aliens Restriction Ordinance, the following Regulations are hereby made:—

1. These Regulations may be cited as the Aliens Restriction Regulations, 1939, and shall apply to Nigeria.

2. Definitions:—

- “ alien ” means any person other than a British subject or a native of any territory under His Majesty's protection;
- “ embark ” includes departure by any form of conveyance;
- “ keeper ” where used in relation to premises where accommodation is provided for reward includes any person who for reward receives any other person to lodge in the premises, either on his own behalf or as manager or otherwise on behalf of any other person;
- “ lands ” includes arrival or entry into Nigeria by any form of conveyance, and references to landing shall, unless the context otherwise implies, be deemed to include references to attempting to land;
- “ member of a crew ” means any person employed on the working or service of a ship;
- “ passenger ” means any person who is not a seaman travelling or seeking to travel on board a ship;
- “ Police Province ” means any province or any group of provinces in Nigeria under the charge of a Superintendent of Police or an officer acting in that capacity;

"prescribed" includes prescribed by, or under the authority of, the Principal Aliens Officer.

"residence" means ordinary dwelling place, and where an alien has more than one dwelling place, each of such dwelling places; and the expression "resident" shall have a corresponding meaning;

"seaman" means an officer or member of a crew of a ship;

"ship" includes aircraft; and "master of a ship" includes the pilot of an aircraft.

3. (a) The Commissioner of Police is hereby appointed the Principal Aliens Officer, is hereby empowered to carry these Regulations into effect and for that purpose, to give written directions.

(b) The Superintendent of Police performing the duties of Immigration Officer, Lagos, shall be the Aliens Officer and Registration Officer for Lagos and the Colony. This area shall be a registration district.

(c) In the Protectorate, the Superintendent in charge of each Police Province shall be the Registration Officer for that province and each Police Province shall be a registration district.

4. The powers of appointment and conferring of powers vested in the Governor are hereby delegated to the Commissioner of Police and he is hereby authorised to declare, as and when he deems it expedient so to do, any area to be a registration district, and to appoint any person to be, and act as, a Registration Officer for any registration district.

5. There shall be provided and maintained under the direction of the Principal Aliens Officer a central register of aliens in which there shall be registered such particulars as may be prescribed.

6. A Registration Officer shall—

(a) keep for his registration district a register of the aliens resident therein and required to be registered under these Regulations, and enter in the register particulars as to the matters set out in the Schedule to these Regulations, and such other particulars and in such form as may be prescribed; and

(b) furnish to the Principal Aliens Officer for the purposes of the central register, at such time and in such manner as may be prescribed, copies of all entries in the register or such of them as may be prescribed; and

(c) supply registration certificates to aliens in accordance with the provisions of these Regulations and on such terms as to payment or otherwise as may be prescribed.

7. Every alien who—

(i) is residing in Nigeria at the commencement of these Regulations, or

(ii) attains the age of sixteen years, or

(iii) lands in Nigeria with the intention of residing therein, shall—

(a) in the case of (i) within one month, and in the case of (ii) or (iii) within fourteen days of the happening of either of such events furnish to the Registration Officer of the registration district particulars as to the matters set out in the Schedule hereto and shall, unless he gives a satisfactory explanation of the circumstances which prevent him from so doing, produce to the Registration Officer, either a passport furnished with a photograph and duly issued to him not more than five years previously, or some other document satisfactorily establishing his nationality and identity;

(b) furnish to the Registration Officer of the registration district in which he is resident particulars of any circumstances affecting in any manner the accuracy of the particulars previously furnished by him for the purpose of registration within fourteen days after the circumstance has occurred, and generally shall supply to the Registration Officer all information (including where required by the Registration Officer a recent photograph) that may be necessary for maintaining the accuracy of the register kept under these Regulations;

(c) if he is about to change his residence, and before effecting such change of residence, furnish to the Registration Officer of the registration district in which he is resident, all particulars relating to such change of residence as may be required by that officer, and, on effecting any change of residence from one registration district to another, shall within fourteen days of his arrival in the registration district into which he moves, report his arrival to the Registration Officer of that registration district;

(d) if at any time he is absent from his residence for a continuous period exceeding two months, notify his current address to the Registration Officer of the registration district in which his residence is situate, and shall continue to notify his current address to such officer on the expiration of each further period of two months during which he remains absent from his residence, and shall also notify his return to his residence to such officer;

(e) (i) on his registration, obtain from the Registration Officer a registration certificate which shall be in the prescribed form;

(ii) on every subsequent alteration or addition of any entry in or to the register relating to his registration, produce the certificate to the Registration Officer in order that, if necessary, a corresponding alteration or addition may be made in or to the certificate;

(iii) produce the certificate upon demand to any immigration officer, police officer not below the rank of Corporal, Administrative Officer, or any other person authorised by the Principal Aliens Officer.

8. Every alien who—

- (i) at the commencement of these Regulations has no residence in Nigeria, or
- (ii) lands in Nigeria without the intention of residing therein, shall—
  - (a) in the case of (i) within one month, and in the case of (ii) within fourteen days of his landing attend at the office of a Registration Officer and, so far as possible, furnish the particulars as to the matters set out in the Schedule hereto and shall report to the Registration Officer of any other registration district in which he stays for more than fourteen days, and shall also notify any intended change of address to the Registration Officer to whom he has reported;
  - (b) whenever he stays for less than fourteen days in any registration district, notify his current address to the Principal Aliens Officer on the expiration of each period of fourteen days.

9. If an alien, who is required under paragraphs 7 and 8 of these Regulations to register or to attend on, report to or notify a Registration Officer, is lodging with, or living as a member of the household of, any other person, it shall be the duty of that person to take steps within the respective periods stated in the said paragraphs either by giving notice to the Registration Officer or otherwise, of the presence of the alien on his premises or in his household, to secure compliance with the terms of these Regulations in respect of the registration or reporting of such alien or the attendance of or the notification by such alien on or to a Registration Officer.

10. (1) It shall be the duty of the keeper of any premises to which this paragraph applies to keep a register of all persons staying at the premises who are aliens not being under the age of sixteen years.

The keeper of any such premises shall, on the arrival of any alien at the premises, ascertain and enter or cause to be entered in the register kept for the purpose the name and nationality of such alien, together with the date of his arrival and the address from which he last came; and on the departure of any such alien the keeper of the premises shall enter or cause to be entered in the register the date of departure and destination of such alien and if required by the Principal Aliens Officer he shall also ascertain and enter in the register from time to time such other particulars respecting the alien as the Principal Aliens Officer may direct.

(2) The keeper of any premises to which this paragraph applies shall also, if directions for the purpose are issued by the Principal Aliens Officer, make to the Registration Officer of the registration district in which the premises are situate, such returns as to the persons staying at the premises at such times or intervals and in such form as may be specified in such directions.

(3) It shall be the duty—

- (a) of every person staying at any premises to which this paragraph applies to furnish and sign when so required a statement of the particulars required under this paragraph;
- (b) of the keeper of any premises to which this paragraph applies to require any person who stays at the premises to sign the statement and furnish the particulars required from him under this paragraph.

(4) Every register kept and all particulars furnished under this paragraph shall at all reasonable hours be open for inspection by any Registration Officer or police officer or by any person authorised by the Principal Aliens Officer.

(5) The Principal Aliens Officer may prescribe the form in which a register is to be kept of statements furnished under this paragraph.

(6) This paragraph applies to any premises, whether furnished or unfurnished, where lodging or sleeping accommodation is provided for reward.

11. (1) An alien coming from outside Nigeria shall not land in Nigeria except with the leave of an immigration officer appointed under the provisions of the Immigration Restriction Ordinance.

(2) Leave shall not be given to an alien to land in Nigeria unless he complies with the following conditions:—

- (a) he is not a prohibited immigrant within the terms of the Immigration Restriction Ordinance;
- (b) he has not been prohibited from landing or refused permission to land in Nigeria by virtue of any enactment;
- (c) he is not the subject of a deportation order;
- (d) he fulfils such other requirements as may be prescribed by any general or special directions of the Governor.

(3) The Governor, or an immigration officer acting in accordance with general or special directions of the Governor, may attach such conditions as he may think fit to the grant of permission to an alien to land, and the alien shall comply with the conditions so attached.

(4) An alien who fails to comply with any conditions so attached shall be deemed to be an alien to whom leave to land has been refused.

(5) Where leave to land is refused to an alien, he may, with the leave of an immigration officer, be placed temporarily on shore and detained at some place approved by the Governor, and whilst so detained shall be deemed to be in legal custody and not to have landed.

12. (1) The Governor if he deems it to be conducive to the public interest may make an order (in these Regulations referred to as a "Deportation Order") requiring an alien to leave and to remain thereafter out of Nigeria.

(2) A deportation order may be made subject to any condition which the Governor may think proper.

(3) An alien with respect to whom a deportation order is made shall leave Nigeria in accordance with the deportation order, and shall thereafter so long as the deportation order is in force remain out of Nigeria.

(4) An alien with respect to whom a deportation order is made may be detained in such manner as may be directed by the Governor and may be placed on a ship about to leave Nigeria, and shall be deemed to be in legal custody whilst so detained, and until the ship leaves Nigeria.

(5) The master of a ship about to call at any port outside Nigeria shall, if so required by the Governor or by an immigration officer acting on the instructions of the Governor, receive an alien against whom a deportation order has been made and his dependents, if any, on board the ship, and afford him and such dependents a passage to that port together with proper accommodation and maintenance during the passage.

(6) Where a deportation order is made with respect to any alien, the Governor may, if he thinks fit, apply any money or property of the alien in payment of the whole or any part of the expenses of or incidental to the passage from Nigeria and the maintenance until departure of the alien and his dependents, if any.

13. The Governor may impose on any alien or class of aliens such restriction (either in addition to or in substitution for the other restrictions imposed by these Regulations) as to residence, reporting to the police, registration, surveying or making sketches or taking photographs, the use or possession of any machine,

apparatus, arms and explosives or other article, the acquisition of land or any interest in land, and any other matter or thing, as he may deem to be necessary in the public interest, and any alien in relation to whom any such restrictions are imposed shall comply with such restrictions.

14. Every alien shall, before leaving Nigeria with a view to being absent therefrom for any period notify the Registration Officer with whom he is registered of his intended departure and such Registration Officer shall enter in the registration certificate of such alien the notification of such intended departure.

15. The master of a ship landing or embarking at any port in Nigeria passengers coming from or bound for a destination outside Nigeria shall furnish to the officer appointed for that purpose by the Principal Aliens Officer and in such manner as may be prescribed a return giving the prescribed particulars with respect to any passengers who are aliens, and every passenger shall furnish to the master of the ship any information required by him for the purpose of the return.

16. All officers appointed under these Regulations shall have power to enter or board any vessel, and to detain and examine any person, arriving at or leaving any port in Nigeria, who is reasonably supposed to be an alien, and to require the production of any documents by such person, and shall have such other powers and duties as are conferred upon them by or under these Regulations or as may be prescribed for giving effect to these Regulations.

17. Any person who acts in contravention of, or refuses or neglects to comply with any of the provisions of these Regulations or any order made or conditions imposed or directions given thereunder shall be guilty of an offence against these Regulations.

18. Any person who aids or abets any person in committing an offence against these Regulations, or knowingly harbours any person whom he knows or has reasonable ground for believing to have acted in contravention of these Regulations, shall be guilty of an offence.

19. Every person shall be guilty of an offence against these Regulations if, in reply to any Registration Officer, or other person lawfully acting in the execution of the provisions of these Regulations or in connection with these Regulations—

- (a) he makes or causes to be made any false return, false statement, or false representation; or
- (b) he alters any certificate or copy of a certificate or any entry made in pursuance of these Regulations; or
- (c) he obstructs or impedes any such officer or person in the exercise of his powers or duties under these Regulations; or

- (d) without lawful authority he uses or has in his possession any forged, altered, or irregular certificate, passport, or other document or any passport or document on which any *visa* or endorsement has been altered or forged; or
- (e) refuses to answer any question reasonably put to him or to produce any document in his possession.

20. Any person who acts in contravention of or refuses or neglects to comply with any of the provisions of these Regulations shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months, and the Court before which he is convicted may either in addition to or in lieu of any such punishment require such person to enter into recognizances with or without sureties to comply with the provisions of these Regulations or such provisions as the Court may direct.

21. If any person fails to comply with an order of the Court requiring him to enter into recognizances, the Court may order him to be imprisoned with or without hard labour for any term not exceeding six months.

22. For the purpose of the trial of a person for any offence against these Regulations the offence shall be deemed to have been committed and may be triable either at the place in which the same actually was committed or at any place in which the offender may be.

23. Where any offence against these Regulations consists of a failure to comply with any of the provisions of these Regulations requiring any particulars to be furnished or any report or return to be made, or any notice to be given, the offence shall, for the purposes of these Regulations be deemed to have continued so long as such failure continues, whether or not any time is specified at or within which the particulars, report, return or notice are to be furnished, made or given.

24. Any person who acts in contravention of these Regulations, or is reasonably suspected of having acted or being about so to act, may be taken into custody without warrant by any Registration Officer, police officer or other person appointed under the provisions of these Regulations.

25. The Governor may direct that any person or class of persons shall be exempt either unconditionally or subject to such conditions as the Governor may impose from all or any of the provisions of these Regulations.

26. The powers conferred by these Regulations shall be in addition to, and not in derogation of, any powers possessed by the Governor, any court, any immigration officer or any other person or authority under the provisions of any enactment.

21  
END

27. These Regulations shall not apply—

- (a) to any person under the age of sixteen years;
- (b) to any *consul de carrière* or any member of his household or of his official staff; or
- (c) to a seaman.

#### SCHEDULE.

##### PARTICULARS TO BE FURNISHED ON REGISTRATION.

- (1) Name in full and sex.
- (2) Present nationality and how and when acquired and previous nationality (if any).
- (3) Date and country of birth.
- (4) Profession or occupation.
- (5) Date, place and mode of arrival in Nigeria.
- (6) Address of residence in Nigeria.
- (7) Address of last residence outside Nigeria.
- (8) Photograph.
- (9) Government service, name of country served, nature and duration of service, and rank and appointments held.
- (10) Particulars of passport or other document establishing nationality and identity.
- (11) Signature (which, if required, shall be in the characters of the language of the aliens nationality) and finger prints if required.
- (12) Any other matters of which particulars are required by the registration officer.

By His Excellency's Command,

C. C. WOOLLEY,  
*Chief Secretary to the Government.*

Chief Secretary's Office.

Lagos, 28th September, 1939.

30453

1939

C0583/244

30453

NIGERIA

FUTURE POLITICAL DEVELOPMENT OF NIGERIA.

Previous

see 30076/35

(Indirect Rule)

See 30421/39

Subsequent

1940.

R98	10/12
Mr. Thorpe	11/10
Mr. Dawe	3
M. Sidebottom	=
Mr. Dawe	5.1
Sir C. Parkin	11/10
R299	7.
98	14
Mr. Pedler	16/1
98	

C.O. 583 244



C.I.

1 Sir B. Bourdillon 3/6

23.11.39

Facts  
Political

Gov. Conf.

23/11/39

Trs: 12 Copies of memorandum on the Future Political Development of Nigeria.

Copies circ: to Mr. Dawe & Mr. Williams 13/12.

1 to Mr. Sidebottom for Lord Hailey.  
1 to Mr. Dawe for Sir Tomlinson  
1 to Mr. ... ..  
1 to Mr. ... ..

Mr. Dawe.

Sir Bernard Bourdillon's memorandum in I is of great interest. As will be seen from the note appended below the despatch, Sir Bernard has already sent a copy to Lord Lugard and has asked him to show it to no-one except Miss Perham. As, however, this is one of the subjects which Lord Hailey will be discussing with the Governor during his forthcoming visit to West Africa, a copy of this Memorandum and of the Governor's printed minute on the apportionment of revenue and duties as between the Central Government and native administrations, should be sent to him before his departure. I have already mentioned this to Mr. Pedler & given him a copy of the document.

M. Pedler has now given them to Lord Hailey. A.P.

As it will presumably be necessary to await the return of Lord Hailey to this country after his discussions before giving <sup>full</sup> ~~further~~ consideration to the important and difficult problem with which this Memorandum deals, it does not seem worth while to comment on it in great detail at the present stage.

One or two points may be worth noting -

- (1) In recent years, "indirect rule" has been the target of a good deal of adverse criticism from various well-informed quarters and it is interesting to see that Sir Bernard Bourdillon evidently regards the principles of native administration embodied in indirect rule as tending to facilitate the attainment by the Nigerian people of an increasing share of responsibility in the management of their own affairs.

- (2) Another very interesting point is that with very few exceptions the Governor has found that the relations between Native Authorities and the "intelligensia" are most satisfactory. Critics of indirect rule have frequently expressed the opinion that native authorities, as they are traditional in form, are bound to be conservative, if not reactionary, and disinclined to admit educated Africans to co-operate with them.
- (3) It will be seen that in paragraph 16, the Governor suggests that the solution of a constitutional problem will be found to lie on the lines of the three Regional Councils for the Northern, Western and Eastern Provinces respectively, with a Central Council in Lagos. This tripartite division would correspond roughly with the three main cultural divisions of Nigeria. In this connection, it is also of interest to note that quite independently Mr. Sidebotham had arrived at a somewhat similar conclusion, as will be seen from the annexed rough note which he has prepared summarising his views.

3

For the present (?) the only action required ~~would~~ <sup>be</sup> be to acknowledge the Governor's despatch at I, saying that his Memorandum has been read with very ~~considerable~~ <sup>great</sup> interest and the views which he <sup>has</sup> expressed will be most carefully weighed by the Secretary of State; and Sir C. Parkinson may wish to acknowledge Sir Bernard's letter of the same date referring to the forthcoming visit by Lord Hailey and telling Sir Bernard that a copy of his Memorandum and of the printed minute have been given to Lord Hailey.

Mr.

Mr. Pedler to see later.

3

O. G. R. Lewis

1. 1. 40

First, please put up drafts for conson..  
Make it clear that the questions of indirect rule  
in Africa, to which this memorandum is directed,  
are at present engaging the active attention of  
the Secretary of State: and that the memorandum  
comes as a timely and stimulating contribution.

Please have the papers available when  
Lord Hailey comes to see us on Friday.

The S. of S. has already been given a  
copy of the memorandum.

*H. J. P.*  
*Atme*

*Mr. Druce of his own hand.*

3.1.40.

*M. Marshall*

4/1

*H. J. P.*  
5.1

*and*  
8.1.40

4 To Sir B. Bondella 1<sup>st</sup> (unrecd) 9.1.40. *Atme*

5 To Nigeria. Conf. 2<sup>nd</sup> (2.1.40) — 10  
1.40.

1 to Miss Smith

Seen

FJ Pedler

16.1.40

1. 1. 40  
Retain the 6 copies  
of the memorandum  
and make it clear

30453/39 Nigeria.

45

C. O.

Mr. *Robertson* 4/1  
Mr.

Downing Street,  
January, 1940.

Mr. C. J. Jeffries.

X Mr. A. J. Dawe. 5.1

Sir H. Moore.

X Permt. U.S. of S. *JS*  
Parly. U.S. of S.  
Secretary of State.

10 - 530

Sir,

I have etc. to acknowledge the  
(1) receipt of your conf: despatch of the 23rd  
November transmitting copies of your  
memorandum on the future political  
development of Nigeria.

**DRAFTS** *conf: mem.*

GOVERNOR

CONF. 2,1

NIGERIA.

2. I have read your memorandum with  
~~very~~ great interest, more especially as the  
questions of indirect rule in Africa *of*  
which it ~~is directed~~ *treats* are at present  
engaging my active attention. The views  
which you have expressed in it come as a  
very opportune and stimulating contribution  
to

FURTHER ACTION.

to the study of this problem, and you may  
rest assured that they will be ~~most~~ carefully  
considered by me.

I have etc.

(Sgd) MALCOLM MacDONALD

1153

30453/39 Nigeria 44

C. O.

Qto. for Sir C. Parkinson's signature

Mr. Sidebotham 4/1

Mr.

Downing Street.

Mr. C. J. Jeffries.

9th January, 1940.

\* Mr. A. J. Dave. 5-1

Sir H. Moore.

~~Permt.~~ U.S. of S. 8 JS

Parly. U.S. of S.

Secretary of State.

PERSONAL AND CONFIDENTIAL

My dear Bourdillon,  
.....

I did not thank you at the

time for your letter of the 23rd

(1) November about your memorandum on

future political development as I

waited till the memorandum itself

arrived.

It came very <sup>much</sup> <sup>à</sup> propos,

particularly in view of <sup>Lord</sup> Hailey's

forthcoming inquiries into these

questions. At the Secretary of State's

wish we have given <sup>Lord Hailey</sup> him a copy of it, as

well

FURTHER ACTION.

M. Peller  
Lizel.

well as of your printed minute on the  
apportionment of revenue and duties  
between the Central Government and the  
Native Administrations.

I feel no doubt myself about  
the soundness of your line of thought  
in the memorandum: and I am sure, <sup>that</sup> in  
<sup>phase in which</sup>  
the ~~stage~~ we are at present, it is all  
to the good to put out something  
properly summed up on paper.

Yours sincerely,

A. C. Parkinson

63

NOTE.

I have for some time had the question: "Whither Nigeria?" in my mind. I now venture with much diffidence, having no first-hand knowledge of the country, to endeavour to set down in this note some tentative conclusions which I have formed, more particularly in considering the question in relation to the apportionment of revenue and functions as between the Central Government and Native Administrations, of the possibility of creating a single fully representative legislature for the largest British Dependency in Africa.

The more one learns of Nigeria the more is one forced, I think, to admit the essential differences between the three main divisions, Northern, Eastern and Western, differences not only of climate and physical circumstances, but also of course as between the inhabitants of the different parts of the country. British administration in Nigeria has built up a system of indirect rule: but it has not yet, I think, attempted to define the goal towards which that system of rule is aimed.

I venture to suggest that the conception of a Nigeria represented in respect of all its greatly varying divisions, by elected representatives, is not for many years to come, if ever, either practicable or desirable: constitutional development must of necessity be of very slow growth and in such a form that it can be understood by the people. The educated Lagosian may seek for things English: the Emir of the North may feel, and quite rightly feel, that something not necessarily English in its form or even European, is better suited to the development of his part of the world: and any attempt

to





It must, I think, be admitted that the present system of native <sup>representation</sup> administration on the Legislature with elected members in respect of the Southern Provinces and the Colony only, cannot be regarded as satisfactory: nor is it, I think, likely really to lead to the development of Nigeria as a whole on sound lines. The educated native on the Coast, having reached a fuller stage of political consciousness, would invariably endeavour to 'rule the roost' and for this reason, as well as for others, I suggest that a tripartite scheme of political development, though it might well blast for many years to come the hope of a united Nigeria, might ~~well~~ prove to be in the long run the wiser course.

I should envisage a scheme of decentralisation - and the question of nomenclature would be settled in accordance with ordinary constitutional practice - each Province would be in charge of a Chief Commissioner who would be in direct control of its administration and responsible to a High Commissioner for the whole of Nigeria only in so far as matters of policy affecting all the three individual units were concerned. The High Commissioner would possess general supervisory powers and powers of inspection. He would be much more frequently on tour than at present and would report to the Secretary of State on any matters on which he might desire or might be directed to do so. Chief Commissioners would, however, correspond direct with the Secretary of State except on matters affecting the relation of neighbouring Provinces <sup>or</sup> and the High Commissioner would be the channel of communication and would express his views.

Certain

7

Certain common services would be essential, e.g. Railways, Supreme Court, Legal Adviser, and something in the nature of a Customs and Postal Union as between the three Provinces would clearly be necessary: but each Province would have its own Legislature and the development of the individual Legislatures into fully representative bodies, if that was felt by those in charge to be best suited to the needs of their country, would take place only as and when the results of endeavours to awaken in the mind of the native inhabitant a growing interest in the affairs of the Province made this desirable. Chief Commissioners would inevitably have to be endowed with considerably greater responsibilities under such an arrangement and a very real effort should, I suggest, be made to leave them in their post for a much longer term than at present so as to ensure a continuity of policy and practice in which a High Commissioner would not be expected to interfere without very good reason.

The Provinces would impose their own taxation and would each have their own budgets, contributing out of their several revenues to a central budget for the maintenance of common services and to the deficit, if any, on the working of the general railway system, whose policy would be guided by a Board advisory to the High Commissioner on which the three Provinces would be represented as well as commercial interests. The Provinces would also continue to provide their share towards existing debt charges, but would in future be empowered to raise loans on the security of their individual revenues if necessary and not on those of the Colony as a whole.

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I have not attempted to work out in this note the changes which might be necessary in the administration of the Provinces. Each Provincial Commissioner would probably require a Provincial Treasurer: but the question of the latter's precise functions and of the manner in which revenue could best be dealt with without upsetting the <sup>running</sup> policy of native administrations with their own treasuries, which should, I think, clearly continue, can only be worked out on the spot by those with much fuller local knowledge at their disposal. I fully appreciate that the question of the treatment of legislation which is at present of general application to the Colony and Protectorate would have to be carefully considered. As to the cost of such decentralization proposals, it is again impossible to form any estimate: that could only be done locally. It may well prove more expensive to substitute three governments for one: but I am not entirely satisfied that it need be so or that some return to a simpler system of administration, under which the local Chief Commissioners are left to govern by themselves with less direction from Downing Street, may not be found to be both practical and salutary. Under the watchful eye of the High Commissioner, upon whose decisions on all matters there would be as little interference from the Colonial Office as possible and who should be freed, as far as possible, from the burden of all correspondence on matters of detail and need for attending sessions of the Legislative Council at Lagos, it seems to me that a closer view of the possibilities of development along lines best suited to each Province might well be secured.

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11

I do not envisage a large secretarial staff for the High Commissioner or indeed any staff comparable to the present staff at Lagos and I appreciate that the question of distributing existing clerical staff would no doubt give rise to considerable difficulties: but I have formed the impression that the present administrative machine is far too centralized and that there is not sufficient encouragement given, except perhaps in the North, where the system of native administration is most fully developed, under the present financial arrangements to the native outside the Colony to realize the interest which each member of the community has, or should have, in the progress of the country for which he pays taxation, or the part which he, as an individual, <sup>can</sup> play in its development. The system of indirect rule is helping the development of that interest, but the ultimate aim of indirect rule requires to be more clearly defined. As I see it, that aim should be to weld neighbouring rulers and their peoples together by a community of interest and <sup>to develop</sup> ~~the development~~ of a form of government best suited to the needs and aspirations to which the spread of education must properly give rise.

It may be argued that such a scheme of decentralisation as I have suggested above would be retrogressive and looked at from some aspects, there may be justification for that argument. If, however, retrogression now would lead to progress towards an ultimate goal where each unit would have become <sup>a</sup> practically self-governing institution capable of and accustomed to managing its own affairs but forming an integral part of a federation with many common interests, I suggest that a policy of reculer pour mieux sauter would be fully justified.

*West African Dept*  
14. 11. 39

*J. B. ...*

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1 NIGERIA.  
CONFIDENTIAL.

R  
11 DEC 1939  
C. O. LEGY

12 21  
Government House,  
Nigeria.  
23 November, 1939.

Sir,

I have the honour to forward, for your information, twelve copies of a memorandum on the Future Political Development of Nigeria, the origin and objects of which are described in the prefatory note.

2. I am sending copies of the memorandum to the Governors of the other West African dependencies.

*Macdonald* (2)

I have the honour to be,

Sir,

Your most obedient, humble servant,

*R. H. B. Allen*

G O V E R N O R .

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

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AIR MAIL.

30657

13

GOVERNMENT HOUSE,  
LAGOS, NIGERIA.

23rd November, 1939.

PERSONAL & CONFIDENTIAL.

*Uy dea Pakwita,*

I sent by last sea-mail, under cover of a Confidential despatch, copies of a Memorandum on future political development in Nigeria. I am writing to let you know that I have sent a copy to Lugard. The Memorandum is largely speculative, and contains a statement of personal views. It contains no specific recommendations and no new statements of policy. So, although it is not all suitable for African perusal, and therefore had to be marked "Confidential", I saw no harm in letting Lugard see it. I have asked him to show it to no-one except Miss Perham, and if he wants to make use of any of the views and ideas which the memorandum sets forth, not to betray their origin.

*Yours sincerely*  
*B.H. Anderson*

*Enc. to Conf. 23/12/39*

*30453/39 14*

**CONFIDENTIAL**



**NIGERIA.**

**MEMORANDUM**  
**on the Future Political**  
**Development of Nigeria**

---

By His Excellency the Governor  
**SIR BERNARD BOURDILLON**  
G.C.M.G., K.B.E.

---

LAGOS:  
PRINTED BY THE GOVERNMENT PRINTER  
1939





of the artificial devices of the political theorist. To examine how far development can proceed on natural lines, without slowing down the pace below that which internal pressure renders desirable, is the main object of this memorandum.

2. The extent to which continuity has been maintained in Nigeria is, of course, partly due to the absence of those economic and political complications which are the inevitable concomitant of the influx of a considerable alien population. But it is mainly due to the adoption and vigorous prosecution of the policy which has come to be described universally (though in my opinion somewhat unfortunately) as "indirect rule". Before proceeding to examine its future possibilities I must, I fear, add a little to the considerable amount that has recently been written about the history and theory of the policy as practised in Nigeria. Lord Lugard, in the fifth paragraph of Political Memorandum No. IX of 1918, justifies his adoption of this policy by three arguments, which may be briefly summarised as follows;

- (i) the large staff needed for direct administration was not available;
- (ii) a similar policy (though he notes the marked difference in the status of the Chiefs concerned) had been successful in the Indian Native States;
- (iii) it would have been obvious folly, with our limited knowledge of local conditions, to attempt drastic reforms which would dislocate the traditional administration.

It is noteworthy that Lord Lugard nowhere discusses whether we were under any legal or moral obligation to uphold the authority of the Emirs of the North. By ignoring this possible argument in favour of his policy he would appear to imply that there was no such obligation. The question is in a sense academic, for any attempt now to reverse existing policy would be manifest folly. But it is not altogether unimportant, for the assumption that such an obligation existed has more than once led to the appearance of the dangerous fallacy that the maintenance of the authority of the Mohammedan Emirs and other indigenous institutions is an end in itself and not merely a means to the good government of the people. Neither history nor theory provides any justification for this view. Historically, we adopted the policy because no other was practicable. Theoretically, we justify its continuance partly on that ground, but mainly because we believe that it is the best means for securing the peace, prosperity and contentment of the people at the price which they can afford to pay. I would myself add a third justification, namely that by no other policy could we have secured that whole-hearted loyalty to the British Empire of which I have, during the last four years, seen abundant evidence. To lose sight of the essential fact that the system of indirect rule is merely a means to the good government of the people is to open the door wide to a host of fallacious arguments.

3. To this brief statement of the historical reasons for the adoption and theoretical justifications for the continuance of the policy, I must add an equally brief exposition of one aspect of the policy as practised in Nigeria. The form which the Native Authority should take is of great importance. In the 370,000 square miles of Nigeria we find almost every conceivable variation between the large Emirate and the small village council. What conditions have decided the form in each case? In the case of the Mohammedan Emirates and the larger Yoruba units a fairly simple and straightforward machinery existed, which could be maintained or restored with little alteration. But in the pagan districts of the North, and in the South outside Yoruba-land

and Benin, the units were smaller and the existing organisations more complex and obscure, and when it came to replacing a very loose direct administration, or taking over districts as yet unadministered, there was no simple indigenous machine ready to hand. The first experiment, a partial imitation of the Emirate system, failed badly, and my predecessor found it necessary to start a vigorous campaign of re-organisation. What was to be the criterion in choosing the form of Native Administration in these districts? Were we to search the depths of the past for traditional organisations, the very existence of which had almost been forgotten? Or were we to try and construct something that appeared likely to operate efficiently? Were we, in short, to start digging for fossils, or to begin the construction of nice new shining machines? The answer is given by Sir Donald Cameron in paragraphs 9-11 of this "Principles of Native Administration". We were to seek the "authority which according to tribal tradition and usage has in the past regulated the affairs of each unit of native society and which the people of to-day are willing to recognise and obey." In other words there were to be two criteria—the authority must be traditional and it must be acceptable. I cannot find that Sir Donald Cameron definitely laid down that the second of these criteria was the most important, but there can be no question that he held this view. And so, most emphatically, do I; indeed, I would go further and say that acceptability is the only real criterion, and that conformity with tradition is merely a means (though, in conservative Africa, a very important and effective one), of securing acceptability. If the people themselves really wish to abandon a traditional organisation, or to re-model it, there is no reason on earth why it should not be abandoned or re-modelled. Native Administrations are not museum pieces, to be carefully preserved in their pristine condition. Nor, on the other hand, must they be soulless machines, invented by the alien constitution-monger. There is no objection to a Native Administration taking a new form, if the traditional form has ceased to function or has become unacceptable. But the new form must be devised by, or in consultation with, the people themselves. It must not be devised by us and they be persuaded, rather unwillingly, to accept it. It must, in short, be neither a fossil nor an artificial machine, but a living and active organism, and it can only be that if it is founded upon the will of the people.

4. Not only is it the case that Native Administrations constituted on these lines are the best instruments for the good government of the people at the minimum of expense, but they are also (and this point is of the utmost importance) the most flexible and most easily adapted to changing conditions. Experience in Nigeria has proved beyond a shadow of doubt that the more the people themselves have had to say in the constitution of a Native Administration the more ready are they to acknowledge defects and themselves to try and find the remedy. They may be discontented with a constitution that has been thrust upon them, but their discontent in that case tends to be driven underground and to result in mere stubborn opposition and not in constructive suggestions for amendment. If "indirect rule" is to continue to fulfil its object, the Native Administrations must be dynamic and not static. They must be prepared to adapt themselves to changing circumstances, and their adaptations must be by way of natural growth. The fossil is essentially unadaptable; the machine can only be adapted by spasmodic alterations effected by an external agency; it is the living organism that can change imperceptibly and naturally. I would again quote Lord Dufferin: "if therefore we found ourselves upon what already exists, and endeavour to expand it to such proportions as may seem commensurate with the needs and aptitudes of the country, we may succeed in creating a vitalised and self-existent organism instinct with evolutionary force."

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5. In the first paragraph of this memorandum I have mentioned a statement made by Miss Perham to the effect that our presence in Africa precludes natural development. For once I find myself in disagreement with Miss Perham. It is true that our presence precludes development on purely African lines—this is perhaps all that Miss Perham means. But we are not dealing with the aboriginal African. We are dealing with the African who is in increasingly close contact with European civilisation and all that it implies. Can he not develop on "natural" lines? Surely it would be as unnatural for him to develop on purely traditional African lines as it would be for him to develop on purely European lines, and the one is as undesirable as the other. I can see no reason why, with progressively decreasing guidance from us, he should not develop on the lines of his own altered and altering outlook on life, nor why such development should be anything but natural and gradual. Of one thing I have no doubt whatever, and that is that gradual and friction-free political progress is far more easily attainable under the indirect than under the direct system. Under the latter, as our experience in India and Ceylon shows, the advance towards responsible Government is jerky and full of friction. Any forward movement involves some specific and specified change the precise extent of which is always a matter for dispute. The subject race, naturally, asks too much; we, very often, are ready to concede too little; the result is a prolonged and acrimonious haggle from which both sides emerge dishevelled and dissatisfied. Under the indirect system there is far greater elasticity, and it is possible gradually to surrender control without taking any definite steps that involve us in argument on each occasion as to the precise length of step that is permissible.

6. So far I have endeavoured to establish that the system of government through the agency of indigenous institutions, as practised in Nigeria, makes for good government and contentment at the minimum of expense. (I have not elaborated the financial side of the argument, but it is a fact that the cost of administration per head of the population is less in Nigeria than in any other African colonial territory except Nyasaland, and in most cases very considerably less). I have also contended that under this system the attainment by the Nigerian of a greater share of responsibility in the management of his own affairs can be a gradual and comparatively smooth process, involving the minimum of friction. The important point which remains for consideration is whether it is possible, under the system, for the Nigerian to attain a greater share not only in responsibility for carrying out a policy imposed upon him, but in responsibility for framing policy. In other words, can the system continue to develop and eventually become part of a system of responsible self-government, or does the attainment of responsibility at the centre involve, at some stage or other, the abandonment of the system. The Secretary of State, when opening the Oxford Summer School of Colonial Administration last year, expressed the opinion that the trend is towards the ultimate establishment of the various colonial communities as self-supporting and self-reliant members of a great commonwealth of free peoples and nations. He said that it will be generations, or even centuries, before that aim is accomplished in some cases, but that, in the meantime, whatever changes are necessary should be so effected as to be in harmony with the general aim. Is the present Nigerian system in harmony with that aim, or will it at some time have to be abandoned?

7 Miss Perham, in the address to which I have already referred speaks of the indirect method as a stage which, however interesting and administratively comfortable, should be transitional, and talks of "the kindergarten of indirect rule and the higher

education of central representation." The use of the term "indirect rule" has its dangers. The term is applicable at the moment, when an alien bureaucracy is governing a subject race. But when the subject race begins to govern itself, it obviously becomes less applicable. We must not fall into the error of assuming that, because the name by which we now describe the system becomes inapplicable, the system itself can no longer be applied. We must not ignore the excellent example of Humpty-Dumpty, and allow mere words to become our master. If an alien bureaucracy can govern through the agency of indigenous institutions, there appears to be no valid reason why a native central Government should not do the same. Lord Hailey, on page 1640 of his *African Survey*, says "the principles of indirect rule, if not incompatible with the ideal of self-government by representative institutions, are at all events so alien to it that native institutions must be materially modified if they are to fit into any scheme involving an elected parliament." I see no need for any modification of principle; there will be modifications of form, but these will come about naturally and gradually if the Native Authorities remain the living organisms which I believe most of them to be at the moment. So long as we do not insist on the "elected parliament" conforming too closely to some existing model, I see no reason why the native authorities and the elected parliament should not be complementary parts of one harmonious system, nor why the eventual representative Government should not be representative of and function through acknowledged Native Authority.

8. I shall presumably be asked exactly what kind of parliamentary system I envisage. I should like to put in a very strong plea for the avoidance of any attempt, at this stage, to design, with any precision, a future constitution for Nigeria. As Lord Hailey points out, "it is implicit in the philosophy of indirect rule that the nature of the political forms which may ultimately be involved should not be prematurely defined." My own somewhat bitter experience as the first Chief Secretary and Chairman of the Board of Ministers under the new Ceylon constitution has given me a wholesome and ineradicable horror of constitution-mongering. I admit that in Ceylon a state of affairs had arisen that necessitated drastic reform, and constitution-mongering had become a necessity. But it was an evil necessity that might have been avoided. If it ever becomes necessary in Nigeria it will be the fault not of the present system, but of our own mismanagement thereof. Of one thing we can be certain, that if we start experimenting with artificial devices we shall never stop. Let us then proceed slowly, with our eyes on the future, but not straining them in the effort to obtain a clear view of what is as yet out of sight. Let us be prepared to learn much from both the failures and the successes of others. But let us avoid indulging in unnecessary experiments the sole justification for which is some political analogy—for such analogies are seldom complete.

9. I am not advocating a policy of mere drift. We must keep our aim constantly before us and avoid any action that will hinder its attainment. That aim is gradually to give the Nigerian an increasing share of responsibility in the management of his own affairs, and thereby to fit him to attain, at however distant a date, to responsible self-government. While avoiding speculative experiments we must be on the constant look-out for the difficulties that we shall inevitably meet, and begin laying our plans to circumvent them directly they appear above the horizon. At the present moment I can see two main difficulties in our path.

10. The first difficulty is that Nigeria is a very large and by no means a homogeneous unit. Miss Perham has described it, not unfairly, as an "arbitrary block of Africa". On the assumption that international frontiers will remain unaltered Nigeria

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must unquestionably remain an economic and political unit, but the fact that it is such a unit must not blind us to the lack of homogeneity, nor lead us too blithely to apply in one part of the country a policy that has succeeded in another. Let me give an example. Experience has shown that in the Eastern and (perhaps to a lesser extent) in the Western Provinces, the possession by a Native Administration, however small, of its own Treasury has a quite amazingly stimulating and educative effect. I had assumed that what was sauce for the Ibibio goose must also be sauce for the Northern Provinces gander, be he Hausa, Fulani, or Pagan, and I was considerably perturbed to find that the Chief Commissioner considered that small separate treasuries were not only unsound from the purely financial point of view (which is obviously the case) but had no educational value at all and merely impeded progress. After a closer study of the question I am beginning to think that he is right, and that it may be necessary, in this regard, to pursue diametrically opposite policies in the North and the East, and a policy half-way between the two in the West. It is, at any rate, a fact in the North the small treasury has failed to become the active stimulus to interest in local administration that it has proved to be in the East. The explanation probably is that at present the money sense of the Northerner is far less acute than that of the Easterner; but whatever the cause, the fact is there, and must not be ignored. At present it is very difficult for anyone except the Governor himself fully to appreciate such differences and to assess their importance, and I consider it highly desirable that administrative officers should be given facilities to learn something of parts of the country other than those in which they serve. The Chief Commissioners are in full agreement with me in this respect, and a number of Residents have of their own accord mentioned to me their desire to know more of other parts of Nigeria. I am accordingly encouraging Chief Commissioners to visit each other's domains, and am arranging for senior officers to be given facilities, towards the end of a tour, for undertaking short "educational tours" outside their own Chief Commissionerate. This will, I hope, not only enable Chief Commissioners to benefit from each other's experience to a greater degree than they do at present, but will also make it easier for the Government to decide when apparently similar problems arising in different parts of the country need different treatment. In connection with the size and lack of homogeneity of Nigeria, it is important that the principles in respect of the relations between the Departments and the Administration which were laid down in Sir Hugh Clifford's minute of November 21st, 1920, should not be forgotten. They are reproduced, with slight subsequent amendments, at the end of Sir Donald Cameron's "Principles of Native Administration". Some tendencies to over-centralised departmentalism have recently been brought to my notice by the Chief Commissioner, Northern Provinces, and steps are being taken to counteract them. But the difficulty with which this paragraph deals will unquestionably manifest itself most acutely in connection with the central legislature, and this is a problem which will have to be tackled in the not very distant future. I will deal with it in a later paragraph of this memorandum.

11. The second difficulty is one which has not yet become acute in this country, but which is of the most vital importance. I refer to the difficulty of avoiding a clash between the conservative, less educated, portion of the population and the largely detribalised and semi-Europeanised intelligentsia. The de la Warr Commission, in their report on the Gordon College at Khartoum, state that they had "gained the impression that there is a danger of the bifurcation of the Sudan, at this early stage of its growth, into Native Administrations on the country side and the relatively small but influential groups of Effendia in the towns and the

Government Departments. This appears to be the greatest danger in the developments of the last ten years. It has, indeed, been recognised, and it is hoped that there will be an immediate and rapid movement towards the adoption of the principle that only those who have received at least an elementary schooling will be appointed Chiefs, sub-Chiefs, or even village heads." This recommendation is, of course, entirely incompatible with the policy of indirect rule as practised in Nigeria. Outside the Cameroons (where three District Heads are appointed Native Authorities by name) there is not, in the whole of Nigeria, a single Native Authority or member of a Native Authority who has been personally selected by the Government. In the case of councils the members are either appointed according to ancient custom or elected by the family, village, group or clan as the case may be. In the case of chiefs or sub-chiefs it is the holder of the office and not the individual who is appointed a Native Authority or a member of one, and the individual to hold the office is elected or selected according to native custom. The carrying out in Nigeria of the recommendation of the de la Warr Commission would therefore involve a sweeping and totally undesirable change of policy. The converse of that recommendation, however, namely the spread of education among those who are likely to become members of Native Authorities, is a process which is going on and which should receive all possible encouragement.

12. During my tours of inspection throughout the country I have taken careful note of the relations between the Native Authorities and the intelligentsia and, with very few exceptions, have found them to be most satisfactory. The Native Authorities are almost always anxious to obtain the advice and assistance of the more highly educated and more widely experienced members of the community, and in a good many cases councils constituted on a traditional basis have co-opted educated persons not traditionally entitled to a seat. The numerous associations of the more progressive members of the community which are to be found all over the south are as a rule on excellent terms with the Native Authorities and anxious to work through and with them. I regard the position as decidedly satisfactory, and all that is necessary is to watch for signs of discord and try and remove the cause. The will to co-operate is strongly in evidence.

13. The "Charter" of the Youth Movement contains the following paragraph:—

"We are opposed to the term 'Indirect Rule' literally as well as in principle. Honest trustee-ship implies direct British rule with a view to ultimate self-government. We shall therefore strive for the complete abolition of the indirect rule system. Native Administration should be a form of local government and it is for that reason that we will encourage it and support it."

This declaration contains an obvious inconsistency, and I have been quite unable to discover what is at the bottom of it. The Movement have so far taken no action whatever to implement this declaration, and I attach no importance to it. The Legislative Council, at the end of 1937, unanimously approved the proposal to introduce the indirect system into the Colony districts, a proposal which the African members had unanimously rejected eleven years previously, and I believe that the system, which was at one time regarded with suspicion by the Lagos politician, is now universally approved. But the young politically minded Lagosian is not so closely in touch with Native Administration as is the dweller in the Protectorate, and must be expected to be more critical and less

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sympathetic. Partly for this reason and partly to ensure easy and co-ordinated political progress at the centre and in the provinces. I believe that reform of the central legislature, with the object of connecting it more closely with the Native Administrations, will be found necessary at a fairly early date.

14. On the occasion of the amalgamation of Northern and Southern Nigeria there was constituted "a Council for Nigeria upon which the Europeans holding the highest offices will have seats, and also natives representing each part of Nigeria." This Council was to be purely advisory. Lord Lugard considered the idea of a Legislative Council, but came to the conclusion that owing to bad communications this was a physical impossibility. The Nigerian Council was not a success, as the members themselves realised, and in 1921 Sir Hugh Clifford recommended that it should be abolished, and a Legislative Council for the Southern Provinces and the Colony substituted for the existing Legislative Council, which dealt with the Colony only. He did not consider that a Council sitting in Lagos could properly deal with the Mohammedan Emirates, but would have liked to include other parts of the Northern Provinces within its Jurisdiction. This, however, he considered impossible. Sir Hugh Clifford himself considered his scheme imperfect, and only a step in the right direction. The Secretary of State was anything but enthusiastic, but was "not prepared to reject your proposals". This somewhat lukewarm reception drew a fuller exposition of his views from Sir Hugh Clifford, whose despatch of July 7th, 1922, contains the following passage:—

"I have in my time seen too many political experiments of the kind now under discussion, essayed in one or in another tropical colony, for it to be possible for me to entertain any extravagant hopes concerning the immediate effect which the adoption of the present scheme is likely to have upon the administrative efficiency of the Government of Nigeria. I feel strongly, however, that the action which you have accorded me permission to take is right in principle; that the creation of the new Council will tend to satisfy legitimate aspirations and ambitions; that it will fulfil useful and practical purposes; that it will eventually prove to be susceptible to progressive reforms and improvement; and that it will help to produce a healthier political atmosphere throughout the principal centres in the Southern Provinces."

I have not the slightest hesitation in saying that Sir Hugh Clifford's anticipations have been fulfilled, and that the Legislative Council has been an exceedingly useful body. But it cannot last in its present form, and I feel that something more revolutionary than "progressive reforms and improvement" will almost certainly be necessary. At the moment financial control over expenditure in the North as well as in the South (with the exception of expenditure by the Native Administrations is in the hands of a body which has twelve African members from the Western and Eastern Provinces and from the Colony, and none from the Northern Provinces. The Emirs are at present quite content with this state of affairs (the only demands for representation of the North having so far come from Southerners living in the North!) but they will not remain so for ever. As regards legislation, in theory the Governor legislates for the North; in practice the Legislative Council does so, and in matters which effect the natives of the North, the views of the latter can only be obtained through the Residents and the Chief Commissioner. That they do their best to obtain those views and represent them correctly goes without question. They are, however, naturally regarded by unofficial members as expressing purely official views, and, when questions have arisen during the

course of a debate, and the African members have expressed themselves forcibly, I have felt myself seriously handicapped by not being able to obtain a first-hand expression of opinion from a native of the North. The Chief Commissioner for the Northern Provinces has expressed the opinion that it was a mistake ever to constitute the Legislative Council on present lines. My own feeling is that the existing Legislative Council has hitherto served an exceedingly useful purpose, and that its rather anomalous constitution has so far produced no evil results. But I entirely agree with Mr. Adams that it cannot last much longer. There is no need for hasty measures, but a change will unquestionably be necessary, and it is high time that we began to make our plans.

15. The question obviously arises as to whether it would be possible to extend the scope of the present council by securing adequate native representation from the North. I consider that there are very strong objections to such a course. It will for a long time to come be very difficult to find natives of the North who, especially in the atmosphere of Lagos (and I consider it out of the question for the Council to sit elsewhere), could compete on equal terms with the Southern native members, and representation of the North can certainly not be postponed until the North attains to approximate equality with the South in matters of education. I have referred to the necessity for connecting the Native Administrations more closely with the central legislature. To effect this, which I regard as of the utmost importance, it would be necessary to increase rather than to reduce the existing number of native members from the Western and Eastern Provinces, and the North would eventually have to have as many, or nearly as many native members as the West and East together. This in turn would involve a large increase in the official membership, and the Council would become unwieldy, and its deliberations difficult to control and unduly prolonged. It may be suggested that there should be an unofficial majority, which would avoid the necessity for a considerable increase in the number of official members. While, in the present temper of the council, I should hold a meeting with the official element in the minority with perfect equanimity, I am in principle most strongly opposed to the idea of an unofficial majority without responsibility. The experiments in this suggestion which were tried in Ceylon and Jamaica were scarcely fortunate in their results, and I hold it to be a serious mistake to regard an unofficial majority as a normal step on the road to responsible government. An unofficial majority should only be permitted, in my opinion, when we are prepared to allow that majority a considerable measure of responsibility, and I venture to suggest that experiences elsewhere support this view.

16. I fear that, in spite of what I have written on the subject of constitution-mongering, the time has come when we must consider devising something which will not be altogether "the outcome of slow growth and gradual development". The fact is that the present Legislative Council is not a natural development of, nor completely in harmony with, the general policy. It is an unnatural excrescence and its removal and replacement cannot be altogether natural processes. It is essential that the organisation which replaces it should be harmonious with the general scheme, and capable of natural growth. In our deliberations we should take the people of the country fully into our confidence, and we should not tie ourselves down too closely to existing models, but should be guided very largely by local considerations. My personal opinion is that the solution will be found to lie on the lines of regional councils in the Northern, Western and Eastern Provinces respectively, with a central Council in Lagos. The regional councils might be purely advisory in the first instance. Later on

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they might take either of two forms. They might become Provincial Legislatures with a Federal Council in Lagos, or three parallel "First chambers" with the Lagos Council as a Second Chamber. In either of these events the Lagos Council might be considerably reduced in size. These suggestions are of course of the most tentative nature, and I do not propose to discuss such questions as the precise nature of the financial control, nor the position of the Colony. But I am definitely of opinion that the most suitable form of development will be found to lie along the lines of devolution of legislative powers and possibly also of financial control.

17. The experiment of an Advisory Council in the North was tried by Sir Graeme Thomson, but was abandoned by Sir Donald Cameron, and all that now remains are two separate annual conferences, one of Emirs and one of Residents. In connection with the idea of this Advisory Council, warnings against disruptive tendencies are to be found in despatches which passed between the Secretary of State and Sir Donald Cameron. I must confess that these warnings do not impress me. I cannot see why devolution should have any disruptive effect at all; on the contrary, it should serve to make the views of the mass of the people in the provinces more readily and more completely available to the Central Government.

18. The question arises as to whether there is already in existence any material from which the regional councils might be formed. In the Northern Provinces the Residents' and Emirs' conferences have been functioning successfully for some years, the latter having been attended by two pagan chiefs, the Aku of Wukari and the Long Kemai. I foresee no difficulty in forming a regional council out of this material. In the Western Provinces there have so far been no regular Residents' conferences, but the Conference of Yoruba Chiefs which I instituted three years ago has thoroughly established itself, and a council of Chiefs and Residents, with the possible addition of men of the type of the present African Legislative Council members, should be quite effective. The Yoruba Chiefs' conference has caught the public fancy, and the local press has several times suggested that I should call a similar conference in the Eastern Provinces. That is, of course, not possible; the Native Administration are far too numerous, and only a very small minority of them have a recognised head. But even in the Eastern Provinces the material for a regional council has already begun to develop, and to do so spontaneously and naturally. A number of politically conscious bodies have sprung up which definitely identify themselves with the development of local authority, and some of which already aspire to representation on the central legislature. The Onitsha and Owerri Unions, the Rivers Conference, the Calabar National Institute and the Victoria Welfare Union are examples, but the most advanced body is the Ibibio Union. This body is already knitting the Ibibios together very closely and leading the way towards the evolution of a tribal Native Authority. They have also actually been given a representative, chosen by themselves, on the Legislative Council.

19. I have no intention at this stage of making any detailed suggestions; the whole problem will require careful and unhurried deliberation and consultation. But I would observe that, whether the regional councils are part of a federal or of a bi-cameral system (and my inclination is towards the latter) the objections to an unofficial majority given in paragraph 14 of this memorandum do not necessarily apply to them. Nor is it essential that the regional councils should all three be constituted on identical lines.

20. I have expressed the opinion that the system described as "indirect rule" facilitates smooth and natural political progress, not involving specific constitutional changes. I have suggested one constitutional change, and will refer later on to another possible step which might be held to come under this category. But it would be well to examine the lines on which the smooth and natural progress is going on, and to consider whether that progress can in any way be accelerated. There are three main lines of progress.

21. The first is that of the increased employment of Africans in superior posts. While the desirability of employing an increasing number of Africans in superior posts has been constantly before my mind, I must admit that progress, during my term of office, has not been as rapid as I could have wished. The main obstacle is of course lack of suitable material. This obstacle will gradually disappear, and progress will become more rapid. I venture to utter a warning against any attempt to establish, in any of the services, a "quota" system. A promise that we will endeavour, in the course of so many years, to employ such and such a proportion of Africans in any particular service should, in my opinion, never be made. Nor should we at any time state that we intend to keep a specified proportion of Europeans in any particular service.

22. The second line of progress is that of increasing the responsibility of the Native Authorities. This increase can be both quantitative and qualitative—we can give them more work to do, and we can gradually relax the intensity of our guidance over the performance of the work that we have entrusted to them. In respect of the quantitative increase, certain general principles have been outlined in my memorandum on the "Apportionment of Revenue and Duties as between the Central Government and Native Administrations". As regards the intensity of our guidance, every degree can be found in different parts of the country, varying from virtually direct control to the various shades of persuasion and advice. Not only does the *de facto* position vary enormously, but so does the rate of progress, which is slowest among the pagan communities of the North. I am satisfied that the declared policy of giving the maximum degree of responsibility that is compatible with good government is thoroughly understood and loyally carried out.

23. The third line of progress is that of increasing the importance of the part played by the African unofficial members of the central Legislature, with the object of making them feel that they are really part of the machine, and that their opinions and advice are given full weight. There can be no doubt whatever that my predecessor had the confidence and the respect of the African members of the Legislative Council. His genuine and manifest interest in the welfare of the people ensured that. But he did not encourage lively debate in that body; his disapproval of initiative on the part of official members made them hesitate to open their mouths, and the procedure under which the second reading of the Appropriation Bill took place after the Estimates had been considered in Committee robbed the most important debate of the year of much of its reality. The result was that I found the debates in the Council completely lacking in life and the whole proceedings most unconvincing. The effect upon the unofficial members was to make them feel that no attention was paid to what they said, that the Government had made up its mind before they spoke, and consequently did not even bother to answer their arguments. By restoring the normal procedure in the debate on the Appropriation Bill, and by letting official members know that I expect them to

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take a really active part in the proceedings, and that it is not out of order for them to show signs of approval or disapproval in the normal way, I have succeeded in making the debates much more lively and convincing. I have also made it my practice to accept unofficial amendments, or to allow a free vote upon them, unless an important principle is at stake. The result is, I believe, that the African members really feel now that they are an integral part of the legislative machine, and that their views are listened to and regarded as of some value. I consider it of the greatest importance that this state of affairs should be preserved, even at the cost of some delay in the transaction of public business. African members should also be consulted frequently on matters of public importance, and freely employed in service upon committees of all kinds. This is the present practice, and the War with Germany has provided an excellent opportunity of intensifying it.

24. I have mentioned another step, besides the reform of the legislature, which might be held to be a constitutional change. I refer to the possible appointment of an unofficial African to the Executive Council. Sir Graeme Thomson, in a confidential despatch of June 27th, 1930, suggested that two unofficial members should be appointed. The suggestion was rejected by Lord Passfield in a despatch dated 6th October, 1930. Before I had seen this correspondence I had myself raised the subject, and had asked for the views of all the members of my Executive Council in writing. My own preliminary views were expressed in the following minute:—

"I have been considering whether the time has yet come when we should have unofficial members on the Executive Council. It has been our almost invariable practice in the past to postpone political advances of this nature to the last possible moment, only yielding when the pressure becomes too strong to resist. The inevitable result is that what would have been regarded, had it been effected in time, as an act of far-sighted generosity, is in the end regarded as a miserable surrender; the unofficial member, from the start, feels that he is an unwelcome intruder, and consequently looks upon himself as a critic rather than an adviser, an opponent rather than a colleague. It may be said with truth that there is as yet in Nigeria no demand at all for unofficial representation. I agree, but there is very much indeed to be said for making the concession before the demand arises. Quite apart from the political side of the question, I believe that the Executive Council would benefit a good deal from being able to learn African and European unofficial views on questions of importance first-hand. There are many matters of importance upon which we are not sufficiently informed as to these views, which would, I have little doubt, find freer and more honest expression in the Executive than they do in the Legislative Council. The only objection that I can see is that the presence of unofficals might hamper the present freedom of discussion. I doubt if there is much in this objection; nor do I think that there would be a serious danger of leakages of any importance."

The written opinions of the members of my Executive Council showed a majority in favour of the proposal. But after a discussion which centred chiefly round the difficulty which would be experienced in finding an African unofficial member who would be acceptable to the whole country and who would at the same time be of real use, the Council unanimously, although in some cases with considerable reluctance, advised me not to proceed with the proposal for the present, and I accepted their advice, with which I found myself in agreement. I should, however, like to record

my opinion that the question should receive further consideration at no distant date. I would also stress the importance of the considerations urged in the first half of my minute on the subject. *Bis dat qui cito dat* has more force in connection with political concessions than in any other connection, and the history of the Empire is full of examples of the evil results of haggling over the reasonable demands of the subject races (and indeed of members of our own race) instead of forestalling them. We shall do well to profit by past experience and to avoid similar mistakes in Nigeria.

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