



FEDERATION OF NIGERIA

Report of an Inquiry by Mr. R. N. Rapson, M.V.O.,  
into alleged irregularities by the Lagos Town Council  
in connection with the collection of money and  
the issue of permits and the allocation of market  
stalls in respect of proposed temporary markets at  
Ereko and Oko-Awo

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LAGOS: FEDERAL GOVERNMENT PRINTER

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## GOVERNMENT STATEMENT ON THE REPORT

The report was submitted on the 14th of May and it has been studied with great care. The Report contains some mis-statement of fact and is based on some false assumptions. The Government therefore needs to comment on a number of observations and findings made in the Report.

2. In paragraphs 6, 7, 8 and 9, the Report says—

“An official market is prescribed by the Markets Ordinance (Chapter 127) and the market tolls are collected by the Council from the stall holders in the market. In addition, the Council has power to authorise trading in other open spaces off the highway, which have not been formally declared as markets. These open spaces are, however, generally referred to as markets but, as I have said, they are not markets within the meaning of the Ordinance. This Inquiry was concerned with two open spaces only namely Ereko and Oko-Awo .....” (paragraph 6);

“The Council authorises trading in open spaces by granting a wares permit to the trader .....” (paragraph 7);

“The Council notifies the cost of market tolls and wares permits by a notice in the Federal Gazette. The present cost of a wares permit is 10s a month or £6 a year .....” (paragraph 8);

“The two petitions..... refer to ‘market dues’, ‘markets’, ‘stalls’ and ‘market stalls’. I am satisfied that all these expressions have been loosely used and what is really meant is wares permits .....” (paragraph 9);

and at the end of paragraph 20—

“I agree that the proposal to collect one year’s wares permit dues in advance from each trader was a sensible one.....”

The statement that this proposal was sensible is unacceptable to Government. The collection of these fees had no legal basis, and was in Government’s view not financially sound. Section 3 (c) of the Markets Ordinance (Chapter 127) empowers the Lagos Town Council to take stallages, rents and tolls in respect of the use by any person of any approved market, but neither Ereko nor Oko-Awo are approved markets and the Town Council has no power to authorise trading in open spaces by granting wares permits to traders, and any such practice in the past has been equally without authority. The Report is based on the opposite assumption; therefore most of the findings and recommendations fall away.

3. Paragraph 12 of the Report alleges an unfair strain on the Town Clerk resulting from the inadequate staff establishment for the administration and control of markets, and paragraph 13 reads—

“It was stated that the Governor-General in Council had been asked to re-introduce the senior post of Market Supervisor with effect from the 1st of April, 1959. May I be permitted to say that I hope the application will be successful as I am convinced that there is a real need for such a post”.....

The fact is that the Town Council deleted the post of Market Superintendent from the Estimates for 1958-59 and Government withheld approval to this deletion. A subsequent letter addressed to the Town Clerk by the Permanent Secretary to the Ministry of Lagos Affairs, Mines and Power contained the following passage—

“The deletion of the post of Market Superintendent is not understood since, in the absence of any explanation, this would appear to be a most necessary post.”

The Town Council was informed that Government deferred approval of deletion of the post pending further information, and the post has remained in the Estimates.

4. At the end of paragraph 14, the Report indicates that the Town Council sought permission from the Minister to use the old Ereko Market site as a temporary market and to issue wares permits, and alleges that the Ministry gave approval. It is not accepted that any such approval has been sought or given. The only step taken was an approach to the Chief Federal Land Officer. He is concerned with the prospective use of all Crown Land (and has no other relevant function) and it is necessary to make preliminary enquiry from him when plans are formed for its use. An enquiry was made from him in November 1957, by the Town Council and his reply was that he had no objection to this area being used as a temporary market.

5. On the subject of Ereko Market paragraph 27 says—

“The Town Clerk also decided that as the area to be allocated to each trader was very small, a wares permit due of only 5s a month or £3 a year should be charged” .....

As stated in paragraph 8 of the Report, the fee prescribed by Government Notice No. 266 of 1958 for a legally issued wares permit is 10s a month or £6 a year, and even in respect of fees legally chargeable the Town Clerk would have had no power to vary them.

6. As regards the method of collection, it is stated—

“..... I am satisfied that before any wares permits were issued for Ereko Market, the Town Clerk did not ask publicly for applications or prepare or vet the lists submitted, or enquire what considerations were fulfilled before a name was placed on the list. It is, therefore, my opinion that the Town Clerk failed to perform his duty, and in effect allowed the market leaders to allocate the wares permits.” ..... (paragraph 29);

“..... I agree no person was formally appointed as an Agent of the Council. But the fact remains that money due to be collected by the Council was collected in the first place by market leaders without any supervision by Council officers. Furthermore, this money was for a favour, the favour being in the shape of the allocation of a wares permit .....” (paragraph 31);  
and,

“None of the charges of favouritism or corrupt practices would have been levelled and the climate of suspicion and distrust would not have been created if the Town Clerk had forbidden the collection of the wares permit dues Union by Union. The failure to forbid the collection is the root cause of all the trouble.” (Paragraph 36).

Bye-law 4 of the Lagos Market Bye-Laws (Vol. VIII of the 1948 Edition of the Laws, page 496) provides that “all tolls and stallages shall be paid quarterly, half-yearly, or yearly in advance at the office of the Town Clerk, Lagos Town Council, or in such other manner or to such person as the Council may direct.....”. Licences could not be issued to Unions collectively but only to individuals and in receiving moneys from the Unions the only interpretation is that the Town Clerk accepted the Unions as the agents of the Town Council. This was not a manner of payment directed by the Town Council, nor was it one which the Town Council should ever properly have directed. Bye-law 4 is more than usually explicit as to the place of payment and, in the receipt of money in this way, the Town Clerk was also in breach of certain of his own Council's Financial Instructions.

7. Government has considered what should be done to assist the Town Council and the members of the public concerned in their consequent difficulties. Steps must be taken in the interests of the individuals who have been misled in making these payments. It is not possible to legalise the collection of the dues by establishing the two markets with retrospective effect. Therefore, Government cannot countenance a course of action based on irregular transactions in the past; to do so would be unfair to future applicants. The alternative is to refund the payments.

8. Government has therefore decided to reject the Report and has decided—

(1) that its strong recommendation to the Lagos Town Council is that it should arrange for the money illegally collected for wares permits—and at present believed to be deposited in the Municipal Treasury in the name of the Town Clerk—to be refunded forthwith ;

(2) the Lagos Town Council should be invited to consider the action of the Town Clerk in permitting the irregular collection of fees ;

(3) publicity should be given to the fact that the present status of the Oko-Awo playground is that of an open space : no approval has been given to use it either permanently or temporarily as a market.

9. These decisions have been conveyed to the Town Council.

SL.0223/S. 4

House of Representatives,  
Lagos,  
14th May, 1959.

To His Excellency the Governor-General,  
SIR JAMES ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Your Excellency,

PRELIMINARY—APPOINTMENT OF INQUIRY AND TERMS OF REFERENCE

In Government Notice No. 462 dated the 2nd of March, 1959, published in the *Federal Gazette* No. 16 of the 5th of March, 1959, your Excellency appointed me to inquire into certain complaints made in two petitions. The full terms of the Government Notice are as follows :

“Lagos Local Government Law, 1953 (*Western Region Law No. 4 of 1953*)

LAGOS LOCAL GOVERNMENT INQUIRY : APPOINTMENT AND TERMS OF REFERENCE

In accordance with section 4 of the Lagos Local Government Law, 1953, the Governor-General, after consultation with the Council of Ministers, has appointed ROBERT NEWBERY RAPSON, M.V.O., to conduct an Inquiry into certain complaints made in a petition dated the 22nd of September, 1958, from the National Council of Nigeria and the Cameroons (Market Women Wing) and in a petition dated the 4th of November, 1958, from the United Muslim Party (Women's Wing) concerning alleged irregularities by the Lagos Town Council in connection with the collection of money and the issue of permits and the allocation of market stalls for Ereko Market and the proposed temporary Oko-Awo Market, and to make a report thereon to the Governor-General in Council.

2. Sections 5 and 6 of the Law provide the necessary powers for the conduct of the Inquiry.”

2. Several days before the Inquiry opened, I announced that the proceedings would be in public. The first Session was held on Monday, the 16th of March, 1959, in the large Committee Room of the House of Representatives. I opened the proceedings by reading my terms of reference. I then went on to say :

“I must reiterate that I am conducting an Inquiry into two petitions only. Section 5 (b) of the Lagos Local Government Law, 1953 authorizes me to require evidence to be given on oath if I so wish. I have decided that in order to give the maximum possible weight to all evidence before this Inquiry, I shall require all witnesses to give their evidence on oath and in this matter I shall follow the procedure adopted in a Magistrate's Court ; but I must emphasize that this is the only similarity between the proceedings of this Inquiry and a court of law : though I do have certain powers in summoning witnesses and calling for documents.”

“Let me say once again that my functions are limited to an inquiry into certain complaints. It is, therefore, an administrative inquiry and my duties are to ascertain facts and I shall endeavour to ascertain these facts by questioning witnesses and inspecting documents, etc. Unlike a court of law, there is no prosecution, there is no defence, no one person or persons or a corporate body is on trial. In these circumstances, I have decided that in an administrative fact-finding inquiry of this nature, no advantage will be served by allowing representation by counsel.”

“I have just said that this is not a court of law and equally it is not a political forum and whilst I fully appreciate and have noted that the complaints I am about to investigate are contained in documents emanating from sections of political parties, I cannot allow at this Inquiry, statements of a purely political or electioneering character”.

After the first Session, all subsequent Sessions were held in the Council Chamber of the Lagos Town Council.

3. The two petitions state :

(a) PETITION FROM THE NATIONAL COUNCIL OF NIGERIA AND THE CAMEROONS  
(MARKET WOMEN WING)

"The Honourable, the Minister for Lands,  
Mines and Lagos Affairs, Lagos.

Our Honourable and Dear Sir,

After exercising much patience in the hope that things would rectify themselves without your intervention, we are now constrained to petition you in the matter of the allocation of markets in the Federal Territory of Lagos.

2. According to the existing rules borne out of the Lagos Town Council Ordinance, the Council is the only channel of Government responsible for the collection of market dues. Hence, also, it becomes the responsibility of the Council to allocate markets. There is no provision whatsoever for the appointment of an outside agent to collect market dues on behalf of the Council as such appointment may lead to gross abuse and corruption.

3. But, Sir, for some time now, the most irregular thing has been happening in the Council. When the new Nylon Market was opened at Ereko, inspired by the Action Group, some women constituted themselves the custodian of the market and started to collect market dues from others. The strangest thing was that only women who pay through those women are guaranteed markets. And before any woman can be entered down for market allocation, she must in the first instance, enrol as a member of the Action Group and receive an Action Group Membership Card. What that has to do with market allocation beats our understanding.

4. Soon as it was known that a new market was to be built at Oko-Awo the same group of women had started collecting money from others again. And, as in the first instance, any woman wishing to be allocated with a stall must first register as a member of the Action Group and receive an Action Group Membership Card.

5. The situation was brought to the knowledge of the Town Clerk and he admitted that already, he had received from the group of women £972 for the Ereko Market Stalls and over £6,000 for the Oko-Awo Market Stalls. The Stalls at Oko-Awo are not built yet. The Head of the Market Groups who collected the money from their favourites and paid to the Lagos Town Council are Mesdames Ashabi Awe, Iya Agege and Iya Sikira. Our Party contends that those women have no authority whatsoever to act on behalf of the Lagos Town Council in the matter of the collection of market dues.

6. This matter was the subject of a very bitter discussion at a recent meeting of the Lagos Town Council when N.C.N.C. members pointed out that it was most irregular for any person outside Lagos Town Council Officials to collect market dues. The Chairman of the Council attempted to deny the fact but his denial could not stand as the Town Clerk had already admitted the existence of the irregularity. Whereupon the Chairman gave assurance that if N.C.N.C. members would produce women to testify to the fact, a statement would be made in the Press and the Radio that it was irregular for any person to collect any dues on behalf of the Lagos Town Council without authority. Evidences were produced but up till now no such statement had been made.

7. Sir, the general opinion of our Party is that certain people hiding behind have been playing politics with the allocation of markets in Lagos. They are using the situation to deceive the women and to swing their votes to their side at the next Federal Election.

8. We, therefore, pray, Sir, that you may kindly institute an Inquiry into this matter and if you are satisfied that market dues were collected by people other than the authorised agents of the Lagos Town Council, all such monies collected should be refunded to the Group Heads who make the payment and every person allowed to apply for market allocation and to pay her dues directly to the Lagos Town Council.

9. Sir, the present list should be completely abandoned and a fresh one set up. And, Sir, a special committee of the Council consisting of equal number of members from both the Action Group and the N.C.N.C. should be set up to look into the vexed matter of market allocation.

10. Markets should never be made the subject matter of political propaganda but that is the way of the Action Group-controlled Lagos Town Council.

11. We therefore appeal to you to deliver us from the great tyrants who have imposed themselves upon us and are gravely disturbing the minds of our people.

We beg to remain,

Sir,

Your most obedient servants,

Signed :

Mrs A. Vera Cruz  
Mrs A. M. Bickersteth  
Mrs T. Thomas  
Iya Erelu  
Iya Onigo  
Iya Olowo  
Madam Bintu Kotun  
Madam Ashia  
Madam Wolinotu  
Madam Abibatu  
Madam Omiyaikemu  
Madam Maria John  
Madam Iya Ife  
Madam Sirukatu  
Madam Ruth  
Madam Muniratu  
Fagbenro-Beyioku (Secretary,  
N.C.N.C., Lagos Branch)

} On behalf of  
Market Women

(b) PETITION FROM THE UNITED MUSLIM PARTY (WOMEN'S WING) :

The Minister of Lagos Affairs, Ministry of Lagos Affairs, Lagos.

Dear Sir,

The Women's Wing of the United Muslim Party would very much appreciate to have from you an appointment for an interview, with a view to receiving from you a relief and a full explanation of the pertinent laws or bye-laws under which

(1) The market-women are being asked to pay £6 and £3 respectively for allocation of stalls at Ereko and Oko-Awo Playground by some agents who are said to have paid in £19,500 to the Lagos Town Council, even though the Council has none of these stalls ready to be allocated and no approval has so far been given particularly for the denial of Oko-Awo Playground to the Lagos children or for any conversion into a market by a group of persons whose ideas of the need for provision of recreational facilities for physical development of Youth in a community are so short-sighted.

(2) Lagos children are to be deprived of the Oko-Awo Playground without any alternative recreation site being first provided inside the township so that facility for physical education of our children shall not be hampered.

(3) Muslims who annually use the Ground for the celebration of Maulud-un-Nabiyyi (Prophet Birthday) are being denied the open space if, as alleged, the Action Group is leasing the site from the Lagos Town Council for an exclusively Action Group-controlled Market.

(4) The Lagos Town Council gives none of the women from whom the £19,500 has been collected any official receipt.

(5) Women of marriageable age are being arrested for hawking foodstuffs and other consumer commodities.

(6) Elderly and pregnant women whose only source of maintaining decent livelihood is by hawking their wares (food-stuffs and other consumer goods) about the township are being molested and even arrested by the agents or supposed agents of the Lagos Town Council. Is the Federal Government or the Lagos Town Council ever contemplating the introduction of Widows or Old Age Benefits Scheme to relieve the needy women in the community?

(7) People who, on the pavement of their own personal property or building expose their wares for sale are molested and occasionally arrested by the agents of the Lagos Town Council.

(8) Allocation of market stalls to women appear to be based on party alignment as is evident from what operates at Faji Market and no N.C.N.C. or N.P.C. or U.M.P. or N.E.P.U. sympathiser can be found to have any stall here, and no Stall Allocation Committee is made to compose of all shades or political elements in the municipality as to ensure that equal distribution of stalls is made to serve all sections of the inhabitants.

2. My 20-women delegation would be very thankful if you would let us know at the interview what concrete steps the Ministry has taken or will be taking

(a) to help our womenfolk from further molestations of unofficial agents collecting £6 and £3 respectively from market-women without any individual receipts being issued as to indicate whether or not £20,000 or £50,000 has been collected under conditions smacking of political commanding and jobbery.

(b) to empanel an independent public commission of inquiry to go into the administration and finances of the Lagos Town Council.

(c) to scrap the present panel of the Council and set up a Caretaker Committee.

3. It will further be helpful to our women if, after the interview, you make the minutes of the proceedings of this meeting available to my Party.

Thanking you for the favour of an early attention,

I remain,

Yours sincerely,

MISS SARAT S. A. KING,  
*Secretary, Women's Wing,  
United Muslim Party*

4. Attached as Appendix A is a list of witnesses who gave evidence at the Inquiry. The evidence of Mr Adeniyi Coker was taken in private on the 1st of May, as this officer was in hospital during the time the Inquiry was hearing evidence in public. In all 36 witnesses gave oral evidence at 12 Sessions. I have studied the files of the Lagos Town Council dealing with Ereko and Oko-Awo Markets and have also read the relevant minutes of the Markets, Parks and Cemeteries Committee, the Caretaker Committee and the Council itself.

5. My statement that speeches of a purely political character would not be tolerated was in the main well respected, but as the petitions under review had a very definite political background, instances did occur of witnesses forgetting the fact-finding nature of the Inquiry and indulging in political statements of a general character. Large numbers of the public attended all sessions of the Inquiry and some of the witnesses obviously played to the gallery. It was also evident that at times one or other of the political parties attempted to use the Inquiry as a means of furthering its own cause.

#### MARKET TOLLS AND WARES PERMITS

6. A word of explanation is required concerning the definition of market tolls and wares permits. An official market is prescribed by the Market Ordinance (Cap. 127) and market tolls are collected by the Council from the stall holders in the market. In addition, the Council has power to authorise trading in other open spaces off the highway, which have not been formally declared as markets. These open spaces are, however, generally referred to locally as markets but, as I have said, they are not markets within the meaning of the Ordinance. This Inquiry was concerned with two open spaces only namely Ereko and Oko-Awo, but for the sake of simplicity, and to conform with local practice, I shall herein, refer to these open spaces as Ereko Market and the proposed Oko-Awo Market.

7. The Council authorises trading in open spaces by granting a wares permit to the trader. A wares permit allows the trader to trade on a small parcel of land varying in size according to the commodities sold. On some sites, the trader may, at her own expense, erect a stall on the parcel of land. In the case of Ereko Market, the Council insisted that stalls should be erected and should be uniform in design; 82 stalls, paid for by the traders, have been erected on the site.

8. The Council notifies the cost of market tolls and wares permits by a notice in the *Federal Gazette*. The present cost of a wares permit is 10s a month or £6 a year. A copy of the relevant Gazette Notice No. 266 of 1958 is reproduced as Appendix B. As I have said, Ereko Market is not an official market as prescribed by the Ordinance, even though stalls have been built in the market place. Furthermore, these stalls are not the market stalls referred to in *Gazette* Notice No. 266 of 1958.

9. The two petitions copied in paragraph 3 above refer to "market dues", "markets", "stalls" and "market stalls". I am satisfied that all these expressions have been loosely used and what is really meant is wares permits. These remarks are not meant to be in any way critical; I found the official definitions confusing and, during the course of the Inquiry, officers of the Council fell into the obvious trap of calling a wares permit a market stall.

10. Until approximately one year ago when the present Ereko Market was laid out, the Council had issued no additional wares permits since 1953. Prior to that, none had been issued since about 1930. Existing permits had been renewed monthly or yearly and dealt with as a purely routine matter.

11. The Chairman of the Council (Chief A. O. Lawson) and the Town Clerk (Mr D. M. O. Akinbiyi) both stated that the allocation of market stalls and wares permits was an administrative matter which was the responsibility of the Town Clerk. Councillors were in no way concerned. I agree with this contention. The Town Clerk stated that he allocated market

stalls in the strict order the applications were received in his office; it was the case of "first come first served." Where necessary, a waiting list was kept and immediately a trader's name came to the top of the list, she was given the next stall that fell vacant. The Town Clerk went on to say that as no new wares permits had been issued for a number of years, there was no established procedure in existence for allocating them. He was unable, therefore, to fall back upon any well-known or well-established procedure when it became necessary to allocate wares permits at Ereko Market.

12. I have said that the responsibility for allocating market stalls and wares permits falls within the Town Clerk's schedule of duties. During the period under review, he had one Senior Market Master and 18 Market Masters to assist him. That is the Senior Market Master on Salary Scale £282-375 worked direct to the Town Clerk. It can be seen that the Senior Market Master is a comparatively junior officer and, in consequence, many trivial matters had to be dealt with by the Town Clerk in person. This seemed to me to place an unfair strain on the Town Clerk, who had many more important matters to occupy his time.

13. It was stated that the Governor-General in Council had been asked to re-introduce the senior post of Market Supervisor with effect from the 1st of April, 1959. May I be permitted to say that I hope the application will be successful as I am convinced that there is a real need for such a post. The Town Clerk would be better informed and he would be relieved of a number of duties almost routine in character.

#### PROPOSALS TO ESTABLISH EREKO MARKET AND OKO-AWO MARKET

14. Many of the market women testified that for a number of years they had been arrested frequently, brought before a Magistrate's Court and fined for trading in unauthorised places without being in possession of wares permits. They went on to say that they made many representations to the Council asking that further markets should be constructed and that the Police should be asked to stop the frequent arrests. It is interesting to note that as far back as March 1954, the Markets, Parks and Cemeteries Committee (hereafter referred to as the Market Committee) was aware of the problem. The Market Committee minute No. 184 of the 10th of March, 1954, reads:

"With reference to paragraph 122 of the Council minutes, we reconsidered the following motion from Councillor Ladega:

"BE IT RESOLVED that this Committee recommend to the Council to acquire a suitable site within the Island of Lagos from the Lagos Executive Development Board so as to provide for a central market where women traders who are removed by the Police and those that are hanging around Victoria Street, Ereko Street, Ijaiye Street, Docemo Street, etc., may set up their wares for sales."

Councillor Ladega explained that his chief aim in bringing up the above motion was to move the Council to find a market place for women textile traders who had been cleared from Victoria, Balogun and neighbouring places. But when he was informed that provision for such a market had already been made in the Central Lagos clearing scheme he was satisfied and did not press the issue further."

The question of new market sites and the frequent arrests of market women was discussed by the Market Committee and by the Council on several occasions between 1954 and 1957, and on the 5th of November, 1957, the Council received, approved and adopted (with an amendment) the report of the Market Committee, *viz*:

"It is therefore recommended that the Minister for Lagos Affairs be asked to grant permission for the use of the old Ereko Market site as a temporary market, pending the erection of a textile market by the Council in the Central Area, and that wares permits be issued to the traders at Pedro Street, and that the Town Clerk should make investigations about the possibility of making the site a temporary market."

The Ministry for Lagos Affairs, Mines and Power gave approval to this recommendation and Ereko Market as it is to-day came into being.

15. On the 27th of May, 1958, the Town Clerk suggested to the Market Committee that each trader allocated a stall at Ereko Market should pay in advance one year's dues for a wares permit. The Committee slightly amended the Town Clerk's suggestion and passed the following recommendation :

"That the Town Clerk be authorised to obtain from each individual market woman desiring a plot on the site a written undertaking to pay a year's rent in advance."

The Council, at its meeting of the 3rd of June, 1958, refused to accept this recommendation.

16. Meanwhile, the Town Clerk had also been instructed to conduct a survey of the whole town "with a view to the Council deciding which trading areas should be regularised and which should be cleared" and, on the 4th of March, 1958, the Council adopted a proposal submitted by the Town Clerk, *viz* :

"I have carefully considered what sites in Lagos Island and on the Mainland could possibly be used for the provision of new temporary or permanent markets and now submit my proposals for the Committee's decision.

#### LAGOS ISLAND

It is my view that the creation of the new temporary market authorised by the Council recently at *Old Ereko Market* has made an important contribution to the solution of the problem of street trading in the central area and I consider that if, in addition, *Oko-Awo Open Space* were also to be used as a temporary market, there would then be adequate accommodation for all people wishing to trade in the vicinity of the central area.

I would further suggest that if the scrap metal and other junk dealers who, at present, occupy about two-thirds of the *Ajelogo Market site* were to be cleared away, it would be possible to provide accommodation there for many of the traders now selling along the foreshore. It would have to be made clear, of course, that the Council could not do anything, at the moment, for financial reasons, to improve the condition of the site."

17. On the 27th of May, 1958, the Town Clerk made a progress report to the Market Committee in respect of the proposed Oko-Awo Market, *viz* :

"At the time I made the report to the Council that the Oko-Awo Playground should be used as a temporary market site, I was aware of the fact that the area was low-lying and that a certain amount of filling would be required before the site could be made useful ; but I did not appreciate the full extent of the problem. The Town Engineer and I have since visited the site and have discovered that the reclamation and drainage of the site could not be carried out by any make-shift arrangement. I have been advised by the Town Engineer that the proper reclamation, grading and drainage of the site would cost at least £30,000.

In view, however, of the unlikelihood of this amount being available immediately, and having regard to the fact that I have already given an undertaking to hundreds of market women that they would soon be removed from their existing sites to the new site where they would be free from Police molestation, I paid a second visit to the site yesterday in the company of the Deputy Town Engineer with a view to seeing whether the small area of dry ground there could be put into immediate use by the expenditure of a fairly modest sum. As a result, we have now earmarked the only portion of the Playground that is above flood level at the time of our visit for immediate reclamation with ashes. This area is approximately  $1\frac{3}{4}$  acres and we hope that it would be sufficient for the erection of approximately 600 stalls. Filling this earmarked area with ashes to a depth of six inches will cost approximately £500 and I have given instructions that this should be done immediately as a preliminary step towards the realization of the Council's intention."

The Town Clerk further recommended that the Committee should insist on stalls being built to a uniform design estimated to cost £10 a stall. The total cost for reclaiming the site and erecting 600 stalls would be £6,500. He went on to recommend that each trader should pay one year's wares permits dues in advance (£6 each) and the amount so collected should be earmarked for reclamation work and the erection of stalls. In round figures—£3,600 would be collected by this means which, together with the collection of £1,000 in respect of Ereko Market wares permit dues, would make a total of £4,600. This would leave a sum of just under £2,000 to be found from Council's funds. The Town Clerk advised that this sum could be found from the Market Maintenance Votes. The recommendations which the Market Committee sent to Council read :

“(i) That the Town Clerk's scheme for reclaiming part of Oko-Awo Playground and erecting temporary stalls thereon at a cost of £6,500 be approved ;

(ii) That the whole scheme be treated as private works ; and

(iii) That the Town Clerk be authorised to obtain from each individual market woman desiring a plot on the site a written undertaking to pay a year's rent in advance.”

The Council, on the 3rd of June, 1958, accepted recommendations (i) and (ii), but, as in the case of Ereko Market, was unable to accept recommendation (iii). The Council had, therefore given authority for part of the Oko-Awo Playground to be reclaimed and 600 stalls erected thereon.

18. In June 1958, the Town Clerk concluded negotiations with the Police, and it was agreed for the time being that, as the Council was taking active steps to make available new market sites, the Bye-Law prohibiting street trading in the Ereko area would not be enforced. The frequent arrests of market women then came to a halt.

19. During July and August, the Council went on vacation and a Caretaker Committee was set up to deal with the Council's business. Ereko Market had come into being, but no work had yet commenced on the proposed Oko-Awo Market.

20. On the 20th of August, 1958, some 2½ months after the Council last considered the matter, the Town Clerk reported to the Caretaker Committee concerning the proposed Oko-Awo Market as follows :

“The purpose of this report is to give the Council the progress so far made and to explain the difficulties being experienced. Owing to the unsuitability of the soil, the Town Engineer informed me at the outset that only an area of approximately 1½ acres of the site could be made available for immediate use as a temporary market, and this area could only accommodate some four hundred traders. Already I have received applications in excess of 3,500, and I am particularly anxious to fulfil the promise which I made to the Police when I requested them to desist from arresting women in the Central Lagos area in order to enable me to arrange temporary accommodation for all the street traders in a peaceful atmosphere. The promise then was that as soon as Oko-Awo Playground and Old Ereko Market sites were converted into temporary markets, all the street traders in the Central Lagos area would be accommodated in these markets. This is particularly urgent and desirable in view of the obstruction to traffic which these women's activities constitute.”

The Town Clerk went on to report that the Town Engineer had advised, *viz* :

“I have discussed with you and the Municipal Treasurer the problems involved in the construction of the temporary market at Oko-Awo. I pointed out to you that I put before Council in October 1957, proposals for raising Oko-Awo Playground as part of a scheme for combating the flooding at Oko-Awo. I said then that “to reduce the amount of pumping it is proposed to raise the level of Oko-Awo Playground and drain it independently at the centre. In this way its water will discharge into the Lagoon at a higher level and so will require no pumping. The raising of the existing drains will cost about £40,000.”

2. I had thought that the Council's decision that a number of street traders be accommodated at Oko-Awo only meant a little portion of Oko-Awo be used for this purpose. I now see that you propose to use the whole of Oko-Awo Playground for a market and a preliminary survey shows that as many as four thousand stalls could be accommodated on this site. I have discussed with you the undesirability of embarking on such a big scheme on this site without raising by filling the level of the playground above flood level. Whatever money may be spent either by Council in providing stalls on their own will certainly be money lost if we do not do the filling to the proper levels now. I have expressed the view to you and the Municipal Treasurer that as the provision of market accommodation on this site is an urgent necessity and since there will be reasonable revenue to be derived from market users then money from whatever source could be found to undertake the reclamation of the Playground in preparation for its use as a market, and this be done as a matter of urgency.

3. Some 450,000 cubic yards of filling will be required and this together with the construction of a main central drain from Ojo Giwa Street running across the Playground towards Moloney Bridge will cost a total of about £33,000. If £12,000 is made available now it is possible to start the filling of half the playground and this can be completed to the proper levels before the end of the financial year".

That is, instead of accommodating and building stalls for 600 traders at Oko-Awo at a cost of £6,500, it was now hoped to accommodate 4,000 traders at a cost of £33,000. In the new proposals the question of building stalls was not mentioned, but to build a stall for each of the 4,000 traders, would cost a further £40,000. From the evidence given by the market leaders, I doubt whether they are aware that the present proposals do not allow for the erection of stalls. In this connection, Alhadja Awe said :

"He (the Town Clerk) told us that the money that will be required to put up the stalls will be over £30,000."

To raise the sum of £33,000 for the reclamation, the Town Clerk recommended :

"If the whole of Oko-Awo Playground is developed, it will accommodate all the people who have applied for stalls on the site. As can be seen from the Town Engineer's letter, a sum of £33,000 is required if this project is to materialise. As this money cannot at present be raised from internal loans, I would recommend that the Council should appropriate for the purpose the sum of £15,000 which had been voted by the Council for the building of two libraries on the mainland. The women themselves have expressed a desire to contribute towards this project by paying in one lump sum their appropriate wares permits for the current financial year provided that the market can be made available for use as early as practicable and I estimate their contribution at about £12,000. The balance of £6,000 can be raised by way of augmentation from other votes later on in the year."

The Caretaker Committee approved this recommendation and, subject to the Governor-General in Council approving the financial proposals, the stage was now set for all Oko-Awo Playground to be reclaimed. I agree that the proposal to collect one year's wares permit dues in advance from each trader was a sensible one and would materially help the Council to find the necessary money to reclaim the land.

21. The Town Clerk in making his report to the Market Committee on the 27th of May (paragraph 17) does not appear to have fully realised the size of the problem. At the time, he had arranged for 328 sites at Ereko Market and was proposing to establish a further 600 sites at Oko-Awo. However, at the same time as he was making these proposals, he had in his office applications from various organisations for over 2,000 sites, a fact which he appears to have overlooked, and not reported to the Council. It was not until the 20th August, that the Caretaker Committee was fully informed of the size of the problem.

## ALLOCATION OF WARES PERMITS FOR EREKO AND OKO-AWO MARKETS

22. During March 1958, it became common knowledge to the market women and all the organisations interested in market affairs in Lagos that the Council was proposing to issue wares permits for Ereko Market, to be followed shortly by a further issue for the proposed Oko-Awo Market. The market leaders on behalf of the members in their organisations submitted to the Town Clerk a list of traders' names who wished to be allocated sites. Further lists were also submitted by Councillors Animashawun (Action Group), Manuel (N.C.N.C.) and Taiwo (Action Group); the total number of names on these lists amounted to 3,347. No remittances were enclosed with any of the lists. These lists have not been checked or analysed, and it is quite possible that some names appear on more than one list and, in consequence, the grand total must be considered suspect. The lists submitted by the leaders of the market women were prepared by Mr A. Oshodi, who was described as their Secretary and who is also a paid employee of the Lagos Division of the Action Group Area Council. The Town Clerk took no action on the lists but merely filed them.

23. Towards the end of March, the President of the Lagos Town Council (Oba Adeniji Adele II) and some of the White Cap Chiefs expressed concern over the method used in preparing the lists, and questioned the right of the various interested parties to submit them. Chief Modile in his evidence said that all the lists sent to the Council referred to Ereko Market only; the Chairman and the Town Clerk both said that the lists concerned the proposed Oko-Awo Market only. I think both versions are inaccurate, for I note that the list filed as page 1 of the Council's file 001521A "Oko-Awo Playing Ground Temporary Market Application for Stalls" is from Mrs J. Onafeko, who is the leader of the Nylon Sellers in Ereko Market. Furthermore, some of the traders whose names appear on this list have been granted wares permits for Ereko Market. Other lists in the file quite obviously refer to the proposed Oko-Awo Market. Chief Modile went on to say that it was agreed at a meeting held on the 28th of March, between the Chiefs, Alhadja Awe and Mr Taiwo that the lists already submitted to the Council should be withdrawn and a joint list should be prepared by all concerned. When asked, the Town Clerk refused to release the lists in his possession and no joint list was ever sent in. I mention these facts to show that the purpose of the lists was not fully understood by the Chiefs, the Chairman or the Town Clerk, and that the whole question of the allocation of wares permits had already become very controversial. This incident occurred at least three months before any money was collected.

24. It has been the customary practice for the Town Clerk to hold informal meetings with the leaders of the market women and I am convinced that such meetings are of use to both the market women and to the Council. I understood that the majority of traders belong to one or other of the market organisations, but I did receive evidence that a small minority of traders belonged to no organisation whatsoever. I saw nothing improper in the Town Clerk discussing the proposals he had in mind for the new markets at Ereko and Oko-Awo with the leaders of the market women, provided that during such discussions he did not abrogate any of his or the Council's responsibilities to the leaders and that the interests of the traders not represented were safeguarded. No records were kept of these informal discussions and, in consequence, it is possible that a genuine misunderstanding arose between the leaders and the Town Clerk.

25. During the course of the Inquiry, I asked Alhadja Ashabi Awe, whom I think it is fair to describe as the most senior of all the market leaders in the Ereko area, whether she was invited by the Town Clerk to collect wares permit dues from each member of her organisation. She answered in the affirmative, and said she understood the money was to be used to prepare the ground and build stalls at the Oko-Awo Playground so that the site could be turned into a temporary market. Alhadja Awe added that she asked various group leaders in her organisation to collect £6 from each individual member. The group leaders commenced the collection and called in Mr Oshodi to assist them generally and to keep records of the money collected.

From this source £8,940 was collected and paid to the Council as follows :

29th August, 1958	.. .. .	£	4,392
4th September, 1958	.. .. .		1,212
16th September, 1958	.. .. .		1,104
17th September, 1958	.. .. .		2,232
			<u>£8,940</u>

A list of the traders who had paid accompanied each remittance. The above payments represented collection of £6 per head from 1,490 market women in respect of one year's wares permit dues for the proposed Oko-Awo Market. The cash was paid to the Council by Mr Oshodi, who was accompanied by some of the market leaders, and on the first occasion, the party included Mr Lawal, a paid employee of the Lagos Division of the Action Group Area Council. None of the money referred to above was in respect of Ereko Market. During the Inquiry, Mr Oshodi submitted a schedule showing the names and, in the majority of cases, the addresses of the 1,490 market women. I had the schedule copied and circulated to all interested parties. I did this in the hope that if any trader had paid £6 to Mr Oshodi and did not find her name on one of the lists, she would come forward and give evidence to that effect.

26. Further sums of money were received by the Council from other groups of traders ; this money was paid in by market leaders or individuals but not by Mr Oshodi ; the details are as follows :

71 Ijaiye Street Traders	.. .. .	£	426
1 Agarawu Street Trader	.. .. .		6
16 Palm Church Street and Porter Street Traders	.. .. .		96
1 S. Allison	.. .. .		6
3 Alowonile	.. .. .		18
			<u>92</u>
			<u>£552</u>

The total amount collected by the Council for the proposed Oko-Awo Market is, therefore, £9,492. This represented £6 per head from 1,582 traders.

27. I will now turn to Ereko Market. In his informal meetings with the market leaders, the Town Clerk had agreed that Ereko Market should be reserved for Nylon and Palm Beach Cloth traders, on the grounds that the dealers in these two commodities had been on the site first. I consider this a proper arrangement. The Town Clerk also decided that as the area to be allocated to each trader was very small, a wares permit due of only 5s a month or £3 a year should be charged. The leader of the Nylon traders (Mrs J. Onafeko) and the leader of the Palm Beach Cloth traders (Mrs Viatono) at the request of Alhadja Awe and with the assistance of Mr Oshodi, collected £3 per head as follows :—

143 Nylon Traders	.. .. .	£	429
181 Palm Beach Traders	.. .. .		543
			<u>£972</u>

This money was paid to the Council by Mr Oshodi. The total amount paid to the Council is, therefore :—

Oko-Awo Wares Permit Dues	.. .. .	£	9,492
Ereko Wares Permit Dues	.. .. .		972
			<u>£10,464</u>

28. I was informed that there are 82 stalls in Ereko Market with four traders to a stall. This should mean that there are 328 traders in Ereko Market. 324 traders have paid their wares permit dues and I received no explanation why one stall is apparently let rent free. Although 324 traders have paid for stalls, well over 600 traders actually sell their wares there and have been selling there, illegally, for many years. When the 324 wares permits were issued, the Town Clerk also decided that no trader should be disturbed from her existing site until a new site became available. This means in effect that 324 traders are trading legally at Ereko Market and the remainder are trading illegally. I was told that those trading illegally have all paid £6 in the hope of being allocated a stall at the proposed Oko-Awo Market. This is an untidy arrangement, but until Oko-Awo Market is ready for occupation, overcrowding and illegal trading will have to continue at Ereko Market.

29. I was much concerned over the procedure followed in allocating the 324 wares permits. I was told that the principle of "first come first served" was adopted. It was also inferred that, fortuitously, only 324 traders sold Nylon and Palm Beach Cloth in the Ereko area, and consequently, the allocation of wares permits was a simple matter. I regret I cannot accept this naive inference. From the evidence I received, I am satisfied that there were more than 324 traders dealing in Nylon and Palm Beach Cloth. I found no records that the Town Clerk or his staff considered a list of applications or that any public announcement was made inviting applications. Evidence was produced to show that the market leaders, through Mr Oshodi, sent in two lists containing 324 names accompanied by £972 in cash, and as a result 324 wares permits were issued to the individual traders shown on the lists submitted. (These are not the lists mentioned in paragraph 22). It may well be that the principle "first come first served" was applied by the market leaders and Mr Oshodi in preparing the lists. I had no means of checking this. When I asked Mrs Onafeko, who decided the traders who were to be invited to pay the £3, she replied :

"Those of us who are old members of the group and who have suffered at the hands of the Police. Those people who do not pay money occupy spaces along the drain."

I am satisfied that before any wares permits were issued for Ereko Market, the Town Clerk did not ask publicly for applications or prepare or vet the lists submitted, or enquire what considerations were fulfilled before a name was placed on the list. It is, therefore, my opinion that the Town Clerk failed to perform his duty, and in effect allowed the market leaders to allocate the wares permits. All interested parties knew that the lists were being prepared by the market leaders and Mr Oshodi who is also, it must be remembered, an employee of the Action Group and, when it became common knowledge that the lists for Ereko Market were accepted without question by the Town Clerk, it is easy to understand how it was rumoured round Lagos that the Action Group was influencing the allocation of wares permits. Doubtless, many traders wondered how the allocation of wares permits for the proposed Oko-Awo market would be arranged. The action or rather the lack of action by the Town Clerk created an atmosphere of suspicion and distrust.

30. In dealing with the allocation of wares permits for Ereko Market, I do appreciate that the Town Clerk was faced with a very difficult problem (in this situation, he must have longed for the assistance of a Market Supervisor), but I consider the only fair way to resolve such a problem was to invite all market women already trading in Nylon and Palm Beach Cloth in the Ereko area, whether they were members of a market organisation or not, to apply for a wares permit. If the number of applications exceeded the number of wares permits available, then the successful applicants could be determined by ballot ; preference could be given to accredited market leaders. The wares permits issued for Ereko Market were valid for the period 1st April, 1958, to the 31st March, 1959. No good would come out of any attempt to alter or amend the present allocation and no steps should be taken to unseat any of the 324 traders.

31. In paragraph 25, I stated that Alhadja Awe had said that the Town Clerk had asked her to collect wares permit dues from each trader, interested in obtaining a site at Ereko Market or the proposed Oko-Awo Market. The Town Clerk, in his evidence, denied that he had asked any market leader to collect money on behalf of the Council and stated that all he said was that the Council was prepared to receive the money Union by Union. He was emphatic that he had never appointed any market leader or any one else to be an Agent of the Council for the purpose of collecting wares permit dues. I agree no person was formally appointed as an Agent of the Council. But the fact remains that money due to be collected by the Council was collected in the first place by market leaders without any supervision by Council officers. Furthermore, this money was for a favour, the favour being in the shape of the allocation of a wares permit which would allow the trader to trade legally at Ereko Market or the proposed Oko-Awo Market. The Town Clerk suggested that there was no difference between asking a large mercantile house to collect from its staff the motor car licence fees and pay these fees to the Council by one remittance, and between the market leaders paying on behalf of various traders, wares permit dues for the allocation of new sites at one of the proposed Markets. I cannot accept this contention which fails to take note of and give weight to the different status of the parties and the purpose of the remittances.

32. After the controversy which arose over the lists submitted in March (paragraph 22), the Town Clerk should have realised that in accepting dues for wares permits from the market leaders' Secretary, who is also well-known as a paid official of the Action Group, that complaints or favouritism and allegations of corrupt practices in the allocation of wares permits were most likely to be levelled by rival political parties.

33. The trouble over the first bulk receipt for £4,392 should have been an added warning to the Town Clerk that his arrangements were not working well. The facts surrounding the issue of this receipt are confused, and I received much conflicting evidence, some of which must be false. On the 29th of August, 1958, Mr E. A. Okwudarue, the Assistant Municipal Treasurer, received a sum of £4,392 and issued a bulk receipt for that amount in favour of Dr J. Akanni Doherty who is, amongst his other activities, the Chairman of the Lagos Division of the Action Group Area Council. This receipt was subsequently altered and the words "Town Clerk" substituted for Dr J. Akanni Doherty. When I asked Mr Okwudarue why he issued the receipt in the first instance in favour of Dr J. Akanni Doherty, he said that he was asked to do so by a person whom he subsequently identified as Mr Lawal (an employee of the Action Group). Mr Lawal in his evidence denied this statement and said he told Mr Okwudarue that the money was being paid in by people who lived opposite Dr Doherty. This was an ingenious explanation, but I preferred to accept the explanation given by Mr Okwudarue. There was also much conflicting evidence regarding the date Mr Okwudarue altered the name on the receipt. The Town Clerk said he gave instructions for the name to be altered on the day the receipt was issued and he confirmed that his instructions were carried out. Mr Okwudarue denied this and emphatically stated he altered the name on the receipt several weeks after the date of issue. Mr Aderemi, an Executive Officer in the Town Clerk's Department, said that on the day the receipt was issued, he asked Mr Okwudarue, on the Town Clerk's instructions, to alter the name on the receipt, but Mr Okwudarue refused to do so. Mr Lawal said Mr Okwudarue altered the receipt "immediately in the presence of Mr Adeniyi Coker." Mr Adeniyi Coker, an Assistant Town Clerk, said that he was not present when the money was paid in and the receipt made out. Mr Coker added that on the day the money was paid in he saw the receipt and informed the Town Clerk that Dr Doherty's name was shown as having paid in the money. In Mr Coker's opinion, this was incorrect as the money was being placed on deposit, and he so informed the Town Clerk; he, however, never saw the receipt again and was unaware when the name was altered. I have not been able to ascertain definitely why this conflicting evidence was given, but it seemed there was a desire to disassociate Dr Doherty, in his capacity as the Chairman of the Lagos Division of the Action Group Area Council, from the collection of the dues. There was no doubt, however, that officials of the Lagos Division of the Action Group Area Council were very active in the collection.

34. Throughout the Inquiry, the Town Clerk strenuously asserted that all his actions were justified. He strongly refuted any suggestion of favouritism and maintained that every trader who applied for a wares permit would be accommodated at either Ereko, Oko-Awo or Ajelogo. He said he had 328 sites at Ereko, 4,000 at Oko-Awo and when the scrap dealers had been cleared from Ajelogo, a further 2,000 places would be available there. Mr Akinbiyi said he had made a survey of all street traders in Central Lagos "and be they blue, white or indigo, N.C.N.C., N.P.C. or whatever party, at the material time, they were 3,600." This in Mr Akinbiyi's opinion confirmed without doubt his statement that all traders trading illegally in the streets of Lagos could be accommodated at one of the three proposed markets and the question of favouritism in allocating sites could not arise.

35. On the last day the Inquiry sat in public, Chief Beyioku stated that his representatives had counted over 7,800 street traders, and that his counting was not complete. Mr Akinbiyi replied that even if Chief Beyioku's figures were correct, there would still be room at the three markets to accommodate all. During the Inquiry, I failed to obtain any authentic statement giving the number of street traders trading illegally in Lagos; the indications were, however, that the Town Clerk's estimate was not far wrong.

36. None of the charges of favouritism or corrupt practices would have been levelled and the climate of suspicion and distrust would not have been created if the Town Clerk had forbidden the collection of the wares permit dues Union by Union. The failure to forbid the collection is the root cause of all the trouble. The trouble, therefore, stems from an administrative decision and not from a decision taken by the Councillors. The Action Group took full advantage of the decision, but I am satisfied that it was a decision taken by the Town Clerk on his own initiative and not one dictated or influenced by the Action Group. If each market woman had made an individual application for a wares permit and had herself paid the dues to the Council, the trouble could not have arisen.

37. When recalled to give further evidence, Mr Oshodi stated that he had collected £6 from a further 36 traders in addition to the 1,490 traders mentioned in paragraph 25, but when he came to the Council to pay in this money (£216), the Town Clerk refused to receive it. The Town Clerk, in his evidence confirmed this and said he stopped receiving money for the proposed Oko-Awo Market owing to political differences which had arisen. The result is that to-day Mr Oshodi still retains in his possession the £216. In my opinion, this is a most unsatisfactory state of affairs.

38. During the course of the Inquiry, Chief Beyioku stated that there were large numbers of traders in Lagos who had paid £6 to Mr Oshodi, but whose names did not appear on any of the lists I had circulated and the money collected had not been paid to the Council. This was a very serious allegation and I called upon Chief Beyioku to substantiate it. The only evidence brought forward was given by Mrs Abeo—a leader of a group of eight Food Sellers, who claimed she had paid Mr Oshodi £6 on behalf of each member of her group. She added that she had been given no receipts. Mr Oshodi denied this allegation. I did not investigate this particular matter further as it seemed that criminal proceedings might develop. However, as only eight traders were involved, it was, as far as this Inquiry was concerned, a minor issue and did not, by itself, substantiate the allegation made by Chief Beyioku.

39. The petition from the United Muslim Party stated that £19,500 had been collected from market women. Miss King was unable to lead any evidence to prove this figure and said she obtained it from a report in the *Daily Times*. Miss King was also unable to lead any evidence to show that any market woman or women had paid £6 to Mr Oshodi and Mr Oshodi had not paid that money to the Council.

## RECEIPTS

40. In respect of the proposed Oko-Awo Market, all witnesses complained that they had received no official receipt for the £6 paid. The Town Clerk agreed that this was true. He explained that the receipt for a wares permit was incorporated in the permit itself; he stated that the permit also showed the period for which it was valid. He went on to say that as the proposed Oko-Awo Market was not ready for occupation, it was impossible to fill in the dates for which the permit would be valid. For this reason, no receipts (or permits) were issued by the Town Clerk's Department. The receipts (or permits) had been written out, omitting the dates, and were all produced at the Inquiry.

41. I ascertained that only eight receipts had been issued for the £9,492 (see paragraph 26) and these receipts had all been made out by the Municipal Treasurer's Department in favour of the Town Clerk. Mr Oshodi, the market leaders and others had been given no official receipts to account for the money they had paid in.

42. Whilst I agree it was not possible to issue a receipt in its usual form, I consider a receipt on the Council's general receipt form could have been issued. Each trader who had paid £6 was entitled to receive from the Council some form of acknowledgment. It is my opinion that if each individual trader had received an official receipt, the allegations that some monies had been misappropriated would not have been made unless the allegations could be proved. It was an error of judgment on the part of the Town Clerk not to issue receipt and this added to the atmosphere of suspicion and distrust. Even at this late stage, I strongly recommend that some form of receipt should be issued forthwith, and a public statement made when the receipts have been issued. If this is done it should clear up once and for all the allegation that certain sums of money have been collected but not paid to the Council. Traders who have paid £6 but who do not receive an official receipt should complain to the Police.

43. The correct receipts (or wares permits) were issued to the 324 traders at Ereko Market and were valid for the period 1st of April, 1958, to the 31st of March, 1959.

44. When the Town Clerk decided, owing to the activities of the various political parties, that it would be advisable to stop receiving money from Mr Oshodi, he placed Mr Oshodi in a very awkward position (see paragraph 37). However, I think Mr Oshodi was ill-advised to retain the £216 in his possession; it would have been more business-like to have returned it to the various traders. In this instance, the Council could not issue any receipts.

## LOSS OF RECREATIONAL FACILITIES, ETC.

45. The petition from the United Muslim Party refers to the loss of recreational facilities which would occur if the Oko-Awo Playground were turned into a temporary market. When this point is considered, it must be remembered that nearly all the Playground is under water during part of the year and even as I am writing this report, by far the largest part of the Playground is covered with grass over 12 inches high. The Town Clerk stated that there was a Playground at Isalegangan Square which was only a few hundred yards from Oko-Awo and which met the needs of the area. This statement was not challenged. I consider the immediate needs of the traders in Lagos to be so pressing that a *temporary* market should be constructed at Oko-Awo. I would like to emphasise the word *temporary*. From a long-term planning point of view, I am sure the ground should remain as an open space, but before full use could be made of it, the level of the ground would have to be raised. The reclamation work which would have to be carried out before a temporary market could be established would, therefore, be of great benefit to whatever future use is made of the site.

## POLITICAL INFLUENCE

46. During the course of the Inquiry, I received evidence from several market women to the effect that they had been called together by their leaders and told about the Council's proposals regarding Ereko Market and the proposed Oko-Awo Market. Several traders stated the meetings were held in Dr Daddy's (Dr J. Akanni Doherty) house. They said that at one of the meetings, they were asked to contribute a shilling for a card. Several of these cards were produced, they were all Action Group Membership Cards, which recorded, in some instances, a single contribution of one shilling and, in other instances, a single contribution of 3d. There was no record that the contributions had been maintained or that any of the traders, having once obtained a Membership Card, took any further interest in the Action Group. The evidence dealing with the issue of these cards was conflicting. Some market women said that they were told by their leaders to pay a shilling and implied that they did not know the purpose of the contribution. Mr Oshodi stated that the market women voluntarily paid the shilling and were only too delighted to join the Action Group. Both versions were probably true in individual cases. In my opinion, the market leaders did tell their members that they should pay a shilling and this was, of course, a contribution to Action Group funds, but I think in a number of cases, the women assumed that the payment of a shilling would facilitate the allocation of a site and so paid willingly. This was a very human assumption. The petition from the N.C.N.C. stated that the Action Group were "playing politics with the allocation of markets in Lagos." I am of the opinion that this remark slightly over-states the case, but I consider Mr Oshodi did take full advantage of his dual position of working for the market leaders and the Action Group and obtained many additional members for his party. In this he was ably assisted by some market leaders who are also Action Group supporters. I do not blame Mr Oshodi for acting as he did; he and his party merely took full advantage of a situation presented to them, and no evidence was advanced to show that they acted illegally. However, such a situation should never have been presented and if the market leaders had not been allowed to collect the wares permit dues and the Town Clerk had not received them, neither Mr Oshodi, nor the Action Group nor the market leaders, would have appeared to possess any particular or special influence. It must be remembered that identical action could have been taken by other political parties if they had so wished. I am sure the Town Clerk would have received money from any organisation or Union.

## SUGGESTED BREACH OF COUNCIL STANDING ORDERS AND FINANCIAL INSTRUCTIONS

47. I set out in Appendix C, Financial Instructions, Section III, paragraph 1 and Standing Orders 13 and 14. Two witnesses for the N.C.N.C. were insistent that Financial Instructions III, paragraph 1 had been contravened on the grounds that the market leaders collected money for wares permits which should have been collected by the Council. The Town Clerk equally strongly refuted this suggestion; he claimed he had not appointed any Agents to collect money on behalf of the Council and it was impossible and unnecessary for him to stop traders paying in money in bulk (*see* also paragraph 31). I noted that the Council at its meeting of the 4th of November, 1958, considered a resolution standing in the name of Councillor Ogunsanya (N.C.N.C.) *viz* :

"THAT in view of the Financial Instructions of the Lagos Town Council section 3 paragraph 1, the money collected for the proposed Oko-Awo Market by Action Group Market Women and the Action Group Secretariat was not collected for the Lagos Town Council and MUST be returned to the payers by any officer of the Council holding the money for the time being."

The Town Clerk in a report to the Chairman in connection with this resolution wrote :

"In the actual event, however, I discovered that the leaders of the unions collected from their members and paid in lump sums from time to time to my office. The Revenue Col-

lectors in my office on each occasion immediately paid over the sums of money thus received to the duly authorised cashiers of the Municipal Treasurer's Department who issued official Town Council receipts. There has been no case as far as I know of any person or persons acting in contravention of the Financial Instructions cited by Councillor Ogunsanya in his motion."

The Council finally adopted an amendment submitted by Councillor Ogun (Action Group) *viz* :

"(i) the Council approves and ratifies the receipts by the Town Clerk's Department and the Municipal Treasurer's Department of the payments for wares permits by the market women in central Lagos ;

(ii) all necessary steps be taken immediately to make spaces available at the Oko-Awo Playground for the displaced market women of central Lagos and such other women as the Town Clerk may approve ; and

(iii) the monies hitherto paid by the market women from central Lagos be treated as payments in advance in respect of wares permits for spaces to be made available at the Oko-Awo Playground site."

I do not fully understand resolution (i) which appears to have been passed without the Council being in full possession of the facts and it is unfortunate that the Town Clerk's report was not more comprehensive on this point. He should have explained that only eight receipts had been issued to cover the collection of £9,492 from 1,582 traders, and that those receipts were issued by the Municipal Treasurer in favour of the Town Clerk. No receipts had been issued by the Town Clerk's Department. By no stretch of imagination can these receipts be said to be the receipts prescribed in Financial Instruction III, paragraph 1.

48. It appears that the purpose of this Financial Instruction is to ensure that only duly authorised employees as opposed to any employee of the Council should be empowered to receive money. The Financial Instructions can regulate for Council staff only and I, therefore, agree with the Town Clerk that the first sentence of the Financial Instruction was not contravened. The money when paid into the Council was received by a duly authorised officer.

49. I now turn to the alleged breach of Standing Order No. 14. Councillor Ogunsanya stated that at the Council Meeting of the 3rd of June, 1958, the Council had refused to accept a recommendation from the Market Committee, *viz* :

"That the Town Clerk be authorised to obtain from each individual market woman desiring a plot on the site a written undertaking to pay a year's rent in advance."

He went on to say that the Caretaker Committee at its meeting on the 20th of August, 1958, had reversed the Council's decision. He claimed that this action was contrary to Standing Order 14 (a). He did not draw my attention to Standing Order 14 (b). I agree that the Caretaker Committee did reverse the decision of the Council ; however, in reading Standing Order 14 as a whole, I cannot agree that the provisions of the Standing Order had been violated.

50. Councillor Ogunsanya also claimed that the resolution concerning the proposed Oko-Awo Market passed by the Caretaker Committee (*see* paragraph 20) violated Standing Order 13. I cannot accept this claim as the resolution was not a "motion on notice". Except for the failure to issue individual receipts, I consider the Council did not on any occasion act in violation of its own Standing Orders or Financial Instructions.

51. I should like to make a few observations regarding the Caretaker Committee. I understand this Committee is set up every year, under the provision of section 65 of the Lagos Local Government Law, 1953, when the Council goes on its two months annual vacation. The Caretaker Committee, with certain statutory exceptions, has the full authority of the Council as well as that of a Committee. The members of the Caretaker Committee are the Chairmen

of the various Committees. In 1958, in the absence of Councillor McEwen overseas, all members of the Caretaker Committee were Action Group supporters. In a Council of 23 Action Group and 19 N.C.N.C. supporters I think it unfortunate that the membership of the Caretaker Committee did not bear a closer resemblance to the state of the parties in the full Council.

52. In the United Kingdom, it is customary to set up a Caretaker Committee when the Council is on vacation (though in the U.K. the vacation is usually for one month) and the Caretaker Committee, with certain statutory exceptions, has full powers delegated to it. It is, however, the established custom that only very urgent or non-controversial matters are referred to the Committee. In Lagos, the Chairman told me the same custom was not observed and this was confirmed by an inspection of the minutes of the Caretaker Committee. It appeared that any subject, provided such subject was not barred by statute, was considered by the Caretaker Committee. The Committee even reversed former decisions of the full Council. In the case of the proposed Oko-Awo Market, the Council took a decision on the 3rd of June, 1958; the Caretaker Committee on the 20th of August, reversed part of the previous decision and greatly extended the scope of the original proposals. In my view, it would have been more in keeping with the principles of democratic Local Government if the Caretaker Committee had not taken any decision in August, but had deferred the question 2½ weeks until the next meeting of the full Council on the 5th of September. The question of temporary markets and street trading had been in front of the Council for years and it could not be claimed that the matter had suddenly become extremely urgent; further it was known to be a controversial issue.

53. It is my belief that the Caretaker Committee takes far too much upon itself. Democratic Local Government would appear to be better served if the Caretaker Committee confined itself to urgent and non-controversial matters. I make these remarks fully realising that the minutes of the Caretaker Committee are placed before the full Council at its first meeting after the vacation.

#### BRIEF COMMENTS ON THE PETITIONS

54. To sum up, I will comment very briefly on the two petitions.

##### PETITION FROM THE N.C.N.C. (MARKET WOMEN WING)

*Paragraph 2.*—"According to the existing rules borne out of the Lagos Town Council Ordinance, the Council is the only channel of Government responsible for the collection of market dues. Hence, also, it becomes the responsibility of the Council to allocate markets. There is no provision whatsoever for the appointment of an outside agent to collect market dues on behalf of the Council as such appointment may lead to gross abuse and corruption."

This is agreed.

*Paragraph 3.*—"But, Sir, for some time now, the most irregular thing has been happening in the Council. When the new Nylon Market was opened at Ereko, inspired by the Action Group, some women constituted themselves the custodian of the market and started to collect market dues from others. The strangest thing was that only women who pay through those women are guaranteed markets. And before any woman can be entered down for market allocation, she must in the first instance enrol as a member of the Action Group and receive an Action Group Membership Card. What that has to do with market allocation beats our understanding."

*Paragraph 4 :* "Soon as it was known that a new market was to be built at Oko-Awo the same group of women had started collecting money from others again. And, as in the first instance, any woman wishing to be allocated with a stall must first register as a member of the Action Group and receive an Action Group Membership Card."

For years it has been an established custom for the Town Clerk to hold meetings with market leaders, and there is no doubt that they possess great influence, but I consider it overstates the case to say that the leaders "constituted themselves the custodian of the market." I have said in paragraph 29 that the allocation of wares permits for Ereko Market was unsatisfactory. I have said in paragraph 46 that certain market leaders and Mr Oshodi did use their influence to obtain new members for the Action Group.

*Paragraph 5:* "The situation was brought to the knowledge of the Town Clerk and he admitted that already, he had received from the group of women £972 for the Ereko Market Stalls and over £6,000 for the Oko-Awo Market Stalls. The Stalls at Oko-Awo are not built yet. The Head of the Market Groups who collected the money from their favourites and paid to the Lagos Town Council are Mesdames Ashabi Awe, Iya Agege and Iya Sikira. Our Party contends that those women have no authority whatsoever to act on behalf of the Lagos Town Council in the matter of the collection of market dues."

*Paragraph 6:* "This matter was the subject of a very bitter discussion at a recent meeting of the Lagos Town Council when N.C.N.C. members pointed out that it was most irregular for any person outside Lagos Town Council officials to collect market dues. The Chairman of the Council attempted to deny the fact but his denial could not stand as the Town Clerk had already admitted the existence of the irregularity. Whereupon the Chairman gave assurance that if N.C.N.C. members would produce women to testify the fact, a statement would be made in the Press and the Radio that it was irregular for any person to collect any dues on behalf of the Lagos Town Council without authority. Evidence were produced but up till now no such statement had been made."

I have observed in paragraph 36 that the whole trouble stems from the atmosphere of suspicion and distrust which arose from the unfortunate decision taken by the Town Clerk freely and on his own initiative of accepting in bulk, wares permit dues from leaders of market unions. The Councillors were not consulted before this decision was made and they cannot be held to be responsible for it. But this decision was the root cause of all the trouble.

*Paragraph 7:* "Sir, the general opinion of our Party is that certain people hiding behind have been playing politics with the allocation of markets in Lagos. They are using the situation to deceive the women and to swing their votes to their side at the next Federal Election."

Certain members of the Action Group took full advantage of the situation and recruited many new members, and undoubtedly added to the prestige of their party. I do not think I am called upon to define what actions of a political party in attempting to obtain votes are fair. I will content myself by observing that during political campaigns it is an accepted practice for parties to promise many advantages to electors with the sole purpose of obtaining votes. There was no evidence advanced to shew that any law had been broken.

*Paragraph 8:* "We therefore, pray, Sir, that you may kindly institute an Inquiry into this matter and if you are satisfied that market dues were collected by people other than the authorised agents of the Lagos Town Council, all such monies collected should be refunded to the Group Heads who make the payment and every person allowed to apply for market allocation and to pay her dues directly to the Lagos Town Council."

*Paragraph 9:* "Sir, the present list should be completely abandoned and a fresh one set up. And, Sir, a special committee of the Council consisting of equal number of members from both the Action Group and the N.C.N.C. should be set up to look into the vexed matter of market allocation."

I have recommended in paragraph 56 that an independent officer should be appointed to make the allocation of wares permits at the proposed Oko-Awo markets.

PETITION FROM THE UNITED MUSLIM PARTY

*Paragraph 1 (1)*: "The market women are being asked to pay £6 and £3 respectively for allocation of stalls or proposed stalls at Ereko and Oko-Awo Playground by some agents who are said to have paid in £19,500 to the Lagos Town Council, even though the Council has none of these stalls ready to be allocated and no approval has so far been given particularly for the denial of Oko-Awo Playground to the Lagos children/or for any conversion into a market by a group of persons whose ideas of the need for provision of recreational facilities for physical development of Youth in a community are so short-sighted."

As no evidence was tendered to show that £19,500 had been collected, I could not accept this as a correct statement of fact.

*Paragraph 1 (2)*: "Lagos children are to be deprived of the Oko-Awo Playground without any alternative recreation site being first provided inside the township so that facility for physical education of our children shall not be hampered."

*Paragraph 1 (3)*: "Muslims who annually use the Ground for the celebration of Mauludun-Nabiyyi (Prophet Birthday) are being denied the open space if, as alleged, the Action Group is leasing the site from the Lagos Town Council for an exclusively Action Group-controlled Market."

The temporary loss of Oko-Awo Playground as an open space would be unfortunate (see paragraph 45), but I consider that the needs of the inhabitants of Lagos would be better served if the Playground was converted into a *temporary* market.

*Paragraph 1 (4)*: "The Lagos Town Council gives none of the women from whom the £19,500 has been collected any official receipt."

In respect of Oko-Awo market, no receipts were issued. In paragraph 42, I have strongly recommended that some form of receipt should be issued immediately.

*Paragraph 1 (5)*: "Women of marriageable age are being arrested for hawking foodstuffs and other consumer commodities."

*Paragraph 1 (6)*: "Elderly and pregnant women whose only source of maintaining decent livelihood is by hawking their wares (food-stuffs and other consumer goods) about the township are being molested and even arrested by the agents or supposed agents of the Lagos Town Council. Is the Federal Government or the Lagos Town Council ever contemplating the introduction of Widows or Old Age Benefits Scheme to relieve the needy women in the Community?"

*Paragraph 1 (7)*: "People who, on the pavement of their own personal property or building expose their wares for sale are molested and occasionally arrested by the agents of the Lagos Town Council."

These paragraphs deal with the frequent arrests of market women, a practice which has now been suspended.

*Paragraph 1 (8)*: "Allocation of market stalls to women appear to be based on party alignment as is evident from what operates at Faji Market and no N.C.N.C. or N.P.C. or U.M.P. or N.E.P.U. sympathiser can be found to have any stall here, and no Stall Allocation Committee is made to compose of all shades or political elements in the municipality as to ensure that equal distribution of stalls is made to serve all sections of inhabitants."

Subject to my remarks about Oko-Awo Market in paragraph 56, I consider the allocation of wares permits should remain an administrative matter controlled by the Town Clerk. No political pressures should be applied; the Councillors should lay down principles governing the issue of a wares permit but should not interfere in individual allocations.

## SUGGESTIONS FOR FUTURE ACTION

55. I was told that the Council proposes to build on land yet to be cleared by the Lagos Executive Development Board a new textile market costing in the region of £750,000. It is obvious that some time must elapse before the site is cleared, the money found and the market erected. I was impressed by the very urgent need to establish a new market to accommodate all the street traders in Central Lagos and I consider the proposal to convert Oko-Awo Playground into a temporary market to be very worthwhile. I sincerely trust that the differences aired at the Inquiry will be quickly forgotten and all concerned will work in unison to establish Oko-Awo Market as quickly as possible.

56. Undoubtedly much suspicion and distrust has sprung up amongst the various factions interested in market affairs and I consider the situation has reached a peak where some market women and other interested parties have lost confidence in the Council's administrative arrangements for allocating wares permits. I suggest, therefore, that the Town Council should appoint an independent officer to take all necessary steps to make Oko-Awo Playground into a temporary market (other than those which would fall to be undertaken by the Town Engineer). I visualise that the officer should call for applications and subsequently allocate the wares permits. If more traders apply for sites than Oko-Awo Playground could accommodate, the overflow should be diverted to Ajelogo Market. I believe the appointment of an independent officer would restore the lost confidence in the Council's administrative arrangements. Any future allocations after this exercise is completed should be undertaken by the Town Clerk.

57. Should the Council feel reluctant to make such an appointment, the Governor-General in Council might consider taking action under Section 7 of the Lagos Local Government Law 1953 (reproduced as Appendix D) and make such an appointment himself.

58. I will now turn to financial considerations which have proved a stumbling-block in the past. I have shown in paragraph 27 that £10,464 has already been collected. Under Head 81 of the draft 1959-60 Estimates, the Council has proposed that £39,000 should be spent on "filling markets", of this I understand £18,000 is intended for Oko-Awo. I beg to suggest that the Governor-General in Council should approve this item of the draft Estimates. I believe that there are in Central Lagos an additional 2,000 street traders who would be willing to pay £6 for one year's wares permit dues for a site at Oko-Awo. The estimated amount available for the reclamation of Oko-Awo is therefore :—

Already Collected	..	..	..	..	..	..	..	£	10,464
Vote—Head 81	..	..	..	..	..	..	..		18,000
Additional Collections (£6 x 2,000)	..	..	..	..	..	..	..		12,000
									£40,464
									£40,464

Subject to the approval of the Governor-General in Council, sufficient money is now available for the reclamation of Oko-Awo Playground. I recommend that this work should be put in hand immediately.

59. The N.C.N.C. in paragraph 8 of the petition asked that the money collected by market leaders from the individual traders should be returned. I see no necessity for this, for if my proposals are accepted, the money would have to be collected again, but I recommend the independent officer should be allowed to take a final decision on this point. I believe my recommendation in paragraph 42 that individual receipts should be issued forthwith would achieve the same object that the N.C.N.C. had in mind when they made their original suggestion.

60. The Town Clerk, I am sure, summed up the general opinion when he said that Independence Day will soon be here and before that day all traders must be removed from the streets of Lagos so that the capital city of free Nigeria will be compared favourably, by the international audience which will assemble for the celebrations, with other capital cities in the world.

I have the honour to be,

Your Excellency's

Most humble and obedient Servant,

R. N. RAPSON

## APPENDIX A

## LIST OF WITNESSES

No.	Date	Name	Occupation
1.	16-3-59	Chief Fagbenro Beyioku .. ..	Secretary, N.C.N.C. (Market Women Wing).
2.	16-3-59	Mr Adeniran Ogunsanya .. ..	Legal Practitioner.
3.	16-3-59	Mr Adeyemi Olushola Lawson .. ..	Legal Practitioner (Chairman, L.T.C.).
4.	16-3-59	Mr Daniel Modupe Olasupo Akinbiyi .. ..	Town Clerk, Lagos Town Council.
5.	17-3-59	Chief Fagbenro Beyioku .. ..	Secretary, N.C.N.C. (Market Women Wing).
6.	17-3-59	Mrs Nimota Tinko .. ..	Cloth Seller.
7.	17-3-59	Mrs Ashimotu Apinke .. ..	Food Seller.
8.	17-3-59	Mr Adeniran Ogunsanya .. ..	Legal Practitioner.
9.	18-3-59	Chief Fagbenro Beyioku .. ..	Secretary, N.C.N.C. (Market Women Wing).
10.	18-3-59	Mrs Titilola Thomas .. ..	Dress Maker
11.	18-3-59	Alhaja Raliatu Ashabi Awe .. ..	Cloth Seller.
12.	18-3-59	Mrs Awawu Tinuade (Iya Agege) .. ..	Cloth Seller.
13.	20-3-59	Mr M. A. Ogun .. ..	Councillor, Lagos Town Council.
14.	20-3-59	Mr Abioye Dosunmu .. ..	Dealer in Enamel Wares and Crockery.
15.	20-3-59	Mrs Nimota Sanni .. ..	Cloth Seller.
16.	20-3-59	Mr S. A. Oshodi .. ..	Clerk in the Action Group Secretariat and Secretary to a number of Market Women Organisations.
17.	20-3-59	Alhaja Raliatu Ashabi Awe (recalled)	
18.	23-3-59	Mr S. A. Oshodi (recalled).	
19.	23-3-59	Mrs Jolade Onafeke .. ..	Nylon Dealer.
20.	23-3-59	Alhaja Awe (recalled).	
21.	23-3-59	Mr Bello Fowoshere .. ..	Senior Market Master, Lagos Town Council.
22.	23-3-59	Mr Frank Cuthbert Oladipo Coker .. ..	Municipal Treasurer, Lagos Town Council.
23.	23-3-59	Mr Earnest A. Okwudarue .. ..	Assistant Municipal Treasurer, Lagos Town Council.
24.	25-3-59	Mr S. A. Oshodi (recalled) .. ..	Clerk in the Action Group Secretariat and Secretary to a number of Market Women Organisations.
25.	25-3-59	Mr Nurudeen Omotayo Alowonile .. ..	Trader.
26.	25-3-59	Miss Saratu Subola King .. ..	Honorary Secretary, United Muslim Party (Women Wing).
27.	25-3-59	Mr F. C. O. Coker (recalled) .. ..	Municipal Treasurer, Lagos Town Council.
28.	25-3-59	Mrs Falilatu Salako .. ..	Cloth Seller.
29.	26-3-59	Dr Joseph Akanni Doherty .. ..	Registered Medical Practitioner.
30.	26-3-59	Mr Gabriel Sanyaolu .. ..	Market Master.
31.	26-3-59	Mrs Omomeji Bakare .. ..	Cloth Seller.
32.	26-3-59	Mrs Nimota Lawal .. ..	Food Seller.
33.	26-3-59	Mrs Esu Ashimowu .. ..	Cloth Seller.
34.	26-3-59	Mr S. A. Oshodi (recalled).	
35.	26-3-59	Mrs Awanotu Aduke Da Silva (Iya Sikira) .. ..	Cloth Seller.
36.	31-3-59	Mr S. A. Oshodi (recalled).	
37.	31-3-59	Mrs Rafatu Ajike .. ..	Cloth Seller.
38.	31-3-59	Mrs Salamotu Abeo .. ..	Food Seller.
39.	31-3-59	Chief Modile Adebegunja .. ..	Chief Modile of Lagos.
40.	31-3-59	Mr B. Fowoshere (recalled).	
41.	31-3-59	Mr Muritola Ayinla Lawal .. ..	Typist to the Action Group.
42.	31-3-59	Mr J. O. Aderemi .. ..	Executive Officer, Lagos Town Council.
43.	31-3-59	Mr Raimi M. Ogunbona .. ..	Clerk.
44.	1-4-59	Mr Daniel Modupe Olasupo Akinbiyi	Town Clerk, Lagos Town Council.
45.	2-4-59	Mr D. M. O. Akinbiyi .. ..	Town Clerk, Lagos Town Council.
46.	9-4-59	Chief Adeyemi Olushola Lawson (recalled) .. ..	Legal Practitioner.
47.	9-4-59	Mr Latif Jinodu Dosunmu .. ..	Legal Practitioner.
48.	9-4-59	Mr Earnest Okwudarue (recalled).	
49.	9-4-59	Mr Shogunle Akintoye Showemimo .. ..	Assistant Town Clerk, Lagos Town Council.
50.	9-4-59	Mr B. Fowoshere (recalled) .. ..	Senior Market Master, Lagos Town Council.
51.	9-4-59	Mr Saidu Ayinde Shiriki .. ..	Trader.
52.	9-4-59	Mr S. A. Oshodi (recalled) .. ..	Clerk in the Action Group Secretariat and Secretary to a number of Market Women Organisations.
53.	9-4-59	Mr B. Fowoshere (recalled) .. ..	Senior Market Master.
54.	9-4-59	Chief Fagbenro Beyioku (recalled).	
55.	9-4-59	Mr D. M. O. Akinbiyi (recalled).	
56.	1-5-59	Mr Adeniyi Coker .. ..	Assistant Town Clerk, Lagos Town Council.

**APPENDIX B**

Government Notice No. 266

**MARKET TOLLS**

Notice is hereby given that in accordance with Bye-Laws 2 and 3 of the Lagos Market Bye-Laws and Bye-Law 4 of the Lagos Meat Market Bye-Laws, the Lagos Town Council has fixed the following fees, tolls and stallages in relation to all markets in the Township with effect from the 1st April, 1958 :—

	<i>Per month</i>
	£ s d
(a) General Stalls—	
(i) Permanent Stalls provided by the Council .. .. .	0 10 0
(ii) Plots of Land only on which the occupiers erect temporary Stalls except at Iddo Wholesale Market .. .. .	0 5 0
(iii) Plots of Land only on which the occupiers erect temporary Stalls in Iddo Wholesale Market .. .. .	0 10 0
(b) Wares Permits .. .. .	0 10 0
(c) Meat Stalls .. .. .	0 10 0
(plus 3s per Quarter for electric light where this amenity is provided).	
(d) For casual traders selling in any market (other than in a meat market) per day ..	0 0 2

All fees, tolls and stallages shall be payable in advance.

2. All former notices regarding markets in the Townships in so far as they relate to the fixing of fees, tolls and stallages are cancelled.

DATED this 7th day of January, 1958.

D. M. O. AKINBIYI,  
Town Clerk

Municipal Office, Lagos.

LA 0014

**APPENDIX C**

**FINANCIAL INSTRUCTIONS SECTION III**

**CASH RECEIPTS**

1. Only persons employed in the Cash Office ("Cashiers") and other persons' authorised by the Treasurer to do so, ("Outside Revenue Collectors") may accept money on behalf of the Council. A receipt shall be given for all money received immediately whenever practicable to do so, but in no circumstances later than 12 working hours after the money has been received in the Cash Receipts Office. The receipt forms will normally be in triplicate and bound in books of fifty or a hundred.

**STANDING ORDER 13**

Any motion on notice which if carried would necessitate a variation in the current approved estimates of the Council or would involve capital expenditure shall when proposed and seconded stand adjourned without discussion to a subsequent meeting of the Council in order that any Committee concerned (including the Finance Committee as to the financial aspect) may report thereon.

**STANDING ORDER 14**

(a) No motion to vary or rescind any resolution which has been passed within the preceding three months, nor any motion which, in the judgement of the Chairman, is to the same effect as any motion which has been negatived in the preceding three months, shall be in order unless notice thereof shall have been given and specified in the summons, and the notice shall bear, in addition to the name of the member who proposes the motion, the names of six other members.

(b) This Order shall not apply to motions which are moved by the Chairman or other member of a Committee in pursuance of a report of the Committee.

APPENDIX D

Failure of  
Council to  
carry out work  
or make or  
enforce  
Bye-Laws

7. If the council shall fail to do or carry out any work or thing which it is or may be empowered under the provisions of this or any other Law or Ordinance to do or carry out, or shall fail to make, amend, revoke or enforce any bye-laws on any matters upon which it is empowered to make, amend, revoke or enforce bye-laws, and such failure on the part of the Council constitutes, in the opinion of the Regional Authority, a grave danger and menace to the health, safety, or welfare of the public within or without the town, the Regional Authority may give notice to the Council, requiring it to take measures within its powers under the provisions of this or any other Law or Ordinance to abate and remove such danger within such time as he may specify and if the Council shall fail to take and properly carry out the required measures, the Regional Authority, upon being satisfied that the Council has so failed without reasonable cause, may :—

(a) make such bye-laws as may be necessary to abate and remove such danger, and such bye-laws shall, until revoked by the Regional Authority, have the force and effect of law within the town ;

(b) authorise any person or persons to do or carry out any works or things and to spend such moneys in so doing or carrying out any works or things as to him may seem necessary and such person or persons shall be deemed to have vested in him or them all of the powers of the Council in respect of the doing or carrying out of the particular work or thing ; and any moneys so expended under the authority of the Regional Authority shall be a debt due to the Regional Authority charged on the revenue of the Council.

FGP 2453/859/1,500