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The Nigerian Chronicle

No. 51 Vol. II

November 4, 1910.

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To Advertisers.—THE NIGERIAN CHRONICLE is published every Friday. To ensure insertion in the current issue, copy of alterations for advertisements should arrive at the publishing Office, at 8 a.m. of Wednesday. Advertising rates are furnished on application.

All communications to be addressed to the Editor, at the publishing office.

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**NEWS OF THE WEEK.**

**HOME**

Judgment in the libel action taken against our paper was delivered last Saturday by His Honour. A. Willoughby-Osborne when we were mulcted in a fine of £100 and 30 guineas cost.

We are exceedingly grateful to the public for the steps they are taking to relieve us of payment and we hope we shall never be wanting in our duty to our country a race.

The text of the judgment will be published as soon as a copy is available. We are hoping if possible, to publish the whole proceedings as reported by us in a book form for free circulation.

A meeting of Legislative Council was convened on Tuesday and adjourned for this afternoon.

There was a heavy rain accompanied with a terrible thunderstorm this noon. As the result of this electric discharge a great deal of ozonised air was liberated which was readily identified by its characteristic smell.

A Thanksgiving Service will be held at St Paul's Church Breadfruit tomorrow in connection with the Third Anniversary Celebration of the Royal Orange Institution "Lagos Fine Blues" when the Rev. J. Pearse L. TH. will preach a sermon.

At the session of the legislative council last Tuesday the Limitation of Suits Bill which had been left in Committee was discharged from the Agenda.

A motion congratulating His Excellency the Acting Governor J. J. Thorburn on his preferment was moved in council by the Hon C. A. Sapara Williams seconded by the Hon S. H. Urry and unanimously carried.

A special meeting of the Lagos P. S. A. Brotherhood will be held in the Glover Memorial Hall on Sunday the 6th instant at 4 p.m. when a special address on "Unity" will be delivered by the Rev. E. E. Collins—Tella Adebisi. The Chair will be taken by the Hon. C. A. Sapara Williams, B.L.

We are pleased to acknowledge the receipt of Mr. R. E. Denett's new book "Nigerian Studies" published by Messrs MacMillan & Co price 8/6 net. We would recommend it to the careful perusal of all interested in Nigerian matters.

List Of Passengers Arrived By "Dakar" 4/11/10.  
Messrs A. W. Tyson, H. Melland, H. O'Neill, T. G. Cooper, Lockett, Paterson, H. Hayward, J. E. Perkins, W. Coulter, W. S. Nicol, A. Lloyd, Watson, A. D. Hordern, H. B. Maddon-Smith, J. D. Montague, J. Craig, F. H. Woodbridge, T. Dickinson, Shaw Duncan, G. E. Hebden, A. O. Cantley, E. T. Clark, J. Wilson, H. J. K. Hanson, J. R. Barron, Dr. A. W. H. Grant Lt. J. D. Wickman, Dr. G. B. Snell R.v. H. Webster, A. W. Smith, Captain, H. V. Ollivant, Sgt. J. T. Cooper, Brig. Gen. P. S. Wilkinson, Mrs. Lockett, and child Mrs Webster, Miss. Graham.

Errata In line 28 let Column page 1, for "examined by Mr. Williams" please read "examined by Mr. Taylor" In line 28 2nd Column page 1 for "a privilege" please read "no privilege."

**LAGOS AGRICULTURAL SHOW.**  
Housing accommodation is required for native Chiefs and followers attending the Show, viz: from December 6th to 11th.

Persons wishing to let houses and compounds should apply by letter to Hon C. A. Sapara Williams before November 20th, stating number of rooms available and terms.

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The Nigerian Chronicle

The Freedom Of The Press.

The palladium of all liberty is a free and a virtuous Press and worthy patriots to manage it. That community is not secure from social, political, and commercial perils, nor far from the throes of tyranny whose press is fettered, whose public opinion, that most efficient weapon of reform, is muzzled with bit and bridle. A free press enables every sort of view, right or wrong, to be discussed in so prominent a way that every aspect of it is brought out in public to be accepted or rejected according to the weight of evidence and of argument.

An unfettered press is a public instructor of the people making known their wants and wishes, their hopes and fears. It is essential to the well-being of any community that the expression of individual thought be free in every direction. Anonymity is the birthright of the press and forms the backbone upon which successful journalism depends. Any scheme of movement that robs it of this prop deprives it of all that is best and leaves it poor indeed.

The goodness of Journalism consists in the public spirit it engenders and the feeling it creates in every individual citizen that he is an active factor in the social compact. By its correspondence also, facility is afforded for a general ventilation of individual grievance without the writer exposing himself to any suffering from a superior power. The outlet for opinion and information thus provided by making the country an open Council has a beneficent effect upon public morality. Anything to the contrary would make of any community "a flock of sheep innocently nibbling the grass side by side." Therefore where there is a tendency to such a state of affair, it is the duty of the people to bestir themselves with hopeful prospects to improve their circumstance—for it will not be fair to them under a Free Government to be disallowed the freedom of discussion as would enable a public opinion to express itself on public affairs.

Let us take an imaginary example. Will it be right for a Bench in a libel action where the editor, printer, publisher, and proprietor, as defendants assume responsibility to compel them to disclose the identity of the writer of an alleged libel? We ask this question since such a disclosure may have the effect of cowering down the people and lead to the destruction of that Freedom of expression which is the birthright of the Press.

The Bench in any country ought rightly to possess absolute immunity and independence—qualities which are essential to the highest interest of public policy and necessary to secure the free and fearless discharge of high judicial functions. It has been alleged by "Junius" that a bench who holds his office under the influence of government may be subject to a sort of bias

more important and pernicious, as it reaches beyond the interest of individuals and affect a whole community. That when a victim is marked out by that ministry he offers himself to perform the sacrifice. That he will not scruple to prostitute his dignity and betray the sanctity of his office whenever an arbitrary point is to be carried for government or the resentment of a court to be gratified. To prevent these undue advantages being taken of the Bench, we think it, all good governments made the following provision for the benefit of the public and the security of justice viz.—that a Bench should continue in office "during good behaviour" instead of during the king's pleasure."

Great as are the powers conceded to a Bench to prevent his being harassed by vexatious actions yet those immunities and independence were never intended to be employed in the destruction of the liberty of the Press. Such a thing is inconsistent with the idea which keeps the Bench in office during good behaviour: for how could that goodness be proven but by public opinion expressed in a free and an unfettered press. From a lay man's point of view we are of the opinion that the freedom of discussion in a public press is maintained even by that very law which provides immunity for the Bench.

To make a few citations from the highest authority extant showing how this freedom of expression is preserved.

1. "Any man is free to speak or to write and publish whatever he chooses of another, subject only to this, that he must take the consequences, should a jury deem his words defamatory." *Ogders P. 10.*
2. "The right to comment upon the public acts of public men is the right of every citizen. The liberty of the press is no greater and no less than the liberty of every subject of the Queen." "It is regarded as in some measure the duty of the Press to watch narrowly the conduct of all government officials and the working of all public institutions, to comment freely on matters of general concern to the nation and to fearlessly expose abuses."
3. "The people have a right to discuss any grievances that they may have to complain of (Per Little Dale, J., in *R. V. Collins, 9 Car and P. 461.*) A journalist may canvas and censure the acts of the Government and their public policy—and indeed it is his duty..... It might be the Province of the press to call attention to the weakness or imbecility of a Government when it was done for the public good (Per Fitzgerald, J., in *Cox C. C. 54. 571 (Ogders P. 486)*)
4. "Editors generally regard it as a point of honour not to disclose the name of any Contributor. In *Hibbins V. Le, 11 L. i. 541.* Cockburn, C. J., expressed his opinion that an editor ought always to give up the name of the writer where the libel is not confined to public matters, but reflects on the private character of the plaintiff. 'At all events, if he does not choose to do so, he must be content to stand in the shoes of the writer and to take the consequences.'"
5. "In *Harle V. Catherall and others 14 L. T. 808* Martin B. said, 'when a man went to an editor to ask for the name of an anonymous correspondent, no blame attached to the editor for refusing to give the name. Indeed an editor would almost be mad to do so. He should blame no editor for so refusing.' *Ogders page 562.*
6. "A Master at Chambers may at any stage of the action order any party to produce on oath any material document in his possession or power, and may deal with such documents when produced in such manner as shall appear just. (Order xxxi, r. 14.) On production of any book or document the party producing may seal or cover up any part which he can swear is not material to any issue in the action. (*Graham V. Sutton, Carden & Co; (1897) 1 Ch. 761; 66 L. J. Ch. 320; 76 L. T. 369.*) Thus a defendant who had been ordered to produce the original letter containing the information which induced him to write the libel sued on, was allowed to cover up the address and signature of such letter when he produced it for inspection. *Blanc V. Burrows, (1896) 19 Times L. R. 521.*
7. "If the proprietor of a newspaper escapes liability for a libel published in his paper, he cannot be interrogated as to the name of the writer of the libel or as to the source of his information, unless the identity of such writer or informant is a fact material to some issue raised in the case." (For authorities see *Ogders p. 609.*)

A Libel Action.

William Sidney Hewitt.

Vs.

Chris. Johnson.

Traffic Assistant.  
Lagos Government Railway  
Ebute Meta.

Editor and Publisher of the Nigerian Chronicle  
Shitta Street Lagos.

PLAINTIFF.

DEFENDANT.

Counsels for Plaintiff.

Counsels for Defence.

Kitoyi Ajasa.  
E. O. Moore.  
J. T. Nelson Cole,

C. A. Sapara Williams  
E. J. Alex Taylor  
C. E. Foresythe

BEFORE HIS HONOUR ALGERNON WILLOUGHBY OSBRONE.

MONDAY OCTOBER 24, 1910.

1909

Mr Williams, Counsel for defence, moved that case be re-opened, as was requested by the Plaintiff's Counsel when the Plaintiff's case was closed on Friday the 22nd of July 1910.

Mr Ajasa Counsel for defence stated that he never made such a request in which statement he was supported by Barrister Cole.

Mr. Williams pressed on the Bench that the case be re-opened.

His Honour the Chief Justice suggested that the case will then have to await Mr Justice Winkfield who is expected to be here during the Full Court.

Mr. Ajasa pointed out that his client was due for leave since September and to await the Full Court will be prolonging his stay.

Mr. Williams would prefer to await the arrival of Mr Justice Winkfield for against that time Mr. Montague, a witness for defence, who is expected from furlough, would have returned.

Enquiries were made by the Court as to the date Mr Montague sailed from England.

His Honour then suggested that if the case is allowed to come before him and Mr. Montague arrives, on a Friday he would hear his evidence on Saturday, give judgment on Monday and Mr. Hewitt could sail on Tuesday: that to reopen the case will entail a heavy cost seeing that the witnesses are not all on the spot.

Counsels for defence withdrew and after consultation agreed to proceed with the case.

Mr. Williams then moved for an adjournment until Thursday the 27th instant.

Mr E. S. Willoughby witness for defence called up and examined by Mr WILLIAMS.

What is your name?—Edwin Stanhope Willoughby

What are you?—Detective Superintendent.

Where do you live?—Faji Market.

Do you know anything about Mr. Henderson?—Yes, I do.

What do you know about him?—He was arrested on the 22nd of Decem ber

Where did you arrest him?—At Iddo  
Do you know Mr. Hewitt?—I saw him the day when Mr. Henderson was arrested.

Where did you see him?—In his quarters.

When did you see him?—After the arrest.

Was Henderson there?—I took him with me to Mr. Hewitt's quarters.

What did you tell him?—I told him the circumstances under which Mr. Henderson was; Mr. Hewitt questioned me why I did not inform him before sending men up. I told him that it was he who gave the instruction that some train guards were playing tricks on the lines and there was no need of an information. He then asked why I did not inform him before taking steps. I mentioned to him that Henderson was suspected and that it is not usual to report before taking steps. He told me to leave Henderson until he sees the General Manager. I left him and then reported to Mr. Montague. What did you do next?—Next morning Mr. Garvey and myself went up.

Did you arrest Henderson?—No Henderson was not arrested.

What did you say when you got there?—I did not say nothing that day.

When did you arrest Henderson?—On the 23rd December under a warrant.

Where did you find him?—I met him at the Central Police Station.

What did you do with him?—After the arrest I had nothing to do with the case.

X Examined by Mr. Moore

When did you first arrest Mr. Henderson?—On the 22nd.

Had you any warrant?—No I took him to Mr Hewitt's quarters.

Why did you take him there?—To report to him because he gave instructions.

What did you tell him?—I simply reported what has happened and did not tell him that I have arrested Mr. Henderson.

What did you do with him after the arrest?—I went with him to Mr. Montague.

Why did you eventually arrest him?— There were some correspondence before Henderson was arrested.

*Questioned by the Chief Justice*

Did you see the correspondence?

No.

*Re examined by Mr Williams*

Did you arrest any Ticket Collector before then?—No; that was my first time.

*Questioned by the Chief Justice.*

Did you swear information to the warrant—Yes I did.

*Mr Chris Johnson, Editor Nigerian Chronicle and Defendant, called up and examined by Mr Williams.*

What is your name?—Chris: Johnson.

*Questioned by the Chief Justice*

What does Chris: fully stand for?—Christopher  
*Mr Williams continued.*

Where do you live?—Shitta Street.

What is your occupation?—I am a Journalist.

What are you?—I am the Editor of the Nigerian Chronicle.

Was the article complained against written by yourself?— It was contributed and not written by me: but as the Editor I take the responsibility.

As an Editor did you take the necessary steps to verify the accuracy of the report before publication? Yes I did.

What did you do?—I was at the Central Station when Henderson was arrested and I saw Hewitt accompanied him to the station.

Did you know anything of the termination of Henderson's appointment? Yes I have published certain correspondence relative to it.

In what issue of your paper? In the Nigerian Chronicle of April 15. (Exhibit marked "H" was produced and identified.)

How did you know Mr Hewitt reported Mr Haddon Smith? I saw a copy of the report made by Mr Hewitt.

What of the telegram published? I also saw a copy of the telegram.

*Questioned by the Chief Justice*

So you get a lot of Government correspondence? A lot of papers were posted to me.

How did you get at them? They were not sought for.

How did you come about this one: was n't there a letter forwarding it? The gentleman sent a card along with the papers.

Is he an employee of the Railway? I cannot say.

*Mr Williams continued.*

Do you know Mr Hewitt before? No. I was seeing him for the first time in this Court.

After you have satisfied yourself that the information was correct then you published this arti-

cle? Yes, I did.

Have you any interest in the publication of any thing against Mr Hewitt?— I have none whatever.

Why did you publish the article complained against?— Because I thought it was a matter of public concern. Some questions were raised by the Chambers of Commerce in England about the Blue Book returns for 1908 and certain irregularities about the Railway were pointed out. Coming about this information I knew it would be a means of explaining how some of these irregularities are come about and so I published it.

*Questioned by the Chief Justice.*

How do you know this?— The facts were published in the Lagos Weekly Record of a date in March 1910.

*Mr. Williams Continued.*

Seeing these you were satisfied that what you wrote was for the good of the public?— Exactly so.

*X Examined by Mr. Ajasa.*

Did you take any steps to verify the accuracy of the report?— I said a little while that I took steps to satisfy myself.

How did you obtain the information?— It was sent to me by post.

Can you let us see the letter forwarding it?— The communication was accompanied by a card.

What is the name on the card?— I am not prepared to say.

But you have to say?— I am not prepared to do so.

*Questioned by the Chief Justice.*

But you must say?— I am not prepared to do so your Honour.

But you have to tell us the name on the card?— As Editor and Publisher I take the responsibility.

You have to say?— The name on the card was A. O. Jinadu.

What does A. O. stand for?— I cannot say.

All I know is that they are the initial letters of the names of the individual.

*Mr. Ajasa Continued.*

Do you know this A. O. Jinadu?—I do not know Mr. Jinadu.

How do you know his reports were correct? I had received other reports from other sources which go to show that Jinadu's report was correct.

*Questioned by the Chief Justice.*

Is the Jinadu a Railway official?—I cannot say.

*Mr. Ajasa Continued.*

So you countenance anonymous letters?—I received reports from various sources.

Did you go to the Railway authorities to satisfy yourself before publishing this article?

I never did.

So you were satisfied with Mr. Jinadu's report?—I think I should be satisfied with it because I had received several other reports from independent sources confirming what Mr Jinadu wrote.

And you believe it?—Yes I do.

You receive a report which you could not verify from the proper officials and you believed it as correct?—Certainly my informant did.

*Questioned by the Chief Justice.*

How do you know it?—It is no argument your honour that because I was not in a position to verify the facts from a Railway official therefore my informant did not verify his statements from a Railway official.

*Mr. Ajasa Continued.*

How do you know the report about Mr. Hewitt was correct?—Because I saw him at the Central Station.

(Article of 13th May complained against was produced.)

"After the 26th April we expected to see Guard Henderson disconnected from the Railway Service as His Excellency the Governor had approved of the termination of his appointment and disapproved of his being granted leave of absence. What interest has Mr. W. S. Hewitt one of the Traffic Assistants of the Railway in Guard Henderson for championing his cause by not carrying out the instructions of the Governor?" Wherein consists the instruction for Henderson's dismissal?—There is no direct instruction save as contained in the letter published in our issue of April 15.

Which is the indirect instruction?—The indirect instruction may be inferred from the General Manager's letter to the Hon Colonial Secretary and the Colonial Secretary's reply thereto.

"This is a puzzle to the community at large who saw clearly the active and anxious part played by Mr W. S. Hewitt when Guard Henderson was arrested the other day both at the Police Court, the Central Station and at his interview with the Acting Attorney General." Were you present at the interview, if any, between the Attorney General and Mr. Hewitt?— I was not.

Who told you about the interview?— My Agents did.

Who are your Agents?—I have agents everywhere. Surely it is impossible for one man to conduct a paper.

Give names?— I am not prepared to do so.

*Questioned by the Chief Justice.*

If you do not give names it will raise an irresistible presumption in my mind that you got the information from a person who has no business to supply you with them?—

I do not rely for information from the employees of the government.

Have you ever received information from a

government employee?—In no instance before the publication of this article did I receive information from the employees of the government.

*Mr. Ajasa continued*

How do you know that the information supplied you are true?—I should think that the people who supplied me with the information are in a position to verify the facts.

Will you please give out the name of your informant?—I am not prepared to do so.

But you have to do so?—I am not prepared to give it.

*Questioned by the Chief Justice.*

I rule that the name be given?— Your honour I am not prepared to do so.

But you must give the name?— As Editor and Publisher I take the responsibility.

But you have to give the name?— It is not customary that this is done.

Would an Editor refuse to do so at home?— I think he would.

But there is a privilege attached? But there is nothing to compel him to do so if he is not so disposed.

However I rule that the name be given?— Your honour it is against the conventions of Journalism

But I must have the name?— Does your honour wish me transgress the ethics of Journalism?

I rule that the name be given?

The article in question was written by Mr. Herbert Macaulay.

How do you know Mr. Macaulay was correct in his statement?—He is an authority on Railway matters hence I published the article.

*Mr. Ajasa continued.*

But you told us just now that the article was written by Mr. A. O. Jinadu?—Mr. A. O. Jinadu forwarded the report contained in the Nigerian Chronicle of April 15 and Mr. Herbert Macaulay contributed the article in the issue of May 13 complained against.

"This is a puzzle to the community." What do you mean to infer from that? I attach no meaning to it.

How do you know that Mr. Hewitt is interested in Mr. Henderson?— From the active and anxious part played by him both at the Central Station and the Police Court.

Did you see him?— He was present at the Police Court and was interviewing Mr. Montague at the Central Station.

Do you know that he had to attend Court as a witness?— I do not know.

How do you prove again that Hewitt is interested in Henderson?—By his coming to Lagos several times and taking a message to Mr. Hewitt.

"Where you present when he did?—I was present in Court when the Plaintiff admitted this fact himself.

"This extraordinary interest in Guard Henderson has been brought into bold relief by the contrast of the conduct of Mr. W. S. Hewitt in the case of the lost waggon B. 533 last year containing 138 Bags Kernels when Mr. W. S. Hewitt promptly reported in writing Mr Haddon Smith whom he then relieved and was constantly seen afterwards at the Central Police Station urging for investigation and arrest." What do you mean by that?— I mean to say that Hewitt reported Mr Haddon Smith when 138 bags of Kernels were found missing.

You paid a compliment rightly to Mr Hewitt here?— I reported the fact as a fact.

*Questioned by the Chief Justice.*

What do you mean by "bold relief." Only to serve as a connection with the preceding sentence.

In what way?— That Hewitt did report Mr. Haddon Smith and that he interested himself in Guard Henderson.

Do you mean to say that Hewitt showed up Haddon Smith's malpractices?— My idea is that Hewitt interested himself in Guard Henderson.

*Mr. Ajasa Continued.*

"The following telegram has been received at Ebute Metta amounting to a report that Guard Henderson is collecting fares without an excess fare book after the date of his dismissal contrary to the expressed instruction of His Excellency Sir Walter Egerton in a letter to the General Manager of the Railway on the release of Guard Henderson the other day." What do you mean by that?—The second paragraph of the article has no connection with the first paragraph. It contains a statement of fact that Mr. Henderson was collecting excess fares without an excess fare ticket.

The interest you referred to on the part of Mr. Hewitt in Guard Henderson was his not carrying out the instruction of the Governor and dismissing him?

(Mr. Williams objected to the questions raised by the Plaintiff's counsel on the ground that the defendant cannot be asked for the meaning he puts on the words published. (Brambridge and Latimer 10 L. T. 816 Odgers p. 181.

The Chief Justice held that the authority only refers to pleadings and that Counsel for the plaintiff has a perfect right in cross-examination to ask a defendant what he meant by the article he wrote)

The interest I referred to in the article was Mr. Hewitt not carrying out the instruction of the Governor and dismissing him.

Have you ever been to the Railway authorities? I have never been.

What do you mean by the latter part of the article?—That Henderson was collecting excess fares without an excess fare book.

Is n't that saying that Mr. Hewitt had some-

thing to do with it?—I never meant to suggest that.

Do you know there is a Civil Service Book?—No.

(Counsel for defence It is not generally known to the public.

His Honour, It is published in the Gazette and on sale.)

Do you know that Mr. Hewitt is Traffic Assistant?—Yes, I do.

Do you know he was Traffic Assistant on the 13th of May?—I could not say the position Mr. Hewitt occupied on the 13th May.

Do you know that Mr. Hewitt was not in a position to dismiss him?—Yes.

Do you think Mr. Hewitt keep Henderson against the instructions of the Governor?— I do not think it proper for him to do so.

*Re. examined by Mr. Williams.*

Do you know before coming to Court that Mr. Hewitt cannot dismiss Mr Henderson?—No.

*Questioned by the Chief Justice.*

The second paragraph has reference to Mr. Hewitt?—I have already said that the second paragraph has no connection with the first.

Why are they under the same headline?—Because they deal with the same subject, Henderson; but the fact contained in the first is different from that in the second.

[Mr. Williams asked leave of the Court that he, together with his client and associate Barristers, be allowed to withdraw for a few minutes for consultation.

Leave was granted.

Mr. Williams returned and informed the Court that he with the consent of his associates has advised his client not to proceed any further with the case; that he is not calling up the other witnesses nor going to address the Court.]

His Honour:— Mr. Williams I do not know why you have adopted this attitude.

Mr. Williams:— Nothing, Your Honour, but I have advised my client not to proceed with the case any further.

His Honour:— Do you mean to imply by this that you are not going to have a fair trial?

Mr. Williams:— It is n't that, your Honour but we do not mean to lead any further evidence nor address the Court.

His Honour:— What about your juniors, do they wish to address me? Mr. Taylor replied in the negative.

His Honour:— Mr Ajasa, you have a right to address the Court if you care to,

Mr. Ajasa:— I only wish to point out to the Court that this matter has been delayed for two months to enable Mr. Williams to get his witnesses here. This has caused my client unnecessary inconvenience. Mr. Williams said that these witnesses are material. Now that he has the opportunity of calling them he has elected not

to do so other than this I leave my case entirely in the hands of the Court.

Mr. Williams:— I still consider these people material witnesses but I have advised my client as I have already said not to go on with the case any further.

Judgment was then reserved till Saturday.

### BONNY ITEMS.

Marked changes have been observed in the S. S. Chief who having returned from Calabar in white suit, white hat (not white heart) and white Shoes &c. has since been apparently better dressed than ever. Much praise and thanks are due to the Nigerian Chronicle for the publications which have wrought such wonders and accomplished this Extra-ordinary transformation.

The Dredger "Barmaid" has been at work here for the past few weeks but without any obvious success as the comparatively small piece of land already reclaimed was completely covered by the exceptionally high Spring Tide of this week. Bonny Town was practically flooded, most public roads being rendered impassable.

Mr. "Clerk" who was suspended for misappropriation and Embezzlement of various sums of money in connection with the "Court at Phillipi" has resumed duty. He is unusually lucky to have escaped prosecution and probably conviction. He is therefore to be congratulated with warning to mind the paints.

The need for a properly equipped hospital at Bonny is more than keenly felt at present in consequence of the wonderful operations that have been successfully performed by our able D. M. O. Dr F. B. Thompson who is indisputably a (knife man) master Surgeon. The marvellous or magical skill with which he has handled several hopeless cases induced and continues to induce people to constantly appeal to him for help which he invariably renders promptly.

The only drawback has been accommodation and comfortable arrangements for patients who under such circumstances must necessarily remain in the hospital. It is hoped that the authorities will see the need of going this matter immediate attention.

Careful investigation and inspection will no doubt convince the authorities that whoever was responsible for the erection of the seawall here has certainly wasted public money. The wall is neither solid nor high enough for the strong tidal waves that dash against it. The present Spring Tide rose over and completely covered parts of it. It is to be hoped that the Director of Public Works will attend to this ere long.

Communication between here and Cameroons has been interrupted owing to local damages to the Telegraph Cables. Hard work is being done to restore same. It is said that that the damages was caused by one of the Government Steam Launches.

### THE E. D. MOREL APPRECIATION FUND.

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I remain,  
Yours faithfully,  
Chris. Johnson,  
Editor N. C.

### PROGRAMME OF RECEPTION

Given by the  
Members of Badagry Patriotic Society, and  
some Friends, to the Rev. J. M. Ologundudu,  
in honour of his Ordination into the  
full Order of Priest.

Chairman:—Dr. C. C. Adeniyi Jones, M.B., B.S.

1. Opening Hymn—510. (Yoruba)—led by Brass Instrument.

2. Scripture (1 Thess 3); and Prayer; by Mr. T. T. Leigh.

3. Chairman's Introductory Address.

4. Object of the Meeting explained; and Appreciation of the Rev.'s work among them by Messrs J. J. Alade and J. O. Padonu.

5. Motion—that Rev. Ologundudu deserves this congratulation, and that a Substantial present be given to him.

Moved by Inspector J. A. Daniel (in English)  
Seconded by Registrar A. M. Williams (, Yoruba)

6. Presentation of Purse: by the Chairman with appropriate Speech.

7. The Reverend's Reply, (in English & Yoruba)

8. Vote of thanks to the Chairman by

Mr. N. A. Coker (in Yoruba)

" M. P. Nobee (, English.)

9. Closing Hymn,—160 (Yoruba) by Mr. T. T. Leigh.

10: The Benediction Rev. J. M. Ologundudu (Sgd), O. H. Ajosa.

Secretary,—B.P.S.

The School Room

St. Thomas' Badagry,

18th, Oct. 1910.

## LEGISLATIVE COUNCIL PROCEEDINGS.

Continued from our last issue.

Governor's message continued.

Head 23. Sanitary. Under Item 12, £1,000 is provided for General Sanitary Charges, Western Province. During the last few months when special precautions were taken to obviate the risk of Yellow Fever being introduced into Southern Nigeria, I found that there were no funds to meet emergencies and I consider it desirable to make this provision. The net increase is £958.

Head 24. Native Affairs. There is an increase of £452 made up chiefly of automatic increments.

Head 25. Education. Here you will find an increase of £2,119. It will be observed that Items 71, 15, 49, 51, 63, 96, and 111, necessitated by the new Code, account for £1,650 and that £550 is provided under Item 46 for maintaining the Training School.

Head 26. Survey Department. The increase is £4,201 and is rendered necessary to carry out a scheme of re-organisation of the Survey Department under the direction of Major Guggisberg who hopes materially to expedite the work of the Survey of Southern Nigeria.

Head 27. Mineral Survey calls for no comment.

Head 28. Lands. It is proposed to regrade the salary of the Commissioner of Lands and I think that those who know the tediousness of the work and the tact and patience he has to exercise will not consider that the revised scale is extravagant. The total increase is £135.

Head 29. Rent provides an extra £350 to meet possible further requirements next year.

Head 30. Charitable remains unchanged.

Head 31. Transport is raised by £596. A sum of £1,000 extra entered under Item 13 is credited ultimately to Railway Revenue. A sum of £600 is entered for a car for the Lieutenant Governor. With the extension of roads and the possibility of driving to Apapa, it is desirable that the Lieutenant Governor should utilise the improved means of inspecting Apapa, Yaba and Ebute Metta.

Head 32. Motor Transport shows a decline of £2,354.

Head 33. Contribution to Northern Nigeria is susceptible of no alteration.

Head 34. Miscellaneous Services is raised by £962. This sum includes £300 for collection of specimens for the Colonial Institute (Item 8), £400 for the purchase of the old Lagos Institute Quarters, Item 26, and provision of £1,200 to meet cost of the Anthropological Survey for a full year (Item 33).

Head 35. Public Works. The Roads Department, Head 36, is now being merged in this Head. It will be noted that while Head 35 is increased by £8,627 Head 36 is reduced by £7,810, the resulting excess being only £817.

Head 37. Works and Buildings Annually Recurrent. There is a net increase of £1,150, Items 21, 22, 24, 25, 26, 27, and 29 aggregating £1,900 the notes to which are self explanatory, more than account for this.

Head 38. Roads and Bridges Annually Recurrent is decreased by £350.

Head 39. Railway. Here there is a large increase of £13,065 but we must bear in mind the increase of Railway Revenue under Head 9 of £42,200. It is difficult to criticise the requirements of a department expanding so rapidly as our Railway is doing and I will therefore comment on one item only. I refer to number 132. The correspondence passing between the Railway and the Secretariat is now so voluminous that the time has in my opinion come to give the General Manager an Assistant to look after unimportant letters and so permit his valuable time to be more usefully employed.

Head 40. Tramways shows a decrease of £1,819.

Head 41. Carter and Denton Bridges, is enhanced by £300 to cover cost of maintaining the new Apapa Road.

Head 42. Works and Buildings Extraordinary. It is unnecessary for me I think to occupy your time by dealing with each new work it is proposed to undertake. This discussion can doubtless be better carried out in Committee when the Head of the Department can answer specific enquiries but I may note that provision is made for extending the Lagos Hospital and for enlarging the Military Mess House and the Yaba Asylum—items 33, 31 and 48. The total amount to be spent is £15,753 in excess of this year's provision. It must however be borne in mind that some £50,000 was not spent this year owing to apprehension that the estimated revenue might not be realised, so there is leeway to make good in 1911.

Head 43. Roads and Bridges Extraordinary

The total increase under this Head is only £1,245

Under Head 44 an extra £1,642 is necessary

Under Head 45. Marine Extraordinary. £15,000 is entered for a new tug and £9,000 for two mail launches. The total increased provision is £21,712.

Head 46 is a new one and provides for Capital Railway Works which are of a developmental character and are rendered necessary by the general expansion of the railway system.

These it is considered may fairly be defrayed from revenue, but in order to secure equilibrium between the Revenue and Expenditure of 1911, it is proposed to defray the cost from surplus balances which this prosperous year will again enhance to a figure very considerably in excess of the sum of £500,000 which it is considered prudent to retain as a minimum surplus balance.

In Appendix III, it will be noted that the Government grant-in-aid to the municipality is slightly increased.

After these brief remarks, Honourable Gentlemen, I will leave the discussion of the bulky volume of the detailed Estimates to you, confident that you will as usual carefully criticise the various items in the generous spirit for which the members of this Council are so well known.

J. J. THORBURN,  
Acting Governor.

Government House,  
Lagos 18th October, 1910.

To be continued.

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**NEWS OF THE WEEK.**

**HOME**

His Excellency Sir Walter and Lady Eger-ton are expected to arrive in the Colony tomorrow by the Outward Steamer from Europe.

The Rev. Father J. Weiss, manager of the Roman Catholic Schools, has been appointed a member of the Board of Education for the Western Province.

Next Wednesday and Friday the 16th and 18th November being the first two days of the Annual Lagos Races it has been officially notified that all public offices will be closed at 1 p.m.

By an order in Council dated the 23rd ultimo the provisions of the Sale of Drugs and Poisons ordinance has been extended to the towns of Calabar and Opobo in the Eastern province and Warri and Forcados in the Central province.

Customs Revenue collected during the month of October amounted to £143,048, an increase of £50,928 as compared with the corresponding period last year.

Total quantity of Palm Oil exported during the first ten months of the year amounted to 1,346,123 cwts as compared with 1,250,705 during the same period last year.

Total export of Palm Kernels was 151,055 tons as compared with 132,882 tons in 1909.

The Secretary of State for the Colonies has been pleased to notify that His Majesty will not be advised to exercise his power of disallowance

with respect to Ordinance No. 11 of 1910, entitled "An Ordinance to amend the Post Office Savings Bank Ordinance"  
 Ordinance No. 13 of 1910, entitled "An Ordinance for licensing and regulating the Distillation of Spirits."

The meeting in connection with the anniversary Celebration of the P. S. A. Brotherhood Lagos came off successfully last Sunday when The Rev. E. E. Collins-Tella Adebisi delivered an address on "Unity."  
 The Chairman on behalf of the brotherhood in a short but touching speech presented to T. W. Johnson Esqr. I.S.O. a book in honour of his recent recognition by King George V.

**IN MEMORIAM.**

In ever loving memory of  
**HEZEKIAH AFRICANUS CAULCRICK, I.S.O.**  
 Died 10th November, 1908.  
 Years may pass and time may roll  
 Yet remembrance wakes our panting soul.  
 B.I.G.

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# The Nigerian Chronicle

## A Judgment and Criticism.

We publish today the judgment delivered in the libel action *W. S. Hewitt, Traffic Assistant Lagos Government Railway, Vs. Chris Johnson, Editor and Publisher Nigerian Chronicle*. Along with it we also publish the Statement of claim and the Defence made in the pleadings so enable our readers to form their own opinions and compare their conclusions with the views which we are about to discuss. For the evidence in the case we shall also refer them to the issues of the Nigerian Chronicle of July 22 to August 19 and November 4, all of 1910.

What is it to judge?

Judgment is an act of the mind whereby two simple perceptions or facts are either joined together or separated from each other. It compares two ideas and sees whether they are alike or unlike and whether they belong or do not belong one to another. This affirmation or negation expressed in words is what is called a proposition; and a series of related propositions is termed Reasoning. When we judge we express something which ought to be true not only for one individual but for all persons and at all times. A judgment which is true for one individual only and at one moment cannot find any standard, in truth. For a judgment to be true for everybody and at all times it must show the process of reasoning pursued—so that if other people were to apply their minds upon it they would arrive at the same conclusion. Every conclusion as we know is deducible from other two propositions, termed the premises and these premises must be so related that their truths are self-evident. The premises therefore become the grounds upon, or reasons for, which conclusions are drawn. A judgment is true or false; for truth can only flow from truth, and is admissible or proof.

In passing judgment it is the law or thought of the facts from the evidence submitted and their decide on the facts is found. In a law court the judge, when all the evidence has been placed before the Court and counsels on both sides have addressed the jury, sums up the facts of the case to the jury, and directs them as to the law (see Sect 22 of Judicature Act 1875) in a libel action for instance the proper course is for him to define what is a libel in point of law and to leave it to the jury as men of ordinary intelligence to say whether the publication in question falls within that definition. (Parsons V. Gouland and another 3 M 491 W 1905 approved in Cox V. Larpin 4 T. 284 Grant V. Yates (1886) From the facts as summed up and the definition of the law on the point the jury decide on the guilt or innocence of the defendant.

Where the individual passing judgment is the jury and the judge the task becomes easier but the responsibility involved—namely to bring his judgment in alignment with what men

of ordinary intelligence would accept as true, is immensurably great; since he may be prone to visit the character of judge and party and to transgress the laws of thought. So far as we are aware there is nothing in political law binding on a judge-jury as to how to proceed; it is only a question of expediency and conscience which is left optional with him. So the punishments are awarded either in satisfaction of a law or as a corrective for offence committed. But a moral teacher acting in the capacity of an enlightened judge would strive to connect together these two objectives in which case he would so sum up the evidence that he will not only bring home to the offender a sense of guilt but will show to any other person who may apply his mind upon the subject the whole process of reasoning by which he arrives at his conclusions.

If we were judges in a case and had reason to suspect, by a sort of intuition or from a psychological expression that either party in a suit entertained doubt as to whether he would have a fair trial from us inasmuch as to cause us involuntarily to express ourselves to that effect we would take every precaution to state from the evidence given the truth upon which our conclusions are founded and so convince him of his,—the discontented's own,—biased and prejudiced disposition. We may here examine how far the judgment before us fulfils the laws of thought. Our first step therefore is to analyse and restate the judgment for that purpose.

It is reducible to the following:—

1. A serious defamatory libel are words not justified in the publishing.

The words complained of are words not justified in the publishing.

Therefore the words complained of are a serious defamatory libel.

2. Every fair comment on a matter of public interest is a comment that contains no imputation.

The writer and defendant's comment is a comment that contains imputation.

Therefore the writer and defendant's comment is not a comment on a matter of public interest.

3. No comment based on a mis-statement of facts is a fair comment.

The words complained of are words containing a mis-statement of facts.

Therefore the words complained of are no fair comments.

4. The second paragraph in the words complained of is connected with the first because it will be poor compliment to the intelligence of the reading public to accept that it is not.

The 4th Syllogism is prima facie reasoning in a circle and is no argument whatever. We therefore dismiss it as untenable.

5. The 4th Syllogism. Here we are not given to know what qualities bring the "words complained of" under the category of things "not justifiable in the publishing".

Continued in Page 8.

## BONNY ITEMS.

Nothing more has been heard of the two exciting cases here. Perhaps the House Rule Ordinance is receiving the attention of the legal authorities of the Colony and there may be hopes of a brighter future for the poorer and less favoured subjects of King George V.

Our worthy "S. S. C.", who, as was reported before, went to Calabar at the Expense of the powers to try his magical skill on the judges, does not appear to have succeeded in altering the decision in the case—versus Josiah Allison and three others. It is simply right in our opinion that he be compelled to pay the damages allowed by the Ordinance, as the Chiefs seem to have lost sight of their own duties towards members of their houses.

The Dick Green (Wanta Dick) Versus Fred Green case remains sub judice so far, but it is said Mr. Clinton, Counsel for Wanta Dick, has appealed to the High Court. If this be true then we hope to get the decision before long. It is only advisable that the litigants should exercise patience and bide their time.

An ugly rumour has been in circulation to the effect that certain chiefs of Bonny have taken upon themselves to stop the payment of a small annual allowance which all the chiefs considered right and just for the Prince to receive out of the land rents paid to the country. Prince William Pepple by natural and hereditary rights should be King of Bonny and therefore entitled to all land rents as also a major portion of the subsidies enjoyed by the Chiefs. If the information is correct he holds documentary proofs in addition, and has only recently come to some arrangements with his Chiefs (I say "his Chiefs" advisedly because all the Chiefs are indisputably his subjects) who now being divided against themselves are acting contrary to natural justice and God's Law. Two Chiefs are responsible for the troubles in this matter and unless steps are at once taken to check the actions of these refractory persons a political crisis will surely ensue. Give every man his due. If Prince William submit to King George V. as his Sovereign Lord, so too should every Chief and subject of Bonny under him acknowledge Prince Williams as their lawful Lord. Prevention is better than cure. Let the Government advise their local representative to be wide awake, be up and doing.

"Deliver not the tasks of might  
To weakness, neither hide the ray  
From those, not blind who wait for day,  
Tho' sitting girl with doubtful light.

Watch what main-currents draw the years;  
Cut Prejudice against the grain;  
But gentle words are always gain;  
Regard the weakness of thy peers."

TENNYSON'S "To J. S."

## LEGISLATIVE COUNCIL PROCEEDINGS.

TUESDAY OCTOBER 18 1910  
Continued from our last issue.

Mr. Ajasa,  
Your Excellency,

I must thank your Excellency for the speech you have just read. It is a matter for regret that we have not His Excellency Sir Walter Egerton here today in introducing the Estimate for 1911. We are thankful however in having you Mr Thorburn as the acting Governor.

I regret to observe the severe attacks that have been made against the Government and Sir Walter Egerton by the local press. To me the reason for the attack is not a question of policy but personal.

Hon: members will all agree with me that the Government is carrying on its duty. The Honourable member on my right will remember speaking at a dinner that he expressed the desire to support the policy of the Governor even unto death provided he is satisfied that they are for the good of the people. If we go away from this Council without any reference to this circumstance we shall not be doing our duty. The Government have often sought our advice on various occasions and we have always given them the benefit of our views. We have been able to avert quite recently what would have been a calamity between this Government and the Egba Government so that peace has now been restored. If we occupy our seats and keep silent we shall by our silence be endorsing the remarks against His Excellency the Governor of this administration in the local papers which I think are unfair and unnecessary.

The Financial Commissioner moved the first reading of the Bill entitled "An Ordinance to provide for the Service of the Colony for the year ending on the thirty-first day of December, one thousand nine hundred and eleven."

The Acting Colonial Secretary seconded.

Bill read a first time accordingly.

The Financial Commissioner moved the second reading of the Bill.

Bill read a second time accordingly.

On motion duly made and seconded, the Council resolved itself into Committee.

The Acting Colonial Secretary then moved that the Bill be referred to a Select-Committee consisting of the following:—

The Honourable the Acting Colonial Secretary.

The Honourable the Financial Commissioner.

The Honourable the Acting Provincial Commissioner, Western Province (but that if he is unable to attend then the Honourable the Acting Attorney-General should sit in his place).

The Honourable Dr. H. Strachan, C.M.G. The Honourable C. A. Separa Williams, The

Honourable Kitoyi Ajasa, The Honourable S. H. Urry, The Honourable S. J. Sawyerr.

The Financial Commissioner seconded the motion. Question put and carried and Select-Committee appointed accordingly.

Council then adjourned *sine die*.

MONDAY OCTOBER 24, 1910.

PRESENT.

His Excellency the Acting Governor and Commander-in-Chief, J. J. Thorburn, C.M.G., The Honourable the Acting Colonial Secretary, F. S. James, C.M.G., The Honourable the Acting Attorney-General, J. Ernest Green, The Honourable the Financial Commissioner, C. E. Dale, The Honourable Dr. H. Strachan, C.M.G., The Honourable W. K. Dumcombe, The Honourable C. A. Sapara Williams, The Honourable Kitoyi Ajasa, The Honourable S. H. Urry, The Honourable R. McNeill, The Honourable S. J. Sawyerr.

ABSENT:

The Honourable the Provincial Commissioner, Eastern Province, W. F. W. Fosbery, C.M.G.

The Honourable the Provincial Commissioner, Central Province, H. Bodwell.

The Honourable the Acting Provincial Commissioner, Western Province, D. C. Cameron,

The Honourable F. C. M. Anson,

The Honourable John Millar,

MINUTES.

The Minutes of the meeting held on Tuesday, the 18th October 1910, were read and confirmed.

QUESTIONS.

Pursuant to notice the Honourable Sapara Williams asked the following question:—

Why it is that all the Annual Reports of the various Heads of Departments have been published regularly, and been made Council Papers and laid on the Table, and the Annual Reports of the Auditor for the last three years have not been published and made Council Papers? And if the Government will lay on the Table as Council Paper the Report of the Auditor for the last year 1909, and publish same in the Gazette. If not why?

The Acting Colonial Secretary replied to the effect that the annual reports of the Auditor are generally addressed to the Auditor and Comptroller General and it is not customary to lay such reports on the table of the Legislative Council. This is only usual in Colonies possessing responsible Government and it has never been done in the case of other Crown colonies not possessing responsible Government. There is no reason for a departure from this rule.

His Excellency:—The Auditor General in Southern Nigeria has to report to the Comptroller and Auditor General which is not the rule in other countries where the Auditor's reports are made council paper.

MOTIONS.

His Excellency requested that the following motions of Mr. C. A. Sapara Williams of which

notice had been previously given be deferred:—

(1) "Considering the congested state of the Town of Lagos, and with a view to encourage the Town's people to build outside the Town at Ebute Metta, Yaba, Aton, for residential purposes, in the opinion of this Council, the time has come for this Council, to sanction the extension of the Lagos Government Tramway from Iddo to Aton beyond Yaba; or, if the financial state of the Colony will not admit of this being carried out at present, that arrangements be made by the Government with the General Manager of the Lagos Government Railway for Trains to run every hour between Iddo and Aton. And further more, this Council suggests that the Tramway running between Ereko and the Magazine through Faji Maket, Tokunboh Street, and Cow Lane, shall run during the day for the purpose of half-hourly passenger traffic."

"That, in view of the increase and growth of late in the business of the Post Office, in the various Branches and more especially in the Parcels Post Branch, in consequence of which the present Post Office Building has become very inconvenient for the pressing needs in the arrangements necessary for the proper working of that Department, and there being in consequence also an absolute want of sufficient discharge of public business as well as for attending to the public, and particularly for the storage, the safety, and security of the enormous quantity of Parcels arriving weekly, in the opinion of this Council the time has come when an expenditure should be incurred for the purchase of a suitable site and for the erection thereon of a commodious building with convenient premises to meet the large and constantly increasing business of the Lagos Post Office."

Mr Williams:—Your Excellency and Honourable members. I would like to offer a few statements touching the remarks made by the Acting Colonial Secretary at the last meeting of Council as to my influence on the educated natives and in avoiding misrepresentation of Government policy. I hold it that it is the duty of every educated man to educate his neighbour.

Here in Southern Nigeria we differ very considerably in opinion and every individual is responsible for the views he entertains. Every one in this Council will admit that no one has been more strongly criticised than myself. I am a man and I fear no foe. If there is any way I can influence the public for the good of the Government I am prepared to do so. It is a common experience in politics that some men are up to day and climb down the day after. But I am not going to be swayed by any temporary motive and I am prepared to express my disapproval of any Government measure when such measures are according to my conviction averse to public interest.

BILLS

The Council resolved itself into Committee to proceed with the further consideration of "The 1910 Supply Bill."

The Acting Colonial Secretary submitted the following Report of the Select Committee appointed to report on the Estimates of Revenue

and Expenditure for the year 1911.

REPORT OF THE SELECT-COMMITTEE APPOINTED TO CONSIDER THE ESTIMATES OF EXPENDITURE FOR THE YEAR 1911.

"The Select-Committee as appointed in the Committee on the 18th of October to consider the Estimates of 1911 on which is based the Schedule to the "1911 Supply Ordinance 1910" introduced into the Legislative Council on the 18th of October, wish to express their satisfaction with the careful and systematic manner in which they have been compiled and annotated. Each Head of Expenditure was carefully gone through and, without going into any detail on the subject of the discussion that may have ensued relating to the numerous items of expenditure, the following suggestions represent the conclusions come to by the Select-Committee and submitted for the consideration of the Legislative Council.

HEADS 1.—CHARGE ON ACCOUNT OF PUBLIC DEBT;

2.—PENSIONS AND GRATUITIES;

3.—GOVERNOR'S OFFICE.

These Heads after being carefully looked through, were passed.

On Head 1, the Honourable Mr. Williams raised the question as to when the new loan would be floated. It was explained that it was understood that the loan would be floated as soon as a favourable opportunity occurred.

HEAD 4.—COLONIAL SECRETARY'S OFFICE.

The Acting Colonial Secretary pointed out to the Members of the Select Committee the nature of the increase under this Head, namely, the appointment of Mr. Gall, at present a Second Class Resident in Northern Nigeria, as First Assistant Secretary at a salary of £500—20—600 on the Secretary of State's approval, with two additional Assistant Secretaries on the scale of £400—20—500, as well as the provision for an additional Native Chief Clerk £252—12—300. The Members of the Select-Committee accepted this explanation of the increased expenditure.

HEAD 6.—JUDICIAL.

The Acting Colonial Secretary explained that it has been found necessary to provide for an additional Second Class Clerk to the Police Magistrate's Office, Lagos. The Honourable Mr. Williams, supported by the Honourable Mr. Ajasa and other Unofficial Members of the Select-Committee, represented that, quite apart from the Second Class Clerk provided for, an additional First Class Clerk is also very urgently required, and pointed out the very great inconvenience caused to the Bar and the public generally owing to the absence of a responsible Clerk to issue summonses etc, during the sittings of the Police Magistrate's Court and the attendance of the Deputy Registrar as Clerk to the Coroner. Subsequent to the printing of the Estimates, a communication had been received from the Chief Justice urging the necessity of this appointment and the Select-Committee there

fore consider, in view of the representations put forward by the Unofficial Members of the Select-Committee (two of whom are also Members of the Bar) that the addition to the clerical Staff should be agreed to.

ITEM (14), DEPUTY REGISTRAR. Some discussion took place on the question of the removal of the Deputy Registrar under item (14) from the Western to the Eastern Province. It was explained to Unofficial Members that this was an arrangement made by the Acting Chief Justice in the preparation of the Estimates, and that possibly, the addition of a First Class Clerk asked for, in the Police Magistrate's Office, might neutralise any inconvenience occasioned by the transfer of the Deputy Registrar to the Eastern Province. The Unofficial Members expressed their wish that the question should be considered during the course of 1911 in the event of the work of the Court proving to be handicapped by the transfer of this Official.

ITEM (13), CHIEF REGISTRAR. The Honourable Mr. Ajasa advocated the grant of a Personal Allowance to Mr. Robbin, the Chief Registrar. This question was raised in the proceedings of the Select Committee appointed to discuss the Estimates of the current year, and the Official Members did not admit the necessity for the addition to the Chief Registrar's salary. The Honourable Mr. Urry stated that Mr. Robbin had too many duties to perform and, in consequence, it was difficult for him to carry out his work with the expedition necessary to entail entire satisfaction to the public. It was suggested that an increase in the clerical Staff might possibly tend to the more expeditious execution of Mr. Robbin's various duties. Mr. Urry did not agree in this view, and the Honourable Mr. Ajasa was understood to press his point as to the grant of a personal allowance to Mr. Robbin. The Official Members are of the opinion that the question raised may be left for consideration in the Estimates of 1912.

HEAD 8.—TREASURY

ITEM (27). The Honourable Mr. Williams queried the item "Conveyance of Specie and other Remittances," and was satisfied with the answer of the Financial Commissioner to the effect that the decrease would probably be justified in the event of the note issue being given effect to during the coming year.

HEAD 9.—CUSTOMS.

ITEM (10). There was some discussion on the question of the Personal Allowance to Mr. W. J. Carley. This was however eventually agreed to.

The Honourable Mr. Urry informed the Select Committee that he was glad he was unable to criticise any item under this Head, as he was of the opinion that the Customs Department was now being run in the most satisfactory manner and far better than he had ever known it to be before.

HEAD 10.—POSTAL.

The Unofficial members were of the opinion that inconvenience was now being occasioned owing to the faulty setting of letters and also to

The delay in the delivery of letters. They also pointed out that they personally were aware of very long hours being worked by the Post Office Officials. The Acting Postmaster-General, who was asked for his views on the subject, explained that he had not asked for an increase in the Staff at the time the Estimates were prepared but, in view of the largely increasing volume of work noticed during the last two months, was of the opinion that the appointment of two extra Second Class Clerks might obviate the necessity of the present Staff being over-worked, although he did not agree that either the sorting was faulty or the delivery of letters was unduly delayed.

The Unofficial Members consider that this addition to the Post Office Staff should be provided for, and the Official Members are inclined to agree in this view so as to obviate any possible complaint regarding a service of such very great importance.

HEAD 11.—TELEGRAPHS.

The Honourable Mr. Urry called attention to the abuse of the privilege afforded to Government Officials in the transmission of telegrams. He stated that instances have come under his personal notice where telegrams transmitted by Government Officials could have been half their length for where an ordinary post-card or letter would have met the case.

The Acting Colonial Secretary expressed himself in agreement with the Honourable Mr. Urry and stated this matter had already come under the notice of the Government and that steps had been taken to put a stop to the same.

The Honourable Mr. Urry asked that his protest should be noted in the Select Committee's report but was satisfied with the explanation given him by the Acting Colonial Secretary.

HEAD 13.—PRINTING.

The question was raised by the Honourable Mr. Williams as to the regrading of the salary of the Proof Reader under item (6) but he quite agreed that the raising of this particular salary could well wait until the question of the future establishment and regrading of the Staff of the Printing Office as a whole can be considered at a later date.

HEAD 16.—MARINE.

ITEM (7)—The Honourable Mr. Williams and the Honourable Mr. Ajasa raised the question of the salary payable to the Superintendent Engineer. It was pointed out to them that the Government consider the present salary quite sufficient and after the matter had been explained the Select-Committee were of the opinion that there were no grounds to justify the regrading of this post. A note was added in the Explanations column against item 269, "Personal to the present holder." The scale of salary payable under item 285, Chief Engineer, was corrected from £108-6-120 to £96-6-120.

ITEM (34). OPENING AND MAINTENANCE OF WATERWAYS. The Honourable Mr. Ajasa referred to this item and said that he was speaking on behalf of the Honourable Mr. Miller

and the Honourable Mr. Matheson, Members of Council who were absent on leave, and asked whether it was considered that the provision of £6,000 was sufficient. The Acting Director of Marine explained that in his opinion £6,000 would suffice for the work that could be undertaken in 1911 and also informed the Select-Committee that the further clearing of all the most important Water-ways was included in the 1911 Programme.

HEAD 17.—CIVIL POLICE.

Considerable discussion took place in regard to the strength of the Police Force in Lagos Town. The whole question depended, as the Unofficial Members pointed out, on whether the town beats were kept up to strength. The Inspector-General of Police said that seventy beats were necessary in the town but that, on account of the necessity of affording escorts for Specie and for various other services, sometimes these beats had to be reduced to fifty or sixty. The Inspector-General of Police stated that he had not asked for the increase in the Police Force as urged by the Unofficial Member but, as the point had been raised, he would certainly like to see the Police Force raised by the addition of thirty Third Class Constables who would be a force sufficient to obviate the present necessity of reducing the required number of Police beats in a town of the size of Lagos. The Unofficial Members were therefore of the opinion that the increase in the Police Force was necessary. The Official Members, although recognising the necessity of the future eventual increase of the Police Force, consider that the increase is not really required during the coming year.

The Unofficial Members were of the opinion that the salaries of the posts under Items (13) and (16) should be regraded on the same scale of salary as that given to an Assistant Chief Clerk, namely £162-12-240. The Official Members are unable to concur in this suggestion but are of the opinion that the whole question of the regrading of the Staff attached to the Inspector-General of Police's Office might well be considered in the preparation of the 1912 Estimates.

ITEM (42)—(44). The Unofficial Members were unanimously of the opinion that the question of the efficiency of the Fire Brigade should be taken into very serious consideration in the interest of the protection of the town from fire. The Official Members concur in this view.

HEAD 20 AGRICULTURE.

The Unofficial Members again expressed their opinion that the post of the Inspector of Agriculture for the British West African Colonies is a superfluous and unnecessary luxury all the more so since the appointment of a Director and an Assistant Director of Agriculture and the impending formation of a permanent Agricultural Department in Southern Nigeria.

The Official Members agree in this view and are inclined by their opinion in the Committee appointed to consider the Estimates of 1910

To be continued.

A Libel Action.

William Sidney Hewitt.

Vs.

Chris. Johnson.

Traffic Assistant.  
Lagos Government Railway  
Ebute Meta.

Editor and Publisher of the Nigerian Chronicle,  
Shitta Street Lagos.

PLAINTIFF.

DEFENDANT.

Counsel for Plaintiff.

Counsel for Defence.

Kitoyi Ajasa.  
E. O. Moore.  
J. T. Nelson Cole.

C. A. Sapara Williams  
E. J. Alex Taylor  
C. E. Forsythe

IN THE SUPREME COURT OF THE COLONY OF SOUTHERN NIGERIA.

BEFORE HIS HONOUR ALGERNON WILLOUGHBY OSBORNE.

SATURDAY THE TWENTY-NINTH DAY OF OCTOBER, 1910

JUDGMENT.

I have carefully perused the evidence in this case and can come to no other conclusion than that the words complained of do constitute a serious defamatory libel on the plaintiff, which the defendant was not justified in publishing. It may be that the writer and the defendant did not realise the seriousness of the imputations against the plaintiff's character and considered that they were really making fair comments on a matter of public interest; but no comment can be fair which is based on a mis-statement of facts, and a reference to his previous issue of the 15th April last should have made it clear to the defendant that the words complained of do contain a mis-statement of facts. I am quite unable to accept the defendant's contention that the second paragraph

in the words complained of, dealing with the telegram, had no connection with what preceded it, and such a contention appears to me to be a poor compliment to the intelligence of the reading public.

There will be judgment for the plaintiff for £100. 0. 0. damages and costs assessed at 20 Guineas.

(Sgd.) A. Willoughby Osborne,  
C. J.  
29. 10. 10.

CERTIFIED A TRUE COPY.  
J. H. Stanley Robbin  
S. XI 10.  
CHIEF REGISTRAR.

STATEMENT OF CLAIM.

"1 The plaintiff was on the 6th day of May 1910, and is, on the Traffic Assistants employed by the Government of Southern Nigeria on the Lagos Government Railway.

2. The Defendant is the Editor and publisher of the Nigerian Chronicle a newspaper printed and published in Lagos.

3. The Defendant on the 13th day of May 1910 falsely and maliciously printed and published of the Plaintiff in the said Nigerian Chronicle, the following words:—

'RE GUARD HENDERSON.

After 26th April, we expected to see Guard Henderson disconnected from the Railway Service as His Excellency the Governor had approved of the termination of his appointment and disapproved of his being granted leave of absence. What interest has Mr. W.S. Hewitt one of the Traffic Assistants of the Railway, in Guard Henderson for championing his cause by not carrying out the instructions of the Governor? This is a puzzle to the community at large who saw clearly the active and anxious part played by Mr. W.S. Hewitt when Guard Henderson was arrested the other day both at the Police Court, the Central Station

and at his interview with the Acting Attorney General. This extraordinary interest in Guard Henderson has been brought into bold relief by the contrast of the conduct of Mr. W. S. Hewitt in the case of the lost waggon B. 25 last year containing 138 Bags of Kerosene when Mr. W. S. Hewitt promptly reported in writing Mr. Hadden Smith whom he then relieved and was constantly seen afterwards at the Central Police Station urging for investigation and arrest.

The following telegram has been received at Ebute Meta amounting to a report that Guard Henderson is collecting fares without an excess fare book after the date of his dismissal contrary to the expressed instruction of His Excellency Sir Walter Egerton in a letter to the General Manager of the Railway on the release of Guard Henderson the other day.

LAGOS RAILWAY TELEGRAPHS.

Transmitted Message Form  
Copy GB Station 5-5-10.  
BC. I.K. 24 IB  
From T. A. IB. To T. B. IB.

C.B. 133 Your 818 Henderson out of stock of excess fare ticket on 23rd ultimo he applied at office on morning 25th before clerks were on duty and left without one no report made by him to me Excess fare books requisitioned my letter 6th April not complied with until 21st April. Consequently stock ran low. Henderson had not reserve book.

Meaning thereby that he the plaintiff knew that Guard Henderson collected and was collecting excess fares, with an excess fare book from which receipts ought to have been given that he (Guard Henderson) was aided and abetted in so doing by him (the plaintiff) in purposely disregarding the carrying out of the Governor's instruction as to the termination of his (Guard Henderson's) appointment. That the alleged active and anxious part played by him (the plaintiff) when Guard Henderson was arrested the other day, both at the Police Station, the Central Station and at an interview with the Acting Attorney General, the extraordinary interest in Guard Henderson are referable to one and the same cause.

And further an attack is made on the plaintiff in his office as Traffic Assistant by the implication that he grossly failed in his duty in the case of the prosecution of Guard Henderson in marked contrast to the alleged zeal displayed by him in asking for the arrest of Mr. Haddon Smith in the case of the lost waggon of kernels. Thereby gravely reflecting on Plaintiff's honour and tending to damage his character most seriously in the eyes of his employers to wit the Government of Southern Nigeria.

1. The Plaintiff has in consequence suffered much annoyance and has incurred public odium and contempt and by the reason of the premises has been injured in his character and reputation.

The plaintiff claims £200 two hundred pounds damage.

Dated the 15th day of June 1910.

Plaintiff's Solicitor.

#### DEFENCE.

1. "The defendant admits paragraphs 1 and 2 of the plaintiff's petition."

2. The defendant admits that the words set forth in inverted commas in paragraph 3 of the plaintiff's petition were printed and published by him, but say, that the said words do not mean what the plaintiff in his statement of claim alleged them to mean. They are incapable of the said meanings or of any other defamatory meaning.

3. The defendant denies that the words:—

"The following telegram has been received at Ebute Metta amounting to a report that Guard Henderson is collecting fares without an excess-fare book after the date of his dismissal contrary to the expressed instruction of His Excellency Sir Walter Egerton in a letter to the General Manager of the Railway on the release of Guard Henderson the other day.

#### "LAGOS RAILWAY TELEGRAPHS

Transmitted Message Form

Copy G.B. Station 5. 5. 10.

S.C. I.K. 84 IB

From L.A. L.B. To T.S. E.B.

C.B. 133 Your 818 Henderson out of stock of excess fare ticket on the 23rd ultimo he applied at office on morning 25th before clerks were on duty and left without one no report made by him to me Excess fare books requisitioned my letter 6th April not complied with until 21st April. Consequently stock ran low. Henderson had not reserve book."

Referred to one and the same cause and if they do, they are not in any way connected with the plaintiff.

4. The defendant says in so far as the said words consist of allegation of fact and without the said meaning and according to their ordinary signification are true in substance and in fact; in so far as they consist of expression of opinion they are fair comments made in good faith and without malice upon the said facts which are matters of public interest.

5. The defendant is a public journalist, and the said words were printed and published by him as such journalist in a public journal bona fide and without malice, for the public benefit and not otherwise.

6. The defendant denies paragraph 4 of the plaintiff's petition.

Delivered this 4th day of July 1910

Defendants' Solicitor."

Continued in page 2.

An unjustified publication as we know is a publication which has not been proved true. Therefore according to the Major premise "a serious defamatory libel is a publication which has not been proved true."

For a word to be a libel it must not only be "false" but it must be "defamatory," and defamatory words are those which produce, in any given case, appreciable injury to the reputation of another. "The court will also presume a word defamatory which exposes the plaintiff to hatred contempt, ridicule, or obloquy, which tend to injure him in his profession or trade or cause him to be shunned or avoided by his neighbour." Assuming that the words complained of are "false" let us hear Mr. Hewitt himself as reported by us in our issue of August 19:—

"What damage have you suffered?—Have you been dismissed?—No.

Suspended?—Not suspended.

Shunned by your friends? No; but it is not a good position.

But they have been receiving you into their houses? Yes.

You have received lawn tennis invitations from them—I don't know what they may do at home (England), I think the paper will go home. It may have done some harm.

What else have you suffered?—It takes a great deal of my time.

So you are claiming damages now for a prospective suffering?—Yes."

The following direction in law may lead our readers to an opinion:—

"If the words are not in their nature defamatory, that is if they have not injured the reputation of any one, no action of libel or slander, will lie, however maliciously they were published. But if the defendant maliciously intended to injure the plaintiff by his words and succeeded in his malicious intent, and damage to the plaintiff was the direct result of the defendant's words, an action on the case will lie, whatever the nature of the words, provided they are untrue."

The 2nd and 3rd Syllogisms are intended to prove that the words complained of are not fair comments on a matter of public interest because they contain imputations against the plaintiff's character and a mis-statement of facts. What constituted these imputations and the mis-statement of facts we are not told in the judgment but only left to conjecture. From the allusion to the Nigerian Chronicle of April 15 we infer that the mis-statement of facts which the judgment found was that Hewitt was not the man to dismiss Henderson. Assuming this to be true then the judgment admits that the other facts contained in the words complained of are true in substance and in fact and from these the charge of interest taken may also be established. "But where the gist of a libel consists of one specific charge which is proved to be true the defendant need not justify every expression which he has used in commenting on the plaintiff's conduct."

The attempt to connect the second paragraph with the first is in our opinion an attempt to prove the existence of imputations against the plaintiff's character. That such a process of reasoning is against all laws of thought has been shown above. And assuming for a moment that there is an imputation it is the law that "where the facts from which the writer deduces the imputation are well known and clearly referred to, or are expressly set out in the article there the imputation becomes a comment."

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NEWS OF THE WEEK.

HOME

His Excellency Sir Walter Egerton Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony and Protectorate of Southern Nigeria, returned to Lagos from leave of absence and resumed the Administration of the Government on the 12th instant.

His Excellency the Governor has been pleased to approve of the appointment of the following persons to the membership of the Ibadan Native Council.

- Adeaga Abese vice Akinale Mays
- Alaka Asaju " Oyewole Ekerin.

It is hereby notified for general information that His Excellency the Governor has recognised provisionally and pending the issue of His Majesty's Exequatur, His Excellency Dr. Gleim, Governor of the German Protectorate of the Cameroons, as German Consul-General for Northern and Southern Nigeria.

The Right Honourable the Secretary of State for the Colonies has been pleased to convey His Majesty's approval of the appointment of Mr. R. McNeill as an unofficial member of the Legislative Council, in the place and during the absence on leave of Mr. A. Matheson.

The Right Honourable the Secretary of State for the Colonies has been pleased to convey His Majesty's approval of the appointment of Mr. S. J. Sawyer as an unofficial member of the Legislative Council, in the place and during the absence on leave of Dr. O. Johnson.

The public offices and mercantile establishments were closed to business on Wednesday and today from 1 p.m. in consequence of the Lagos Annual Races.

We are pleased to welcome home C. W. George Esq., Merchant of this City from his recent tour.

There was a total eclipse of the moon last Wednesday night. The moon entered the penumbra at about 11 p.m. and was entirely enveloped at 12.20 a.m. of Thursday. Some of the members of our Mohammedan community who were zealous enough kept the traditional vigil.

His Excellency the Governor has appointed Captain E. V. Chatterton, 3rd Battalion, Royal Irish Rifles, to be his Private Secretary and Extra Aide-de-Camp from the 26th October, 1910.

Captain C. T. Lawrence, Junior Assistant Secretary, retains also the appointment of Extra Aide-de-Camp to His Excellency the Governor.

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# The Nigerian Chronicle

## Estimates of Revenue and Expenditure 1911.

### A Review.

In Colonies not possessing representative assemblies it is the law that the Government should at the same time that he proposes to the Council the Estimate of the ensuing year's expenditure, submit to them the draft of any Ordinance which may be necessary to provide the ways and means by which the expenditure is to be met. On the 18th day of October 1910 His Excellency the Acting Governor J. J. Thurburn submitted to the Legislative Council the Estimates of Revenue and Expenditure for the year 1911. The revenue is set down at £1,727,196 whilst the expenditure which was computed at £1,774,148 subsequently grew up to £1,774,364 that is to say that £47,168 is to be expended of which the Government could not explain how the amount is to be raised; but only depend on some fortuitous occurrence or on previous Surplus balance.

We know of no business establishment desirous of paying twenty shillings in the £ for its honest indebtedness that will work on the principle of spending above its income. Such a procedure can only be justified where an effort is made to meet some permanent works which will be a source of income to the organisation. That this is not always true of Southern Nigeria we shall endeavour to show in the course of this article. The principle by which the whole financial structure of our Colony is regulated may be deduced from the Acting Governor's message accompanying the said estimates.

#### Revenues.

The Government believe that the sources from which they derive their Revenues are "elastic" and therefore would congratulate themselves over the fact. This is saying in plain language without our running any risk of being charged with exaggeration or misrepresentation, that the taxpayers of this country are elastic &c. &c. That the greater the pressure you put upon them the more readily do they yield the much desired gold. For, is it not an economical fact that every penny which a government expends with one hand it must take away from somebody else's pocket with the other? In Southern Nigeria the tax on commodities is something added to the burden of the consumers of the country. And the Government, rather than sympathise with the people, show a delight in the fact of the hardship and inconvenience to which the men are subjected.

But what were the sources from which the government had derived revenue and expect to derive it in 1911? They are—

Customs duties—	£ 1,333,500
Harbour, Lighthouse, &c	15,300

Licenses and Internal Revenue	18,757
Fees of Court &c	88,556
Postal Revenue	14,005
Rent of Government Property	2,350
Interest	77,460
Miscellaneous	6,800
Railway and Tramway	268,900
Land Sales	1,550

These may roughly be divided into the following two heads viz; (i) Funds arising from the property or profits of the Crown and (ii) funds arising from taxes levied upon the inhabitants of this Colony. The former claims approximately 25% of the estimated revenue and the latter 75%.

As if to say that the people of this country have nothing to do directly with the raising of revenue we are told that "it is not shrinkage in the volume of exports but a decline in their home value—the cost of produce in the European Market—that may lead to the anomaly of a brisk year of trade contributing poorly to the coffers of the administration." Now in Southern Nigeria taxes are paid not on exports but on imports. Had the reverse been true then there would be a condition under which the raising of such revenues may be ascribed entirely to foreigners.

Admitting that this allusion to a consistently high price ruling in the European market for local produce was made in order to show that the buying powers of the taxpayers must increase correspondingly, still we find that the theory in this instance does not work out in practice. For the native producers are least affected by the foreign market price. Their selling price are determined for them by the "pools" and "rings" they are only privileged to deal with. They cannot come into the open market and so cannot participate in the advantages of a high price. With them shrinkage in the volume of exports means much. It means a loss of income and a reduction in their buying powers. An increase in revenue under such conditions must necessarily mean a drain on the capital of the taxpayers. That this is true is evident from the fact that there is no native capital in the country. All we can boast of are capitals invested by foreign speculators. To explain this situation by citing just one example, the government not long ago allow provisional duty free. To day the consumers have not to pay the same price for these articles as when they were dutiable but they are having to pay higher prices.

The withdrawal of duties on provisions has also the immediate effect of increasing the difficulties of the consumers by making them liable for all the money that would have come into the revenue from that direction but which have gone to increase the incomes of the foreign exporters.

The revenue for 1911 as those of previous years was arrived at from the consideration that the figures of the previous year were most equitable. But how is it possible to tell that the conditions that rule in 1910 will continue to operate in 1911. If the government are so unceasing of the basis of their computation are

Continued in page 8.

## LEGISLATIVE COUNCIL PROCEEDINGS.

Continued from our last issue.

### REPORT OF THE SELECT-COMMITTEE APPOINTED TO CONSIDER THE ESTIMATES OF EXPENDITURE FOR THE YEAR 1910.

continued.

#### HEAD 22.—MEDICAL RESEARCH INSTITUTE.

The Unofficial Members enquired as to the duties of the Learners provided for under item (3) and, after some discussion, it was decided that their title should be altered to that of "Laboratory Assistants."

#### HEAD 22A.—LABORATORY.

The same alteration as above was carried out under this Head.

#### HEAD 26.—SURVEY DEPARTMENT.

The Native Unofficial Members drew attention to the necessity for a map of the Western Province. It was explained that a tentative map is now being prepared by Capt. Beverley and will be published as soon as possible.

#### HEAD 28.—LANDS.

The Select-Committee were of the opinion that the post of "Learner" under Item (7) should be done away with and that in its place an additional Messenger should be provided for.

#### HEAD 32.—MOTOR TRANSPORT.

The Unofficial Members were of the opinion that this service should be extended to places like Ilesha and Oshogbo, as in certain places the natives were unable to dispose of their kernels and other produce owing to the difficulty of transport. They were also of the opinion that this move would render the service more remunerative to Government than is the case now.

#### HEAD 34.—MISCELLANEOUS SERVICES.

Expenses of Anthropological Survey. In discussing Item (33), the Unofficial Members expressed the wish that a paper should be laid on the table setting forth the work performed by Mr. Northcote Thomas and the benefit likely to accrue to the Colony by his present researches, as at the present they were not satisfied that the benefit likely to be derived justified the expense now being incurred by the Colony in connection with this service.

#### HEAD 35.—PUBLIC WORKS.

In discussing the question of relief provided for under Item (13) for the Municipal Engineer, the Honourable Mr. Williams wished to know whether this relief would possess the qualifications of a Sanitary Engineer. The Director of Public Works was understood to say that the man selected as a relief would have a knowledge of Sanitary Engineering.

Under "Accounts," considerable discussion took place as to the pupils shown under Item (35). The general opinion of the Select-Committee in the end was that these pupils should pass a test examination before being appointed and that they should also be bound under indenture.

ITEMS (47), (124) & (183). SENIOR INSPECTORS OF WORKS AND INSPECTORS OF WORKS. The Honourable Mr. Ajasa raised the question of the rates of pay drawn by the Senior Inspectors of Works and was satisfied with the explanation given to him.

#### HEAD 37.—WORKS AND BUILDINGS—ANNUALLY RECURRENT.

ITEM (24)—(29). ELECTRIC LIGHTING. In discussing the items under Electric Lighting, the Unofficial Members wish to draw attention to the fact that in their opinion the streets should be better lighted and that the Electric Light system should be extended to other parts of the town. At the present moment they are of opinion that the expenditure on street lighting as shown under this Head is justified by the result.

#### HEAD 39.—RAILWAY.

The Honourable Mr. Williams raised the question as to grading the salaries of Railway clerks on the same lines as in other Department of the Service, and the General Manager pointed out the difficulties which stood in the way of doing this. It was however explained to Mr. Williams that a certain number of posts in the Railway clerical Staff had been shown as pensionable in the Estimates now under consideration.

The Native Unofficial Members were of opinion that the provision for Motor Car for the General Manager under Item (143), Abstract E, was unnecessary.

The Honourable Mr. Urry was not of that opinion.

#### HEAD 40.—TRAMWAY.

The Unofficial Members drew attention to the irregularity of the Tramway Service, and the General Manager promised that the matter should receive his attention.

#### HEAD 42.—WORKS AND BUILDINGS—EXTRAORDINARY

ITEM 5. The Unofficial Members and the Principal Medical Officer expressed their satisfaction at the provision under Item (5) for the removal and re-erection of the Infectious Diseases Hospital and Mortuary.

The Honourable Mr. Urry pointed out that the Public Works material, chiefly timber, was allowed to lie on the Marina, and it was explained to him that Item (3) provides for new Sheds to be erected for the storage of timber at the back of the present yard.

ITEMS (17) & (18). The Honourable Mr. Williams expressed his great satisfaction at the provision for Training School and Quarters for Teachers under Items (17) and (18). The Select-Committee were in agreement with him, and trusted that nothing would delay the erection of the Training School early in the new year.

#### HEAD 43.—ROADS AND BRIDGES—EXTRAORDINARY.

Considerable discussion took place under this Head, especially as regards Item (22) New

**Bridges, Culverts and Drains.** The Unofficial Members were of the opinion that the Municipality should construct all new drains and should be responsible for them. The Municipal Board has funds under Appendix 3 to carry out the work in connection with the construction of drains, and therefore it was decided that Item (2) should stand but the words "and drains" should be deleted so as to make it perfectly clear that the Municipality in future were responsible for the construction of drains, and not the Public Works.

**HEAD 44.—TELEGRAPHS—EXTRAORDINARY.**

The Unofficial Members wish to register their opinion that further telegraph extensions are most necessary, chiefly—between Bonny and Degema; Sapelo and Koko; and Ikorodu and Ibadan.

**HEAD 45.—MARINE—EXTRAORDINARY.**

The Unofficial Members again drew attention to their often expressed opinion that the provision at Lagos of a floating dock capable of dealing with the largest Government vessels is essential in the interests of the efficiency and economical working of the Marine Department. They instanced the large expenditure which will be entailed by sending the "Sandgrouse" to Forcados, and also pointed out the delay in refloating this vessel owing to the absence of the "Egerton" at Forcados.

The Official Members agree in the wisdom of providing this dock and, in view of the large increase of Surplus Balances expected at the end of the year, the Select-Committee as a whole ask that His Excellency the Acting Governor should once more point out to the Secretary of State the absolute necessity for providing this dock.

In conclusion, the Unofficial Members desire to congratulate Sir Walter Egerton and also His Excellency the Acting Governor on the success which has attended the able administration of the Colony and Protectorate during the past years, resulting, as it has done, in the increased development and wonderfully expanding Revenue culminating in the Returns for 1910.

- F. S. JAMES.
- J. ERNEST GREEN.
- C. E. DALE.
- D. C. CAMERON.
- H. STRACHAN.
- C. A. SAPARA WILLIAMS.
- KITOTI AJASA.
- S. J. SAWYER.
- SIDNEY. H. URRY.

Council then proceeded to consider the recommendation of the Select-Committee along with the different Heads of expenditures.

Heads 1 to 3 passed. Under head 3 Governor's Office Hon R. McNeill denounced in the local press what he called "personal criticism in public affairs." He added that the administration has been unfairly treated; that they acknowledge the integrity of the administration.

Hon Mr. Urry:— These attacks in my opinion

are magnified. In former years no notice was taken of criticisms from the Press and there is no need why any notice should be taken of it now.

His Excellency:— I am pleased to receive the motion of the Honourable members. I am sure that these criticisms are treated with contempt by Sir Walter Egerton and I am extremely glad that the Honourable unofficial members hold a different view and know His Excellency's ways better.

Recommendation Under Head 4 adopted.

Under Head 6 JUDICIAL Mr. Urry pointed out that Mr. Robbin's case should be settled.

After some discussion the Honourable member moved that the Salary of Mr. Robbin Chief Registrar Supreme Court be increased and that someone be appointed to assist him.

Hon Mr Mc'Neil seconded the motion which was supported by Mr. Ajasa.

His Excellency:—An assistant has already been added to the establishment but I will put the motion. The motion was put and lost—all the unofficial members voted in favour.

His Excellency decided to watch how the present arrangement will work next year.

Recommendations under Heads 8 to 16 adopted.

Under Head 17, CIVIL POLICE, The Hon C. A. Sapara Williams pointed out the necessity for increased staff.

Mr. Urry:— There is need for this especially as the question has been raised by the Inspector General of Police.

The Hon: Acting Colonial Secretary was of a contrary opinion. The motion was however put and carried that an addition of Thirty Third Class Constables be raised to the Force.

Recommendations under Heads 20—37 adopted

Under Head 39 Railway it was pointed out that the General Manager provides for a Motor Car for use in Northern Nigeria.

Hon Mr. Williams was of the opinion that if this item is so desirable it ought to be met by the Northern Nigeria Government.

The discussions were unfavourable to the provision of this amount.

His Excellency:—The amount I will let stand, but will report to the Secretary of State that the expenditure is not desirable.

Recommendations under Heads 40, 42, to 45 adopted.

His Excellency promised to recommend to the Secretary of State the Suggestion of the Select Committee on Head 45 Marine Extraordinary.

H. E.:— Has any member anything to say under any head before passing over?

There being no further comment the Committee proceeded to consider the bill clause by clause.

Clause 1. In line 7 the words "three hundred and sixty four" were substituted for the words one hundred and fortyeight."

Clause passed as amended.

Clause 2 In line 3 for the words "One hundred and fortyeight" the words "three hundred and sixtyfour" were substituted.

Clause passed as amended.

Clauses 3 and 4 passed.

Schedule corrected as under:—

**SCHEDULE.  
EXPENDITURE 1911.**

Ordinary	HAAD.	£
1. Charge on account of } Public Debt } ... ..		271,000
2. Pensions and Gratuities ... ..		13,487
3. Governor's Office ... ..		9,548
4. Colonial Secretary's Office ... ..		171,838
5. Political and Administrative ... ..		87,058
6. Judicial ... ..		14,726
7. Legal ... ..		3,886
8. Treasury ... ..		17,251
9. Customs ... ..		36,808
10. Postal ... ..		17,304
11. Telegraphs ... ..		29,394
12. Audit ... ..		8,866
13. Printing ... ..		11,747
14. Force ... ..		102,946
15. Volunteers ... ..		2,808
16. Marine ... ..		128,022
17. Civil Police ... ..		49,038
18. Prisons ... ..		37,585
19. Forestry ... ..		16,807
20. Agriculture ... ..		13,998
21. Medical ... ..		74,695
22. Medical Research Institute ...		724
22a. Laboratory ... ..		728
23. Sanitary ... ..		5,003
24. Native Affairs ... ..		27,430
25. Education ... ..		33,230
26. Surveys ... ..		17,018
27. Mineral Survey ... ..		2,203
28. Lands ... ..		1,271
29. Rent ... ..		2,850
30. Charitable ... ..		700
31. Transport ... ..		59,944
32. Motor Transport ... ..		5,639
33. Contribution to Northern Nigeria		70,000
34. Miscellaneous Services ... ..		37,242
35. Public Works Department ... ..		54,649
36. Public Works—Roads Construction		84
37. Works & Buildings Annually Recurrent ... ..		32,969
38. Roads and Bridges Annually Recurrent ... ..		14,925
39. Railway ... ..		161,118
40. Tramway ... ..		3,243
41. Carter and Denton Bridges ... ..		1,785
<b>Total, Ordinary Expenditure ... £</b>		<b>1,497,567</b>
<b>EXTRAORDINARY.</b>		
42. Works and Buildings Extraordinary ... ..		120,393
34. Roads and Bridges Extraordinary		37,520
44. Telegraphs Extraordinary ... ..		9,182
45. Marine Extraordinary ... ..		58,531
46. Railway Capital Works ... ..		51,171
<b>Total, Extraordinary Expenditure £</b>		<b>276,777</b>

**SUMMARY.**

Ordinary Expenditure ... ..	1,497,567
Extraordinary Expenditure ... ..	276,777
<b>Grand Total ... ..</b>	<b>£ 1,774,344</b>

Enacting clause passed.

Title settled.

Council resumed.

The Hon the Financial Commissioner moved the third reading of the Bill.

The Hon: the Colonial Secretary seconded, Bill read a third time accordingly.

Question put that the Bill do now pass. Agreed to.

On motion duly made and seconded the Acting Colonial Secretary and Financial Commissioner were appointed a Sub-Committee to present the Bill to the Acting Governor for his assent thereto in the name of the Sovereign.

Council adjourned until Tuesday 1st November, 1910.

To be continued.

**PUBLIC MEETING  
(P. S. A. BROTHERHOOD) HELD  
AT THE GLOVER MEMORIAL  
HALL.**

Sunday November 6, 1910.

Report read by the Rev. S. A. Ocker,  
President.

The first P. S. A. Brotherhood was inaugurated by Mr. John Blackham of Bromwich in the year 1875—35 years ago during the mission of the late Mr. D. L. Moody in England. Its first meeting was held in the Congregational Church at Bromwich, Mr. Blackham being a Deacon of that Church. The Motto of the movement is "One is our Master, even Christ, and ye all are brethren." Its aims and objects are (1) To lead men and women into the kingdom of God. (2) To unite men and women into brotherhoods for mutual help. (3) To win the masses of the people for Jesus Christ. As special features, meetings must be brief, bright and brotherly; full of life, freedom and joy, with uplifting song and music. The Movement represents the joy of religion, the hearty, frank acknowledgment of the spirit of Jesus, the unfettered love of man in the name and for the sake of the Saviour. It is missionary at heart. It is not propagandist of some sect or creed or policy. It is not a sect of an "ism," It brings together men of all sects and "isms" and of none, to recognise their common brotherhood; to bind them in a common crusade against all things evil. There are over 2000 Brotherhoods in the United Kingdom alone with a membership of over 60,000 according to the statistics read at the Great National Conference of September 24—8 last.

The Continent of Europe has caught the fire and several Brotherhoods have been inaugurated.

South Africa has been blazing with several; it is doing 300 miles up the Congo in the heart of Africa; China is participating; that great divine, the Rev F. B. Myer, an ex-president of the English National Council of our Movement, has spoken of the Brotherhood, helping either in strengthening existing ones or encouraging the establishment of new ones in Constantinople, Singapore, China, and abundantly in his great Five months Tour in the United States; Zulus and Kafirs have felt the infection. Now, West Africa hoists of one, the flag having been unfurled in March 1909 here in Lagos.

It is a Young Brotherhood, but there seems to be a bright future of work and success. For the present, Meetings are held the 2nd and 4th Sundays in the month and proper Christian and scriptural addresses are generally delivered in English and Yoruba. The following are amongst the kind friends who have shown practical interest by taking chair or addressing meetings: the Revd. A. N. Cole who preached the Inaugural Sermon; Revd. E. Williams, Kufaji and Lapite; Hon: S. J. Sawyer, Dr O Sapara, Barrister Taylor, Mr. Chris Johnson of the Nigerian Chronicle, A. E. Roots of the Eastbourne Brotherhood, T. W. Johnson, W. B. Macaulay, J. N. Hamilton, M. Porter, S. E. Cole, &c. Mrs. I. B. Williams and Mr. J. H. G. Willoughby and a few others who sang special Solos at different meetings; Mr. C. W. George of Pacific House who took part in some of the meetings and used his magnificent Gramophone with excellent record Records. The Brotherhood supplied a Special Brotherhood Stone at the laying of Foundation Stone and other Stones of Zion Congregational Church in December last; this Stone was very kindly laid by Mrs. J. Bagan Benjamin on behalf of the Brotherhood and her loving interest has been more manifest ever since. The Brotherhood appreciate all these helps and hereby thank these kind friends most heartily.

One of the mainsprings of success of Brotherhood is good singing and music; it is our intention to get up an orchestra; our principle is "Festina Lente"; we hope in short to be able to start with 2 or 3 instruments, and with the help of friends who may be willing to contribute towards our Orchestral Funds, we may hope some day to be in possession of a full and strong Band. There is a Sisterhood and a Childrenhood a Boy's and a Girl's own in connection with our Movement; but we cannot yet make each distinct. We hold mixed meetings for the time being. There are over 250 names registered—many of the members being absent up the lines and other places of the colony. The different English Federations and the Great National Council of the United Kingdom are in brotherly sympathy with us. Greetings have been sent from the Nuneaton Brotherhood through our Organist and the first Hymn on our Programme today was composed by an English Brother and sung for our use by an officer of the Nuneaton Brotherhood. Greetings were also sent from Brotherhoods our President had the pleasure of addressing when in England in 1908; viz: old Colwyn Wesleyan Church Brotherhood, North

Wales; High Street, Wesleyan Church, Acton Brotherhood; the following Congregational Church Brotherhood: Ilford, London, Lower Footing London; Kingsland London; Churchfield Road, Acton; from Westend Baptist Church Brotherhood; Hammersmith Primitive Methodist Church Dalling Road Hammersmith; Homesdale Baptist South Norwood Brotherhood; from Plymouth, Manchester, Liverpool, Ashton-U. Lyne; Birmingham, Leicester and other Brotherhoods. Of course, these titles may be misleading. The Movement sets its eyes against Sectational Brotherhoods and sectarianism; the names of the Churches are attached more because meetings are held in them and their incipency owing itself to the efforts of members of those Churches.

We pray for the spread of the Brotherhood in West Africa and long for the time when there will be African Federations, West African Council; South, East, North and Central African Councils. Several English Weekly Papers like the Sunday Circle, Sunday Companion, Christian Herald, the Christian &c, report regularly every week the doings of the Movement but the Official Organ of the Brotherhood is the "B. J." It is published monthly @ 1/6 per Ann. including postage and could be got through the President of the Lagos Brotherhood. Friends will find this Journal very interesting and instructive some copies are presented to visitors to day as specimens.

The Brotherhood preaches the doctrine of the Holy Catholic Church, where non-essentials are forgotten. Says William Cross at the Uzbridge Road P. S. A. lately, "The Brotherhood Movement realizes the idea of a creedless Church. It does not ask men what they believe; it asks them how they live."

Our Brotherhood believes in Sects so long as they are on the line Christ Himself preaches—many folds united into one flock in spirit by Christ's love—the true brotherly love—Christ Himself the one Shepherd. The Brotherhood believes in diversities and uniformities just as in music where so many individual notes of different sounds which when properly hosen and mingled together give one grand chord of sweetest harmony where each sect of Church denomination should be as each such note which together by their Christian life, conduct and love must give one grand whole; the Church of Christ, full of joy and peace. We commend this movement to every one irrespective of creed, age or social status. The story of the Cross is the story of transcendent love; we are soldiers of the Cross, hence soldier of love. Let us seek not only to publish but let us spread by example.

Brotherhood meetings are held in the United Kingdom from 4 to 5 o'clock; and as we keep Greenwich time here in Lagos, there are about 200 Brotherhoods this moment engaged as we are, preaching the same Gospel of Brotherhood and singing to the praise of the One Master. May they, we, and you, dear friends, be truly united today, this moment and onward by the true Spirit of Brotherhood which is heaven in man's heart. "One is our Master, even Christ, and we all are brethren."

### FROM THE EDITOR'S POST BAG.

"Mr Morel sails in the "Jonathan Holt" from Liverpool on the 22nd. He shall call at Dakar outwards if possible, and possibly at Sierra Leone and then go straight on to Warri where he tranships into the "Axholme" and proceeds up to Baro, passing Onitsha, Lokoja, and other places. At Baro he lands and goes in the Railway to Zungeru probably stopping 48 hours en route to visit Bida, the Capital of Nupe. After staying a few days at Zungeru he proceeds as far as the trains are running that is as far as the Kaduna river. Here he shall meet horses and carriers from Kano and start his first long ride to Kano, via Zaria. He hopes to spend a week at Kano, and then start off on his second riding trek to Naraguta up in the Bauchi Hills in the tin-mining area. Thence back by another route to Zungeru and home by the Western province of Southern Nigeria, spending, he hopes, a few days at Ilorin, Ibadan Abeokuta Oyo and a week at Lagos. If time permits and his health remains good he hopes very much to proceed overland from Lagos to Benin to examine the native communal plantations there, and there pick up the "Thomas Holt" at Warri to return. He doesn't therefore expect to be in Lagos until the end of January, but of course it is difficult to tell how his itinerary may be modified en route. There is one thing however that he wishes to strive his utmost to do, and that is to be back in England in March, 1911."

"You have our confidence and we believe in your integrity. In our opinion you have won a moral battle."

#### Extract From an Enclosure to a letter.

"At Lagos, I shall probably, as I think I have told you before, be the guest of the Governor, but I think I need hardly tell you that the fact of my accepting hospitality from the officials will in no way interfere with my liberty of freedom of expression in all matters upon which I may be called upon to write. If I can be of any use in serving a sort of golden mean between the Governor and the Educated native community on any point upon which controversy has arisen I shall be most glad to do so. I am very pleased to think that the Educated native community are adopting so kindly a tone in connection with my visit. It will be a great pleasure to meet them and I am so entirely independent of any personal motives in the influencing of any judgments I may form upon various problems that they will feel all the freer to allow me to speak to them perfectly frankly on all subjects we may discuss whether our views coincide or whether they do not. My whole mental attitude on this is an attitude of receptivity. I want to hear all I can on every subject of interest from all sides and then to form my own judgment to the best of my limited intelligence. There are many sub-

jects in regard to which discussion with them can but be a source of profitable instruction to me such matters as "Our system of Education, The Liquor Traffic and many other points I am most anxious to enquire into. I only hope they will be equally frank with me and will not hesitate to speak their minds quite plainly. If I should differ from them on any given matter, I hope they will realize that I do so from conviction and that in any case I am open to argument and grateful for any information which may be placed at my disposal."

I am deeply and earnestly desirous that my visit may serve a useful purpose. Otherwise there would be no use my going out."

"You are doing this country a yeoman's service for which God alone can adequately reward you. I hope you will not drop the question of the obnoxious House Rules Ordinance until some measures are adopted to cancel or amend same for the benefit of both chiefs and their subjects."

"Mr. Morel is coming out to West Africa as Special Correspondent to the Times Newspaper and will also write for the Manchester Guardian."

"There is one sentence in a second letter received from E. D. M. which strikes me as being typical of the man. 'I ask no man for anything, I want no courtesy from any one if there is no courtesy in their hearts,'"

"Since writing my letter I have had a few lines from E. D. M. in which he tells me he is going out as "Special Correspondent of the Times". He will also write for the Manchester Guardian. He wants me to impress upon my native friends that "I come out absolutely independent of any fettering check of any character upon my future movement and expression. I come out my own master in every sense of the word, receiving courtesies from all and sundry, but indebted to none except in bonds of general good feeling and courtesy in various directions. No independent student has ever done that save Mary Kingsley."

#### NEWS TELEGRAM REUTERS.

14th November: Local Appeal Case. The Judicial Committee of the Privy Council has granted to Mr. Amado Taylor, a Sierra Leone Barrister, leave to appeal against an order of the Acting Chief Justice of Sierra Leone, sentencing him £500 on the 3rd of September, 1908, for contempt of Court and against two further orders on the 7th and 10th of May, 1910, sentencing him £50 and ordering him to be struck off the Rolls of the Sierra Leone Court.

Continued from page 3

It is prudent to bear in mind the fluctuating factor in business we think they ought to be doubly minded not to bring their expenditures so near the expected revenue much less as to fix it over and above the amount expected. When the returns for the current year shall have been compiled we have no doubt it will be discovered that the large increase in the year's revenue is due in a large measure to increased importation of spirits. The Liquor Commission of 1909 was not without its effect on the revenues of 1909 and 1910; and the experience of previous years, of decline and sudden rise, ought to suggest that the estimated revenue of 1911 need not be placed at such high figures.

The estimated Revenue for the ensuing year is £166,865 in excess of the current year's. An increase of £79,500 is expected under Customs duties £42,200 under Railway and Tramway £19,240 under interest £13,200 under Harbour Lighthouse &c.

Without going into the details of revenue we would like to point out under Head 6 Rent of Government Property Item 5 Brick Quarters for Native Staff that the sum of £500 is not justified. If Quarters are provided free for European officials at the expense of the colony the same consideration ought to hold for native officials otherwise it is setting a law for Mr. X and another for Mr. Y under a government whose policy ought to set no invidious distinction between individuals.

Another undesirable provision is the £240 expected under "Interest from Benin City Chiefs on Advance for water works." The amount represents interest on £6000 @ 4% and said to be loaned by the Government to Benin Chiefs. We have dwelt on this subject before and pointed out the injustice of the whole proposal. It is an illustration of how poor natives are made to suffer for the extravagance, carelessness, indifference and incompetence of some employees of the Government. Admitting for a moment that the imposition of this tax is righteous will it be right to make the Benin Natives pay for expenditures which is the result of inertia on the part of the Government? The principle of the whole provision is wrong "The water Supply of cities is largely provided by public authority, out of public revenues, and in some cases, also the gas supply." It is the duty of government to protect and preserve person and property. Water is an essential necessity in existence and as such it ought to be left untaxed.

The capital including wastage with which the whole Scheme is to be perfected and which goes to benefit a whole community is only a trifle over what is to be expended on a Colonial Church which is to benefit just 30 men at most every 7 days. The revenue is the revenue of the whole colony and every organic group in that community has a claim on the revenue. This principle should apply in every case where works of general utility are proposed. To make them pay any interest for the amount expended on this Water Supply will be extorting money from the people to prop up an expensive government.

We now pass on to consider the

Expenditures

which are set down as we have mentioned above at £1,774,364. Of this sum £740,624 that is 41.7% of total revenues are absorbed by Personal Emoluments; £756,943 or 42.6% of total revenues by Other charges; £225,626 or 12.7% by Works Extraordinary and £51,171 or 3% by Railway Capital Works. An analysis of the expenditures under Other charges shows that 10% at least of that expenditure is chargeable to Personal Emoluments being Allowances, Passages &c to officers. So that 50% of the revenue strictly speaking goes for salaries and allowances; 15.7% to works and the difference of 34.3% to Interest on loans, Materials and Up keep of Government buildings &c.

The greatest weakness of this Administration is the desire to dissipate mostly in salaries and buildings every unexpended balance or addition to the revenue. Without taking any consideration just now for Supplementary Votes that may crop up in the necessary course of events an inroad is already proposed to be made into the savings which would have gone to reduce our national debt. Those who are controlling and directing our finance are birds of passage with only a temporary interest and one which has much to do with their own pockets and those of their friends. Can we be charged with misrepresentation and exaggeration in the face of the fact that 50% of our total expenditure is to meet the salaries and conveniences of our officials? It is our intention in the succeeding issues of this paper to submit a "suggested budget" which may answer very well the purpose of government whilst proving less irksome to the taxpayers who have to bear the burden.

"THE NEED FOR OUR SOCIETY."

*'Natives interests are even more important (than Imperial), because there are fewer people to look after them. ....It is the fact that one has to watch very carefully the action of all companies in remote parts of the world to see that natives are properly treated. Experience has shown that natives are ill-treated at times, not only by natives of this country but of other countries, and one must watch over them'*

These words of Colonel Seely, recently used in connection with the question of concessions granted to a certain company in the Pacific Islands serve as an admirable motto, showing the need for, and justifying the work of, such a Society as ours. Human nature being what it is, it is hardly a matter for surprise that when syndicates are formed, whether in this country or elsewhere, to develop the resources of new territories remote from the centres of civilisation, the methods used to obtain the indispensable native labour required should often be those of unscrupulous exploitation if not of cruelty. It is unfortunately a tendency of all of us, where our pockets are concerned, too often to become singularly disposed to forget the claims of humanity, and to turn a blind eye and a deaf ear to the means employed to produce the desired result; hence the constant need for a Society such as the Anti-Slavery and Aborigines Protection Society to keep watch over such questions."

Anti-slavery Reporter and Aborigines Friend.

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NEWS OF THE WEEK.

HOME

His Excellency the Governor and Lady Egerton will be "At Home" on Tuesday next the 29th inst at 4. 30. p.m.

His Excellency the Governor has been pleased to appoint Lieutenant-Colonel Harry Claude Moorhouse, D. S. O. Chief Assistant Secretary, and Assistant Provincial Commissioner, to act as Colonial Secretary from this date until further orders.

His Excellency the Governor has been pleased to appoint Donald Charles Cameron, Esq; Chief Assistant Secretary, to act as Provincial Commissioner of the Western Province, from this date until further orders.

HOUSE OF COMMONS. The Budget has passed its third reading without a division. Mr. Harcourt announced that the Acting District Commissioner at Forcados had no power to authorize corporal punishment in the case of the boy, Johnson, who escaped from Chief Magbeni, and that he would be censured—Reuters. 24. 11. 10.

"Nigeria Almanac" for 1911 by Dr. Mojola Agbebi is on sale at this Office at 6d a copy or 5/- a dozen. Everyone should keep a copy as it contains views and information of local interests.

From the Editor's Post Bag

"Dear Mr. Johnson, I shall be obliged if you will accept the enclosed Postal Order for £1. 1. 0 as my contribution towards any funds that may be collected for the payment of the fine imposed upon you in the case of Mr. Hewitt vs. The Nigerian Chronicle.

Please allow me to express my appreciation of the splendid efforts of your journal in the cause of the people."

We acknowledge with thanks the Parochial Almanac for 1911 from the Pastor of Holy Trinity Church Ebute Ero.

Also "Nigeria Almanac" from the Rev. Mojola Agbebi. The proprietor of "U. P. G." Store has issued his Calendar for 1911. It is a scenic representation of Noel in warm Brown and printed by the Alumino process.

We are sorry to learn of the unfortunate disappearance at the Bar of the Motor barge said to be manned by a European and a native workmen at the unsuspecting moment.

Thanks for Sympathy.

The Rev. E. T. Johnson on behalf of himself and family returns sincere thanks to all kind friends who have expressed sympathy with them in their recent loss by the death of Albert.

DIRECT INTERT-COLONIAL SERVICE BETWEEN LAGOS AND GOLD COAST

The attention of shippers is called to the Direct Inter-Colonial Service of Steamers between Lagos and Gold Coast ports, carrying passengers

Special facilities are given by these Steamers cargo being shipped and delivered inside Lagos thus avoiding transshipment in Lagos Roads.

For further particulars apply to

BLDER DEWPSTER & Co



# The Nigerian Chronicle

## Estimates of Revenue and Expenditure 1911.

### A Review.

#### Expenditure Continued.

Before picking up the thread of our last discussion we would like to make a passing reference to an incident that has occurred since publication. On Sunday last the 20th inst; the Lieut Governor and Colonial Secretary of this Colony, the Hon J. J. Thorburn C.M.G., left by the Steam Yacht "Ivy" to take up his new appointment as Governor of the Gold Coast Colony. According to the Special Rules as to Leave of Absence, Passages and Pensions of European Officers on the West Coast of Africa the Lieut Governor is entitled to a free passage: for "free passages home and out again are allowed to all officers under the rank of Governor." And assuming that he goes from Lagos to England his passage fare according to the current rate and chargeable to this government would be £30. 16 0 instead of £3=10=0 as from Lagos to Accra.

On the morning of the 17th instant the R.M.S. Zungen called at this Port for Mails and passengers for the Windward ports. Instead of the Hon. gentleman availing himself of the opportunity it was allowed to slip because as it was alleged the Lieut Governor and Colonial Secretary would wait and watch the Annual Races that were to continue up to Saturday the 19th inst thereby necessitating a special conveyance.

Now no one would have questioned this action of the Honourable gentleman if he had waited for the next regular boat or grudge him the honour of a Special Yacht to Accra were it not to cost the taxpayers of this country something extra. By bringing the S. y "Ivy" into requisition the Colony has had to pay for the Coal consumed for, at least, 48 hours as also the salary of the crew and any depreciation that may have been occasioned by the trip.

This in all probability may be about £90. Why, we ask, waste such an amount when the sum of £3 10. 0. or at most £30 16 0 could have covered the expenditure? This is a fact in proof of the want of care in the expenditure of the Government.

The expenditures for the ensuing year we mentioned in our last are set down at, £1,774,364. In our opinion and in the interest of the taxpayers we think this amount can be considerably curtailed. Salaries &c may be reduced by 16½%; works &c by 5% and Loans &c by 9%; or roughly by ½ of the estimated Expenditure.

#### HEAD CHARGE ON ACCOUNT OF PUBLIC DEBT

is to bear a total expenditure of £275,000—an increase of £75,000 over the current year's. Of this £56,000 is the estimated interest on a new loan of £1,400,000 thus raising our national debt

to £6,400,000. The Budget did not show as in 1909 what loan works have been executed and those to be proceeded with in 1911 necessitating a floatation. If we set down the cost from loan funds of our Railway at £4,000,000 (as we know that £3,098,784 have been expended up to 1908) interest at 3½% would be £140,000 which is the annual cost of the loans to the Colony.

With the revenue as for half year ended 30th June 1910 standing at £56,976. It is clear that the Railway is still worked at a loss. The other additional expenditure of £15,000 is Sinking Fund towards the repayment of these loans. We only wish it had been possible to add more to this item and so reduce the annual interest due from us. Until the Government is in a position to provide a far larger sinking fund it is not advisable to undertake works involving New loans and the Colony spared in 1911 £56,000.

2 Pensions and Gratuities call for no comment.

3 Governor's Office show an expenditure of £50 Personal to Mr. Hansen for which no authority is given. This amount was so inserted in the 1910 estimates but had not the approval of the unofficial members of Council. The Governor notwithstanding the reasonable objections promised to bring the case before the S. of State. For the matter of that almost all the principal native officers who were recommended for increments that year had to go without. Mr. Hansen we understand is drawing this amount but at whose authority the Estimates for 1911 does not show. Mr. Hansen is a native. Much as we would like to see him benefited in every way we do not think the administration considering only the claims of those who are immediately under them is encouraging industry on the part of those who are not so situated—unless the idea is to grant him all the advantages possible now ere a Pharaoh arises that may not know Joseph.

We still retain our opinion with regard to duty pay. They are utterly unnecessary and burdensome save to the individuals who enjoy them. The payments under that head could have gone to increase our Sinking Fund.

The sum of £2000 may be saved under this head.

To be Continued.

#### LETTER TO THE EDITOR.

November 22 1910.

To the Editor of the Nigerian Chronicle  
An apology

Dear Sir,

We feel we owe the reading public an apology for the mistake in our Parochial Calendar recently published for the year 1911; it is a mistake we sincerely regret but over which we have no control.

It is due to our printer's inadvertence in printing the inscriptions under the photograph of the late A. O. Taiwo Esqre., under that of D. Akibode Jacobs Esqre., and vice versa.

We hope the public will overlook it with due clemency.

Thanking you for space.

Yours faithfully,

OYE AKITOYA

Honorary Secretary, Holy Trinity Church Parochial Committee.

## "SURVIVALS OF OLD CUSTOMS. Doctors and Lawyers in the Middle Ages

Mr. C. Delisle Burns continued on Thursday before the members of the Bradford Philosophical Society his series of lectures on "Social Life in the Middle Ages."

Mr. Burns devoted his address to the consideration of the life of the doctors and lawyers. He pointed out that both these professions arose originally out of the practice of slaves in great households, who were kept expressly to look after the health and the affairs of the members of the family. That was in the earliest civilisation, and had broken down by the Middle Ages. In the thirteenth and fourteenth centuries both doctors and lawyers were organised in craft-guilds, exactly like the bakers and the builders, which subsequently became very close corporations. As an example of the survival of ancient forms connected with that stage of organisation he mentioned that the three balls which were recognised now as the sign of the pawnbroker were originally the pills of the mediæval doctor. To the great guild of doctors in Florence there belonged a family which took their name after the guild—the Medicis, just as the Smiths took their name originally from their trade. The Medicis, as everyone knew, grew powerful, and the son of Lorenzo the Magnificent became Pope Leo X. Leo was impressed with the fact that the Jew moneylenders oppressed the poor, and he established a charitable organization to lend money to the poor without interest upon the security of the deposit of their property. This charity was the first pawn-broking establishment, and since the building in Rome was decorated with the arms of the Medicis the doctor's pills had survived as the sign of the pawnbrokers.

A number of quaint prescriptions were read to show that the early doctors had no scientific system of treatment, but relied largely on what was called nowadays "sympathetic magic," based on the idea that persons could be influenced by subjecting things external to them to processes similar to that which it was wished to induce—the idea, for instance, that a person could be made to waste away by holding a wax image of that person to a fire. The "worts" used as medicines were required sometimes to have a certain number of masses said over them, or they must be culled when the moon was at the full or some particular star in the sky, while Alexander, a great medical authority, declared that "a few lines of Homer when the moon was in Libra" was exceedingly useful, though he omitted to say how and for what they should be used. Superstitious as these things seemed, we still retained relics of such charms in common use. The custom of wearing rings at times of crisis in our affairs—at marriage, for instance—was pre-mediæval. The ring contained the soul and kept the devil away. Through such charms there grew up in the medical profession a great mass of tradition of a very worthless character and physicians came to have a few favourite cures of their own. These tried remedies developed into a tradition, and at the Renaissance developed into

a medical science. After referring to the connection between the barbers and the surgeons, Mr. Burns described the organisation of the profession between the ecclesiastical and the civil law, and pointed out that in early days there was strong resistance to the plan of hiring paid advocates in the courts, but a "friend" was allowed to appear. Thus to-day a barrister was unable to sue for fees for the theory was that he was not a hired servant, but a friend.

## LEGISLATIVE COUNCIL PROCEEDINGS.

TUESDAY, NOVEMBER, 1, 1910.

#### PRESENT:

His Excellency the Acting Governor and Commander-in-Chief, J. J. Thorburn, C.M.G., The Honourable the Acting Colonial Secretary, F. S. James, C.M.G., The Honourable the Acting Attorney-General, J. Ernest Greep, The Honourable the Financial Commissioner, C. E. Dale, The Honourable the Acting Provincial Commissioner Western Province, D. C. Cameron, The Honourable Dr. H. Strachan, C.M.G., The Honourable C. A. Sapara Williams, The Honourable Klotyi Ajasa, The Honourable S. H. Urry, The Honourable R. McNeill, The Honourable S. J. Sawyer.

#### ABSENT:

The Honourable the Provincial Commissioner, Eastern Province, W. F. W. Fosbery, C.M.G.; The Honourable the Provincial Commissioner, Central Province, H. Bedwell, The Honourable F. C. M. Anton, The Honourable John Miller.

#### MINUTES.

The Minutes of the meeting held on Monday, the 24th October, 1910, were read and confirmed.

#### PAPERS

The Acting Colonial Secretary laid the following papers on the Table:—

No. 31 of 1910. Annual Report on the Education Department for the year 1909.

No. 32 of 1910. Interim Report—Lagos Railway—half-year ended 30th June, 1910.

#### MOTIONS.

The standing Rules and Orders having been suspended, the Honourable Sapara Williams rose and addressed the Council as follows:—

Since we last met in this assembly circumstances have transpired having an important bearing on this administration. Our Acting Governor the Hon J. J. Thorburn, C.M.G. will shortly be going away from us. He has been transferred to a region which is all gold. I hope he will not only make the money but will be able to push forward the rubber industry of that country. It is with very great pleasure that I move the following resolution:—

That this Council heartily congratulates His Excellency J. J. Thorburn C.M.G. The Acting Governor of this Colony on his appointment by His Most Gracious Majesty The King to the

important position of Governor and Commander-in-Chief of the Gold Coast Colony.

This Council desires to place on record its deep appreciation of his very valuable Services to this Colony as Colonial Secretary and Lieutenant Governor, as well as its recognition of the able and official manner in which he always discharged every Public Duty in connection with the administration of this Colony.

This Council wishes for His Excellency in the New Sphere to which he is being called that brilliant success which has hitherto attended his career in the Service of His Majesty's Government, and also a long life of usefulness in the Service of His Most Gracious Majesty The King.

Honourable members:—It is the rule of my life not to eulogise any man in his presence. I really wish His Excellency had been on leave this afternoon I would have been able to speak freely and speak better of him. Everyone who had known him will admit that there is nothing too much in the motion I have just made which cannot be cheerfully endorsed. There have been in this Colony Secretaries and Secretaries: we do poke at each other but that is nothing. Our Acting Governor has done his best. Without an able mind it would have been impossible for him to be anything. It is true that the Governor is MASTER of the administrative barque but in the person of our Acting Governor he has an able CHIEF MATE. His Excellency has been in the Civil Service since the year 1896 and in all the various offices he had been called upon to work he had done so with great efficiency.

The Hon Mr. Urry:—I have much pleasure in seconding the motion that has been so ably moved by Mr. Williams. Mr. Thorburn has been with us for many years. We have not only to congratulate him on his recent preferment but also to congratulate the Gold Coast Colony in having an able administrator to succeed the late Governor Rodger. The appointment is a desirable one. Mr. Thorburn goes to take up an administration which is in its infancy of development. We hope he will be able to carry on with the usual efficiency the duties involved in his new appointment and so fulfil our wishes and the good will which we here tender him.

His Excellency the Acting Governor:—

Hon: members I have been greatly surprised by the many expressions of congratulation that have reached me the past few days. Telegrams have come not only from officials but from men in Mercantile establishments and other vocations of life. I consider myself highly flattered by these considerations. Unfortunately I have found myself under such circumstances the combined efforts of which has put me down.

Mr Williams has touched upon, shall I say, my career in the Civil Service. It is extremely gratifying to me that I had not been credited with a bad administration. The only remark that I have to offer is my appreciation of those sentiments. Mr. Williams, referred to me as the Governor's "Chief Mate" and I am sure it is a post involving great responsibilities. Nobody

realises the opportunities better than myself and in this I think you will all agree with me. Certainly in going to the Gold Coast it is my desire to do the best in my power and so justify the lofty opinion entertained about me.

The motion on being put to the vote was carried unanimously.

Pursuant to notice the Honourable Sapara Williams moved the following motion:—

Considering the congested state of the Town of Lagos, and with a view to encourage the Towns' people to build outside the Town at Ebute Metta Yaba and Aton, for residential purposes, in the opinion of this Council, the time has come for this Council to sanction the extension of the Lagos Government Tramway from Iddo to Aton beyond Yaba; or, if the financial state of the Colony will not admit of this being carried out at present, that arrangements be made by the Government with the General Manager of the Lagos Government Railway for Trains to run every hour between Iddo and Aton. And furthermore, this Council suggests that the Tramway running between Ereko and the Magazine through Faji Market, Tokunboh Street, and Cow Lane, shall run during the day for the purpose of half hourly passenger traffic: and said.

In regard to this motion I believe it wants very little from me to ask for its adoption. The General Manager in paper No. 23 laid on the table of this Council seemed to have anticipated me in this motion. He wrote:—

"The Lagos Steam Passenger Tramway continues to be worked at a loss. The infrequent service, due to the small stock available, is no doubt to some extent responsible for this result, but it is doubtful whether a Steam Tramway is either suitable for the needs of Lagos, or will ever be worked remuneratively. The question of electrification put forward by the Management in January 1907 remains in abeyance. It would, however, be advisable that the whole subject be now seriously considered in conjunction with the extension of the Tramway to Ebute Metta and Yaba. The surplus population of Lagos is finding an outlet on the mainland and establishing itself at Ebute Metta and in the neighbourhood, and it is an important matter that facilities should be granted to the public in order to meet the requirements of the extending residential area."

Hon Members that is a suggestion—a suggestion which is a necessity in several respects. Professor Simpson spoke of Congestion in this town. There are 2 ways of removing that congestion. One is by extension to Yaba and Aton and the other by the Government extending to the Ikoyi Plains. The natives cannot understand the reason for such extension.

There is also the case of the poor clerks whose rentals have increased very considerably. Some of them have to go into debt for same. Take a First class Clerk for instance earning £150 he has to pay £2 to £3 per month. Clerks who come from foreign places find it difficult for the matter of that to carry money home. Then there is the question of health. I am at one with

the Government in spending any amount for this purpose. The atmosphere around Aton is healthier and better than what we have in this town and by the people extending to that quarter much good must surely result. If the government is able to place the train at the disposal of the community they will not only benefit in health but it will enable us to put our building laws and regulations into operation.

The Honourable Kitoyi Ajasa seconded the motion.

The Hon Acting Colonial Secretary:—

Everyone in this Council I am sure is in sympathy with the motion. We are also conscious of the congestion and are desirous that every extension be made. Such an extension is made in every big place where people extend with the Tramways. It is no new matter whatever. Although we are in sympathy with the suggestion yet we have to consider how it will affect the government.

The present tramway Service is not remunerative so that it will not be politic to extend it. The fullest enquiry will have to be made into the matter to know what loss the government will suffer by such extensions and how that loss may be counter-balanced. An electrification of the present line has been suggested. It will be impossible to effect this without pulling down the present line. Another difficulty will be the Tramway to Ebute Metta. The gauge of the line across the bridges has to be altered. It will be very precarious to have this done. We must consider that in assisting the Colony we are not to lose sight of the expenditure involved and exceed our means.

There is another alternative suggested by Mr Waller—the use of Motor Shalvans. We cannot say whether that will be workable from the sort of roads we have. According to the suggestions of Mr. Glasier and Mr Waller trains cannot run every half hour. The subject required full consideration and we have to wait and consider which of these two proposals will suit. In the event of none we shall have to come back to one of these suggestions contained in the motion.

With regard to the running of mid town line the sum of £2000 has been voted for additional rolling stock and property to be added. Although Mr. Thorburn is leaving shortly I hope he will convey to Sir Walter the information and great work will no doubt result.

His Excellency:—If the suggestion contained in the motion of the Honourable member will help the extension of the government and tend to the good of the people I am for any improvement and I hope to lay the matter before Sir Walter on his return to the Colony. I would suggest that the motion be brought forward again when he is here.

On the above suggestion The Honourable Sapara Williams asked that the motion stand adjourned till the return of His Excellency Sir Walter Egerton to the Colony.

Pursuant to notice the Honourable Sapara Williams moved the following motion:—

That, in view of the increase and growth of late in the business of the Post Office, in the various Branches and more especially in the Parcels Post Branch, in consequence of which the present Post Office Building has become very inconvenient for the pressing needs in the arrangements necessary for the proper working of that Department, and there being in consequence also an absolute want of sufficient accommodation for the efficient discharge of public business as well as for attending to the public, and particularly for the storage, the safety, and security of the enormous quantity of Parcels arriving weekly, in the opinion of this Council the time has come when an expenditure should be incurred for the purchase of a suitable site and for the erection thereon of a commodious building with convenient premises to meet the large and constantly increasing business of the Lagos Post Office and said.

This is a question that must engage not only the attention of the government but that of the mercantile community as well. Anyone who has had business transactions with the Post Office will conclude that the accommodation is inadequate. Some people, I understand, have expressed the opinion that there is no necessity for it. From that opinion I must dissent. I have been at the Post Office when mails arrive and found the accommodation inadequate. About 2000 parcels arrive within a month and the space allotted for them is not more than 17 feet. If those who differ from me will simply go into the facts they will find that the building is inadequate. It takes 10 minutes almost to find a parcel. If those who say the accommodation is adequate still insist they will have to disprove the statement I have made. The native community as well as the merchants will agree with me as to the necessity on the part of the government purchasing a site for a building. It may here be necessary for me to point out that I still hold to my views with regard to sites for building private official quarters; but for buildings of public utility as a Post Office I hold no objection for any expenditure.

We have an example in the new and elaborate post office buildings that is being put up in the heart of the English metropolis at present. The postal establishment in any country is an important public institution. I will therefore move that a suitable site be purchased for the erection thereon of a commodious building with convenient premises to meet the large and constantly increasing business of the Lagos Post Office.

Hon. Mr. Urry:—I am quite surprised at any individual who complained that there is no necessity for this motion. The importance of it is apparent we need an elaborate building. And I would like to point out that not only along the Marina should we seek for a suitable site but we may look for one along Broad Street. I heartily support the motion that has just been made.

Hon: Colonial Secretary. This question has been engaging the attention of the Government since the year 1898. There has always been the difficulty of obtaining a suitable site. Many &

time we have met with hungry remarks and invariably had to give in. The mover of this motion though a keen critic of expenditure on public buildings did not mind going out of his way to recommend an expenditure for a Post Office building. He would not add to the residence of the people who are supposed to carry on the work of public utility. Mr. Urry speaks of elaborate building but I'll call it an extravagant building. I do not know that the present Post Office is so bad but the space allotted for parcels may not be convenient. Next year we hope something will be done.

**His Excellency:**—We want a Post Office that will last for years but not for a short while. We had tried several schemes but failed. The Old Treasury had been suggested but we found it incommodious. If any one can suggest a place it will be good indeed.

Motion agreed to.

The Acting Colonial Secretary moved the following motion standing in his name and addressed the Council as under:—

"That this Council approves the Expenditure shown on the undermentioned schedule amounting to £20,556."

#### SCHEDULE.

1. Head 6. Judicial. Item 32, Remission of Fines and refund of Hearing fees—additional... New Vote £25

Item 54, Assessors' Fees—additional...£30.

Item 63, Allowance to Deputy Registrar—additional...£15.

Item 78, Sheriff's fees—additional...£100.

#### Explanation Offered.

1. These sums represent additional amount to that in the estimates. It has been found very difficult to foretell what these expenditures would be.

2. Head 9. Customs. Item 35, Drawbacks—additional...New Vote £1,000.

#### Explanation Offered.

2. Item 35 is also supplementary to the estimated amount. It was not possible to say accurately when preparing the estimates what the expenditure would be.

Item 132, Fees to Officers for Overtime service—additional...£300.

#### Explanation Offered.

Item 132 This is a new vote due to large trade and the expenditures now asked for will come to the revenues

Item 135, Drawbacks—additional...£2,500.

#### Explanation Offered.

Drawbacks Item 135 refers to the Cameroons

3. Head 16. Marine. Item 397 Coal and other Fuel—additional...New Vote £3970.

#### Explanation Offered.

3. This additional amount is required for the purchase of more coal owing to increased traffic

4. Head 16. Prisons. Item 23, Rations for Prisoners—additional...New Vote £350.

Item 43, Rations for Prisoners—additional...£1,000.

Item 68, Rations for Prisoners—additional...£1,600.

#### Explanation Offered.

4. The ration of prisoners appears to be a little too exuberant; and the number of prisoners also has increased considerably. We hope to be able to go into the question. Meanwhile we have not been getting as much as we expend from the Native Court. We hope to be able to justify this soon.

**Mr. Ajasa:**—By way of confirmation of what the Colonial Secretary has said I have visited the prison here and found the food very satisfactory by tasting it. I would like to know what is going on in the other Provinces?

**Hon Col: Secretary:**—The whole thing is laid down by law. I am hoping however, to confer with the Principal Medical Officer on the subject.

5. Head 21. Medical. Item 28, Expenses of Doctors and Nurses at School of Tropical Medicine, etc.—additional...New Vote ... £600

#### Explanation Offered.

5. Under Item 28 amount provided is inadequate. These men must pass through the necessary training.

**Mr. Williams:**—These expenditures to me are unnecessary. As soon as the men are trained they go to other countries.

**Hon Col: Secretary:**—The service is all one.

Item 118, Vaccination Expenses—Additional...New Vote... £76

#### Explanation Offered.

Item 118 is to meet the payment for Lymph used at Abeokuta during the outbreak of Small Pox. The Egba Government ought to pay this amount but since it is a preventive measure we are taking up the payment.

6. Head 23 Sanitary. Item 9A, Extra Sanitary Measures—Additional New Vote... £160

#### Explanation Offered.

6. The expenditure under item 9 a is to meet Dr. Pickle's work on the destruction of Mosquitoes.

Quarantine Measures—Western Province...New Vote... £233

Quarantine Measure—Eastern Province...New Vote ... £180

#### Explanation Offered.

The quarantine Measure is a very important Service and the additional amount is required to meet the expense incurred.

7. Head 32. Transport. Item 12, General Carriers—Additional ... New Vote ... £150.

Item 37, General Carriers—... New Votes £350

#### Explanation Offered.

7. It is very difficult to estimate the expenditure under this head whether in the Western

Central or Eastern Province. There are general orders laid down and we cannot exceed the terms allowed. There have been a great deal of shifting hence the necessity of a new vote.

Item 38, Special Transport—Additional New Vote ... £900

Item 63, General Carriers—additional ... New Vote ... £1,300

#### Explanation Offered.

Items 38 and 63 are due to movements of Officers.

8 Head 35 Miscellaneous Services Item 25, Expenses of Veterinary Research—additional... New Vote...£86

#### Explanation Offered.

8. The expenditure under item 25 is to enable Mr. Gardner who was here to continue his research.

Item 26, Miscellaneous—additional...New Vote ...£255

#### Explanation Offered.

Item 26 is to meet the expenditure in the Foreshore case.

9 Head 38 Works and Buildings—Annually Recurrent. Item 19, Cost of outside work executed on repayment—additional New Vote ...£150

Item 47, Cost of outside work executed on repayment—additional...New Votes...£100

#### Explanation Offered.

9. These sums are required for the Central and Eastern Provinces. The cost is paid into the purse of the government.

10 Head 40. Railway. Items 20—23 Abstract A, Maintenance and Renewal of Permanent Way—additional...New Votes...£1,150

#### Explanation Offered.

10. Items (20—23) The additional sum is required for repairs &c.

Items 31—35, Abstract A, Unclassified Expenditure—additional...New Vote...£1,250

#### Explanation Offered.

Items (31—35) The amount is for Sanitation.

Items 36—40, Abstract B and C—additional...New Vote...£4,000

#### Explanation Offered.

Items (36—40) The expenditure is to meet increased number of Trains which is the result of more mileage work.

11 Head 43. Works and Buildings—Extraordinary. Item 7, Mosquito Proofing for Public Buildings—Additional... New Vote... £480

#### Explanation Offered.

11. Item 7 provides for mosquito-proofing the Hospital &c.

Item 102A, Forcados Steamer Pier—additional...New Vote...£269

#### Explanation Offered.

Item 102A—£12,195 was the total expenditure sanctioned by the Secretary of State for this work. With the sum now asked for we shall still have about £52 to the good.

Item 102B, Quarantine Station Forcados additional...New Vote...£27

#### Explanation Offered.

Item 102B amount required for the purchase of Sulphur for use at Forcados.

Item 157, Mosquito Proofing—additional New Vote...£150

#### Explanation Offered.

Item 157 This additional sum is required for mosquito-proofing in the Eastern province.

Item 161, Sales—additional...New Vote ... £17

#### Explanation Offered.

Item 161 amount required for Sales for Calabar Post Office.

12 Compassionate gratuity to children of the late E. R. Marshall, Motor Mechanic, Marine Department ... New Vote ... £58

#### Explanation Offered.

12. Mr. Marshall left 2 children one of whom is 5 years of age and the other 3 unprovided for; and both parents are now dead. The question came up in the Executive Council when it was moved that this Council be asked to vote the above amount.

13 Gratuity to Mr. J. M. Mason, late Master Carpenter, Public Works Department... New Vote £180

#### Explanation Offered.

13. Mr. J. M. Mason joined the service in August 1903 and held a pensionable service. He has not been confirmed in his appointment and the Secretary of State proposed that he should not suffer. He was 'invalided home.

14 Gratuity to Captain P. S. Vassal, late Pay and Quartermaster, 9. N. Regiment, in compensation for contribution paid to the P. O. G. Fund ... New Vote £13

#### Explanation Offered.

14. Captain P. S. Vassal is returned to his regiment. He has contributed to the Public Officer's Guarantee Fund. He complained to the Secretary of State that it was not his fault that he did not come back to the Colony but his regiment's. Representations were made to the authorities and this council is now asked to vote the said amount.

15 Head 39. Works and Buildings—Extraordinary Item 9, Slaughter House... Revotes £34

#### Explanation Offered.

15. £1,100 is estimated for this service and several expenditures have been made from the amount from time to time. The sum asked for is now required.

#### ESTIMATES 1909.

16 Head 39. Works and Buildings—Extraordinary Item 180A, Additions to Police Barracks—additional ... Revote £70

Item 185, Quarters for Native Staff—additional...Revote 70

17 Head 42. Marine Extraordinary. Item 22 Motor Canoe (Eastern Province) Revote ... £447

Item 29, Cupola for Foundry ... Revote £100

#### Explanation Offered

Amounts under Items 16 and 17 had been outstanding from last year.

Total... New Vote £19,526 0 0 Revote £1,000 0 0 Total £20,526 0 0

## OUR POSITION IN THE PRIZE ESSAY COMPETITION

Our attention has been called to the letter of Mr. "Observer" in the last issue of Our Contemporary the *Nigerian Times* dealing with the subject of the prize essay competition advertised a while ago in the columns of our paper. We think it our duty to explain our present position in the matter and so clear the minds of the public of any misconception that may arise under the circumstance. In doing this we say with all seriousness that the idea of playing the hoax with our paper or making the fool of any individual is far from our intention. If there should be any one beside Mr. "Spectator" who indulges in such an opinion about us we leave it for them to judge from the plain statement we are about to make whether we are deserving of what they think of us.

On or about the 29th of March 1910, Mr Herbert Macaulay and the Editor of this paper met; and during conversation the latter raised the question as to the advisability of celebrating the Jubilee of the cession of Lagos. Our Editor promised to open a discussion on the subject but Mr. Macaulay expressed the opinion that it is better to allow the public to take up the question in a way that the views of the several classes of the community who are entitled to express an opinion will be heard. To achieve this end he there and then promised to give a prize of 3 guineas to the best Essayist on the subject to be forwarded him through our Editor and after other arrangements asked that it be announced in the next issue of the paper.

Hence the following announcement in the "N. C." of April 1.

"A gentleman has offered a prize of 3 guineas for the best essay on the following subject.

"Should the Jubilee Celebration of the cession of Lagos to the British Crown be undertaken by the native inhabitants of Lagos in view of the benefits accruing to them or by the British Government in view of the advantages they have derived and in furthering British Commerce especially those of Liverpool and Manchester"

Competition is open to all.

Essay may be typewritten or written legibly on one side of the paper and paged on the right hand side top column Names and addresses of Competitors should be written clearly on separate sheets attached to the essay.

All papers (post paid if foreign) should be addressed on the back of the Envelopes as follow:—

### PRIZE ESSAY

C/o The Editor  
The Nigerian Chronicle,  
Kumolu House,  
Shitta Street,  
Lagos,

and should reach him not later than the 31st May 1910.

The papers will be submitted to the decision of four Judges who are expected to take no part in the competition nor know the names of the Competitors

The essay selected will be published in a subsequent issue of the *Nigerian Chronicle*.

No award will be made if in the opinion of the Judges whose decision is final the essay is not desirable."

At the close of the competition our Editor informed Mr. Macaulay that 4 papers, were sent in and asked for the names of the Judges to be appointed. He promised to arrange with the

Revs W. B. Euba and J. S. Fanimokun and the Principal of the King's School. Hence, the following Editorial remark to the letter of Mr. "Competitor" in the "N. C." of June 24:—

"[For the information of candidates who had competed for this prize-essay we beg to state—

(i) that the donor of the prize is arranging for a Board of Examiners to sit over the papers.

(ii) That their papers are still with us intact and will be opened only before the examiners when their respective names will be extracted and numbers substituted.

(iii) That as soon as the consent of the examiners is obtained and the necessary arrangement is complete steps will be taken to publish the results without any delay. Ed. N. C.]"

We lost no occasion after this to keep the matter always before Mr. Macaulay until Mr. "Contributor" wrote a letter of reminder published in our issue of August 12. We sent him a copy of this letter and published the following foot note with the insertion:—

"[We have forwarded a copy of the above letter to the gentleman on whose authority we inserted the Essay Competition in our paper. Immediately the competition was closed we waited on him and informed him that 4 papers were sent in and that they were intact. He then nominated 3 gentlemen as examiners whom he promised to see when he will acquaint us of his arrangement. He is a man of honour so far as we know but in the event of our not hearing from him soon we will be in honour bound to take up the burden. The papers are still with us intact. Ed. N. C.]"

All this time the 4 essay papers were with us intact; and on the strength of this we made a promise that if nothing is done by the donor "soon, we will be in honour bound to take up the burden."

But soon after, our Editor happened to meet the Donor along Victoria Road and in the presence of a few gentlemen discussed the question with him. He promised to see the Examiners and substituted the Acting Director of Education in place of the Principal of the King's School. Eventually they (Mr. Macaulay and the Editor) saw Mr Carr and obtained his consent to be one of the examiners. On the 7th September they called on Principals Fanimokun and Euba and obtained their consent. That same afternoon in Mr. Macaulay's residence they both opened the papers extracted the names and substituted numbers and the envelopes initialed by the Donor attesting thereby to his reception of them. The papers were, there and then addressed to the Rev J.S. Fanimokun and despatched by a special messenger. The arrangements with the examiners were, that each of them should read through, form his own opinion against a general meeting of the three; and that the papers pass through the donor to each of them. On the strength of this we announced in our issue of September 9 under news that "the papers in connection with the prize Essay competition are now in the hands of the Examiners. Results will be made known as soon as communicated to us"

We have ourselves been anxiously expecting a communication on the subject and such was our anxiety that on one occasion when our Editor met with the Rev. Fanimokun he enquired after the progress of their work and was told that he had finished his own part and had returned the papers to Mr. Macaulay.

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No 3 Vol. III.

December 2, 1910.

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