

EASTERN REGION



NIGERIA

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**Papers Relating to the Instrument Establishing
the Onitsha Urban District Council**

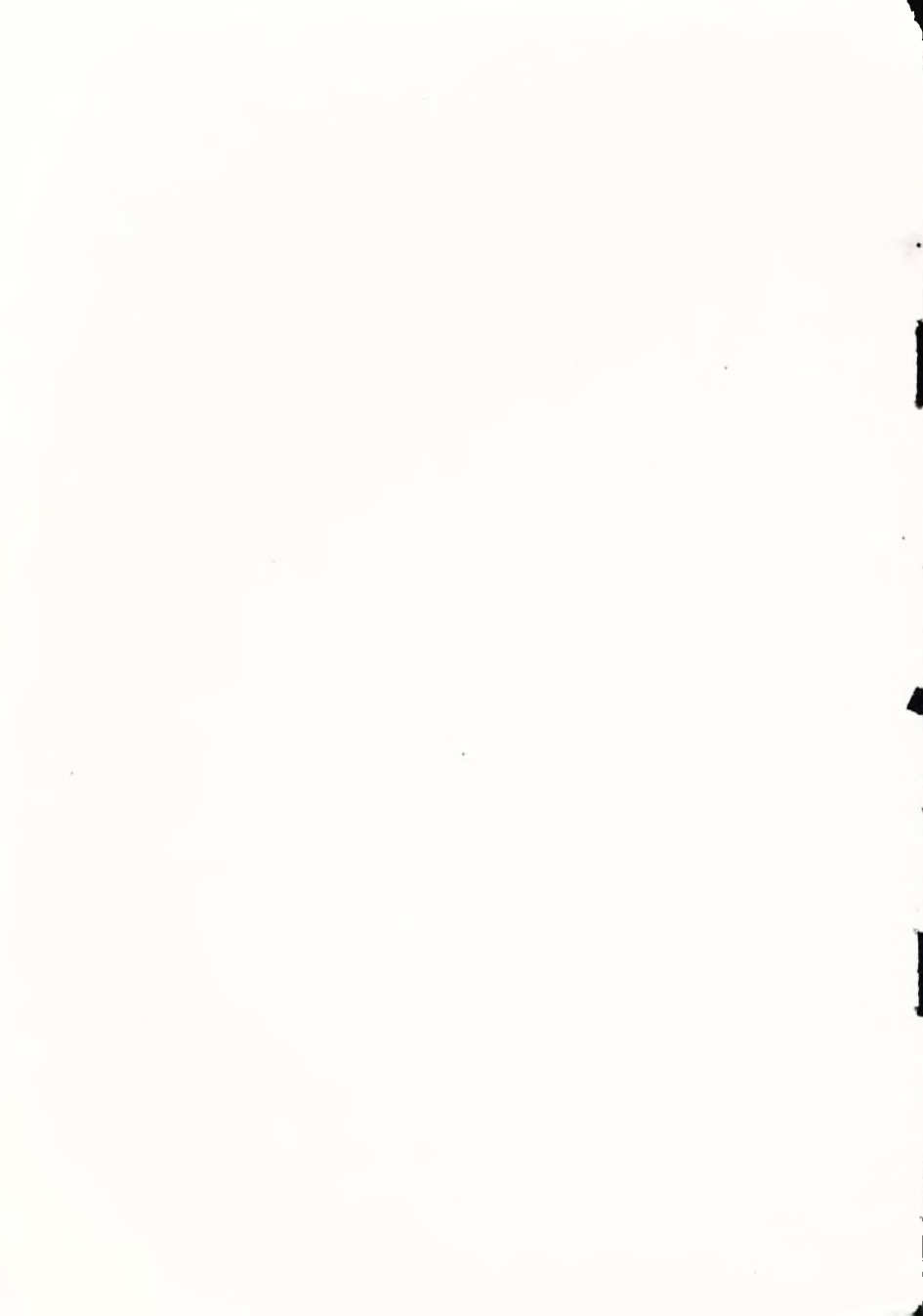
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PAPERS RELATING TO THE INSTRUMENT ESTABLISHING THE ONITSHA URBAN DISTRICT COUNCIL

1. Statement by the Honourable Minister of Internal Affairs.
2. Instrument establishing the Onitsha Urban District Council, etc.
3. Statement by the Natives of Onitsha.
4. Statement by the Non-Onitsha Ibos Association.
5. Treaty signed on 9th October, 1884.
6. Intelligence Report on Onitsha Town.

STATEMENT BY THE HONOURABLE MINISTER OF INTERNAL AFFAIRS

The Government of the Eastern Region has considered proposals for reform in Onitsha local government made by representatives of the Obi, Ndichie and natives of Onitsha, on the one hand, and the representatives of the Non-Onitsha Ibos Association, on the other.

The latter are in favour of the Obi of Onitsha acting as President of the Onitsha Urban District Council but request the existence of an elected Chairman who will conduct the day-to-day affairs of the Council. They also demand that elections into the Council shall be from wards carved according to population and based on the principle of universal adult suffrage. They are opposed to what they call family representation, on the ground that those who provide tax for administration should have the universally accepted principle of democratic control through elected representatives.

The representatives of Onitsha insist that the Obi and Ndichie have exercised authority and jurisdiction over Onitsha territory since the founding of that community. They hold that any system of government which disregards the political role of the Obi and Ndichie would be superficial, and urge that the Government should reform local government by building where the ground is firm and not where the crust is thin.

After due consideration, Government has decided to accord recognition to these views on the following grounds. Article I of the Treaty of Peace and Friendship which was signed between Her Majesty Queen Victoria and the King, Queen, and Chiefs of Onitsha on 9th October, 1884 reads as follows:—

“Her Majesty the Queen of Great Britain and Ireland, etc., in compliance with a request of the King, Chiefs, and people of Onitsha, hereby undertakes to extend to them and to the territory under their authority and jurisdiction, her gracious favour and protection.”

By this Treaty, Her Majesty's Government virtually established a protectorate in Onitsha. It is significant that it was signed by King Obi Anazonwu, the Omu (Queen), and seventeen Chiefs representing Ndichie Ume, Ndichie Okwa and Ndichie Okwareze.

In an Intelligence Report prepared by Mr W. R. T. Milne, Assistant District Officer of Onitsha, in 1935, the political status of Obi and Ndichie was clarified. At paragraph 48 of the Report, Mr Milne arrived at the conclusion that “it would appear that the Obi's advisory Council really consisted of six Ndichie Ume alone and that the junior Ndichie confined their authority mainly within their own kindreds. Today, however, no one is prepared to dispute the fact that it was the whole body of Ndichie who met the Obi in Council . . . It can only be said that information recorded here is that given by a clear majority of responsible persons . . . The ancient system of administration in Onitsha was

briefly then an Obi or King in Council with the titled men known as Ndichie using a selected age-grade to enforce all laws . . . It being clear that in pre-Government days any decisions of the Obi made in consultation with the Ndichie were regarded by the people of Onitsha as law: and that no decision made by the Ndichie alone could be given the force of law without the approval of the Obi, the Obi in Council with the Ndichie must be regarded as constituting the Native Authority as far as the indigenous inhabitants of Onitsha are concerned."

Government is of opinion that the recommendations contained in this Intelligence Report formed the basis of indirect rule and the introduction of Native Authority in Onitsha. This view is also supported by Dr C. K. Meek in chapter 8 of his book entitled *Law and Authority in a Nigerian Tribe*. Bearing all these factors in mind, Government has decided that in amending the Instrument for a new Onitsha Urban District Council cognisance should be taken of the views expressed by all parties to the present dispute, taking into consideration the information contained in the Intelligence Report in connection with the Onitsha constitution, and the authoritative views of a former government anthropological officer.

In amending the Instrument, Government intends to provide for a Council of thirty-seven members, consisting of the Obi of Onitsha as President, twelve traditional members, and twenty-four elected members one of whom shall be Chairman. In view of the fact that there is no provision in the Eastern Region Local Government Law for a President, it is intended that the Obi shall act in the capacity of Chairman until the Law is amended to provide for a President, when an elected member shall be appointed Chairman. It is hoped that legislation to this effect will be introduced at the next sitting of the House of Assembly.

Of the twelve traditional members, six shall be Chiefs holding the title of Ndichie Ume, three of Ndichie Okwa, and three of Ndichie Okwareze. They shall continue to hold office and shall not retire with the elected members. The traditional members representing Ndichie Okwa and Ndichie Okwareze shall serve, according to their order of precedence, for six months, after which period they shall retire until all of the members of their category, numbering sixteen and sixteen, respectively, shall have served a term of six months, when they shall be appointed in rotation. The twenty-four elected members shall be elected from twenty-four wards of the Inland Town and Waterside, equally divided, with a population of 3,000 in each ward.

It is hoped that a reformed Council of this nature will meet with the wishes of all men and women of goodwill and that both parties to this dispute will co-operate and give this new Council a fair chance. Government appeals to both parties to bury the hatchet and smoke the pipe of peace. The reformed Onitsha Urban District Council will comprise of the Obi, twelve traditional members, and twenty-four elected members on the basis of universal adult suffrage. The Government has respected the traditions and customs of Onitsha and, at the same time ensured the principle of democratic control through elected representatives.

Elections to the reformed Council shall take place not later than 1st November, 1955. In view of the enormous work involved in preparing a preliminary list of voters, making allowance for objections to be made in the list, preparing a register of voters, publishing same, earmarking a date for nomination of candidates, and holding elections, it is proposed that the life of the Caretaker Council shall be extended until 1st November, 1955, and that the new Council shall hold its first meeting within the first week of November, 1955.

Enugu,
26th August, 1955.

NNAMDI AZIKIWE
Minister of Internal Affairs

PUBLIC NOTICE

The Eastern Region Local Government Law, 1955 (No. 26 of 1955)

INSTRUMENT ESTABLISHING THE ONITSHA URBAN DISTRICT COUNCIL AND REVOKING THE PREVIOUS INSTRUMENTS ESTABLISHING THE ONITSHA URBAN DISTRICT COUNCIL

WHEREAS the Minister of Internal Affairs (hereinafter called "the Minister") has consulted the wishes of the inhabitants of the area concerned:

AND WHEREAS it is expedient that the previous Instruments establishing the Onitsha Urban District Council be revoked:

NOW THEREFORE, in exercise of the powers conferred upon the Minister by section 3 of the Eastern Region Local Government Law, 1955 (hereinafter called "the Law"), the Onitsha Urban District Council (hereinafter called "the Council") shall be established upon the 1st day of November, 1955.

Establishment of Onitsha Urban District Council.

AND NOW THEREFORE, in exercise of the powers conferred upon the Minister by subsection (5) of section 230 of the Law, the Instruments establishing the Onitsha Urban District Council (which are published as E.R.L.N. No. 74 of 1954 and No. 98 of 1955) are, with all amendments thereto, hereby revoked in the area of the Council.

Revocation of previous Instruments.

2. The Common Seal of the Council shall be the following device:—

Seal.

3. The area of the authority of the Council shall be the area of the Onitsha land and shall include areas of Crown land within the Onitsha land and between the Onitsha land and the east bank of the River Niger.

Area of the authority of the Council.

4. The Council shall consist of thirty-seven councillors: twenty-four of whom shall be elected and thirteen of whom shall be appointed by the Minister in accordance with the provisions of this Instrument.

Constitution.

5. The quorum of the Council shall be fifteen councillors, at least ten of whom shall be elected.

Quorum.

6. The twenty-four councillors to be elected shall be elected from the three wards of the Inland Town and the twenty-one wards of the Waterside, as described in the First Schedule to this Instrument :

Wards.

Provided that not more than one councillor shall be elected from each ward.

7. The election of councillors shall be in accordance with Type A elections provided for in the Local Government (Elections) Regulations, 1955, and the date for the first election of the Council shall be the 1st day of November, 1955.

Elections: (E.R.L.N. No. 190 of 1955).

8. (1) Of the thirteen councillors to be appointed by the Minister twelve shall be appointed in accordance with sub-paragraphs (2), (3) and (4) of this paragraph.

Appointed councillors.

(2) The Minister may appoint as councillors the six persons holding the title of Ndichie Ume as described in the Second Schedule to this Instrument.

(3) The Minister may appoint as councillors three persons from the persons holding the title of Ndichie Okwa as described in the Third Schedule to this Instrument:

Provided that—

- (a) the Minister may appoint the first three members of Ndichie Okwa, in their order of precedence, to be for six months appointed councillors, after which time they shall retire; and, thereafter,

- (b) the Minister may appoint the next three members of Ndichie Okwa, in their order of precedence, to be for six months appointed councillors, after which time they shall retire;
- (c) the Minister may so continue to appoint, in their order of precedence, until all members of Ndichie Okwa have been appointed in turn;
- (d) When all members of Ndichie Okwa have been appointed in turn the Minister may so continue to reappoint in their order of precedence.

(4) The Minister may appoint as councillors three persons from the persons holding the title of Ndichie Okwareze as described in the Fourth Schedule to this Instrument:

Provided that the Minister may appoint as if, in all provisos to sub-paragraph (3) of this paragraph for the wards "Ndichie Okwa," there were to be substituted the words "Ndichie Okwareze."

Appoint-
ment of
Obi of
Onitsha.

9. (1) The Minister may appoint as a councillor the person at present holding the title of Obi of Onitsha.

(2) In the event of the person so appointed resigning or dying, the Minister shall appoint a person in his place until a successor assumes the title of Obi. When a successor assumes the title of Obi, the Minister may appoint as a councillor the successor.

Chairman
of the
Council.

10. The chairman of the Council shall be the person holding the title of Obi of Onitsha if this person has been appointed under paragraph 9. If this person has not been appointed under paragraph 9, the Minister may appoint the Vice-Chairman of the Council to be the chairman of the Council.

Standing
Committees.

11. (1) As soon as practicable, the Council shall establish standing committees for questions as to—

- (a) roads and works;
- (b) staff and general matters; and
- (c) native custom and tradition.

(2) The standing committee for native custom and tradition shall consist of the councillor appointed in accordance with paragraph 9, and the twelve councillors appointed in accordance with paragraph 8.

Functions.

12. In addition to the functions conferred upon District Councils under the provisions of the Law, or any other written law, the Council:—

- (i) shall perform all the functions contained in the following paragraphs of section 80 of the Law:—
(9), (10), (11), (14), (16), (31), (33), (38), (42), (43); and
- (ii) shall regulate the use of inflammable materials in accordance with paragraph (17) of section 80 of the Law; and
- (iii) shall regulate the making of borrow pits or other excavations in accordance with paragraph (20) of section 80 of the Law; and
- (iv) shall maintain markets and prohibit the erection of stalls in places other than markets in accordance with paragraph (30) of section 80 of the Law; and
- (v) shall manage, licence and control slaughter houses in accordance with paragraph (41) of section 80 of the Law; and
- (vi) shall control the hawking of wares in accordance with paragraph (54) of section 80 of the Law; and
- (vii) shall maintain roads, streets, paths, culverts and bridges and street drains in accordance with paragraph (61) of section 80 of the Law; and
- (viii) shall perform the duties and discharge the functions described in sections 224 and 225 of this Law; and

- (ix) may perform all or any of the functions contained in the following paragraphs of section 80 of the Law:—
 (3), (4), (5), (6), (7), (12), (13), (18), (19), (21), (22), (23), (24), (25), (26), (27), (29), (32), (34), (35), (36), (37), (39), (40), (44), (45), (46), (47), (48), (49), (50), (51), (52), (53), (55), (56), (57), (58), (59), (60), (62), (63), (64), (65), (66), (67), (68), (69), (70), (71), (72), (73), (74), (75), (76), (77), (78), (79), (80), (81), (82), (83), (84), (85), (86), (87), (90), (91); and
- (x) may prohibit the use of any inflammable material in the construction or repair of any building in accordance with paragraph (17) of section 80 of the Law; and
- (xi) may prohibit the making of borrow pits or other excavations in accordance with paragraph (20) of section 80 of the Law; and
- (xii) may build, equip open or close markets in accordance with paragraph (30) of section 80 of the Law; and
- (xiii) may build slaughter houses in accordance with paragraph (41) of section 80 of the Law; and
- (xiv) may prohibit or restrict the hawking of wares in accordance with paragraph (54) of section 80 of the Law; and
- (xv) may make, alter and divert roads, streets, paths culverts bridges, street drains and water courses in accordance with paragraph (61) of section 80 of the Law; and
- (xvi) may perform all or any of the functions contained in the following paragraphs of section 81 of the Law:—
 (1) (a), (1) (c), (1) (d), (1) (f).

SECOND SCHEDULE

(Paragraph 8 (2))

NDICHIÉ UME

- | | |
|------------------|-----------------|
| 1. Onowu Iyasele | 4. Onya Ozoma |
| 2. Ajie Isagba | 5. Ogene Onira |
| 3. Odu Osodi | 6. Owelle Osowa |

THIRD SCHEDULE

(Paragraph 8 (3))

NDICHIÉ OKWA

- | | |
|-------------------|------------------------|
| 1. Osuma Affar | 9. Ogbuoba Anghalagbom |
| 2. Adazie Ugulani | 10. Gbosa Obi Eze |
| 3. Ozi | 11. Ike Akatakumanya |
| 4. Omodi Daike | 12. Ede Ogbogbogaga |
| 5. Odua Ngu | 13. Ojiede |
| 6. Akpe Olodi | 14. Ojiabu Unghalobi |
| 7. Ojiba Inwagwe | 15. Ojudor Enema |
| 8. Ozizani Obi | 16. Oboli. |

FOURTH SCHEDULE

(Paragraph 8 (4))

NDICHIÉ OKWAREZE

- | | |
|---------------------|----------------------|
| 1. Onoli Ogwuda | 5. Igwuoba Akalam |
| 2. Esecgba Agbanudo | 6. Asagwali Omailkpo |
| 3. Akwue Isama | 7. Ijagwor Obi |
| 4. Ojiba Ogbuegada | 8. Igedu |

- | | |
|----------------|---------------------|
| 9. Ike | 13. Onika Agbudugbu |
| 10. Obioba | 14. Oza Odogwu |
| 11. Ajakor | 15. Unwolu |
| 12. Osuma Ogwa | 16. Agba Onagha. |

MADE by the Minister of Internal Affairs, at Enugu, this 9th day of September, 1955.

ESIN A. ESIN
Minister of Internal Affairs

STATEMENT BY THE NATIVES OF ONITSHA

The community of Onitsha is made up of six major ethnic or geographical groups as follows :—

Northern Peoples including the Hausas, Nupes, Igalas, Kankandas, etc. Western Peoples including the Yorubas, Edos, Western Ibos, etc. Non-Ibo Peoples of the East, e.g., the Ibibios, Ijaws, Efiks, etc.

The Anambara and the Niger Ibos. These include the waterside Ibos—of Onitsha, Owerri and Aboh Divisions, e.g., the peoples of Awkuzu, Nteje, Aguleri, Umuleri, Nsugbe, Nkwelle, Umunya, Anam, and the Ogbarus comprising the peoples of the Aboh, Osomari, Oguta, Ndoni, Atani, Odekpe, etc. The people of Onitsha belong to this group geographically, historically and culturally.

Other Ibos of the Eastern Region. These include the Ibos of Owerri, Calabar, Rivers and Ogoja Provinces as well as those of Awka, Awgu, Udi and Nsukka Divisions of Onitsha Province.

One only of these groups, the self-styled Non-Onitsha Ibos Association, has vilified and insulted the indigenous people of Onitsha in the press over the past six months. This is very typical of this section of Onitsha Division Ibos whose primitive instincts and unmannerly behaviour have made them a terrible plague to the peace-loving peoples of Nigeria and unwelcome strangers wherever they go.

We have had no differences on any major issue with any of the other sections of the community. The peoples of the other Regions of Nigeria as well as the other tribes in the Eastern Region and the Ibos of Owerri, Calabar, Ogoja and Rivers Provinces have in their own towns and homes been victims of an insensate passion to dominate, to oppress and to expropriate by the same people who form the Non-Onitsha Ibos Association. In fairness, it must be mentioned here that the home-towns of the members of this Non-Onitsha Ibos Association do not accept the principle the latter are seeking to see enforced at Onitsha and elsewhere.

We have borne these attacks with dignity and composure. We know that our dispute is not with any section of Onitsha community but with the Government of the Eastern Region and its application of the Eastern Region Local Government Law of 1955. We demand that the application of the Local Government Law should be governed by the following principles :—

That Natural Rulers and Elders in the Eastern Region, like their counterparts in the West and North, should be well represented in their own rights in Local Government Councils.

That indigenous people should have majority representation in the Local Government Council in their area.

That simultaneous membership of two Local Government Councils of separate and distinct areas of jurisdiction by one person is wrong in principle and contrary to the spirit of Local Government.

The first principle is in accord with the legitimate demand of the Eastern Chiefs and Elders that they should take part as of right in the administrative and legislative machinery of this Region. In the North and West, the Chiefs are the foundation upon which the superstructure of Local Government was erected. A House of Chiefs for the East will follow logically and inevitably the acceptance of the right of representation of Chiefs and Elders in their own Local Government Councils. The Eastern Government has now conceded this point to Onitsha, and can have no justifiable reasons for refusing to apply the same policy to other Chiefs and towns in the Region. The set-up in Onitsha is therefore a precedent and a pattern for other places. Thus a significant progress has been made in the struggle of the Eastern Chiefs for recognition through the efforts of the Onitsha indigenes.

Our second demand is that representation in a Local Government Council should ensure a majority for the indigenous people over the stranger elements, however numerous the latter may be. This is in keeping with the ascertained wishes of various towns and peoples of the Region. The rejection of this point by the Government is the concern therefore not only of the people of Onitsha but of every native town and community and of all tribes and minority groups throughout the Region. We shall continue to fight relentlessly in a constitutional manner until this principle is accepted and implemented.

Our last point is clear and simple. No one man should at one and the same time be a member of two Local Government Councils of distinct areas of jurisdiction. No man can serve two masters efficiently. While the Local Government Councils in the Region are corrupt, a person who seeks double membership must be suspected to desire a double opportunity to despoil and enrich himself. In any case, such membership will encourage divided loyalties and inefficient councils, and prevent the coalescence of all the various sections of a cosmopolitan community.

Those are the principles we stand for and which the Non-Onitsha Ibos Association is opposing. We are fighting not for ourselves alone, but for all Chiefs and Elders, and all indigenous or native towns and villages in the Region. We assert the right of all peoples to live their own way of life. We believe that no political party can hope to control the legislatures of the three Regions if it does not actively encourage the preservation of the distinctive cultures and traditions of the peoples of Nigeria and does not guarantee to all ethnic and cultural groups freedom from fear of domination, disruption and extinction by larger groups. We stand at the bar of public opinion of this Region. If the verdict is against us we shall surrender in the knowledge that what is our fate today will quickly be the fate of all, that is to say, loss of identity.

STATEMENT BY THE NON-ONITSHA IBOS ASSOCIATION

For over one month now the political atmosphere in Onitsha has been charged over the question of the Constitution for a new Council for Onitsha. This has given rise to a controversy between the two daily papers in the township.

At first the *Nigerian Spokesman* accused the non-native elements of the community of fanning and sustaining the dispute but later in an attempt to divide and rule, it shifted its attack from the non-native elements as a whole to the Non-Onitsha Ibos Association, an organisation, which for over two years has submerged its activities and even identity, in the interest of peace and harmony among members of Onitsha Community in order to allow the N.C.N.C. to try bring all sections of Onitsha Community together under a common platform.

These attacks have become so vicious and persistent that the leaders of Non-Onitsha Ibos Association are constrained to make this statement so as to remove the wrong impression being made daily about them in the *Nigerian Spokesman* and also to make its stand clear on the controversy. The facts were as follows :—

1. The N.C.N.C., Onitsha Branch, whose membership comprises Onitsha-Ibos, Non-Onitsha Ibos, Hausas, Yorubas, etc, protested to the Minister of Internal Affairs, Eastern Region, against the conduct of new elections under the 1950 Local Government Ordinance into the Onitsha Urban District Council following the report of the Gunning Commission of Inquiry into the affairs of that Council.

It is significant to note here that, in the N.C.N.C. Executive which originally passed the protest resolution, Onitsha Ibos were represented by such personalities as Dr L. O. Uwechia, M. O. Balonwu, V. A. Modebe, Ngor Chukwura, Mr Nwanolue, Paul Oguebe and Chief Egbuna Adazie, first Vice-President of the Local Branch of the N.C.N.C. and an Ndichie. At this meeting Chief Egbuna Adazie was the Chairman.

2. The Union of Niger African Traders—An organisation whose membership is more than 2,000 drawn from all sections of Onitsha traders, also protested against the conduct of elections under the 1950 Local Government Ordinance. Onitsha Ibos are represented in this union. This union also protested against the instrument which gave 12½ per cent of Onitsha Community resident in the Inland Town twenty out of thirty eight seats in the Council and eighteen seats to 87½ per cent resident at the Waterside.

3. The Onitsha Community League, whose President is an influential Onitsha Native—Mr Peter Achukwu—also sent a protest to the Ministry of Internal Affairs, Eastern Region, over the conduct of the election under the 1950 Local Government Ordinance. The protest resolution of the League was signed by the President.

4. The Onitsha Chamber of Commerce—An organisation of African importers and exporters and comprising respectable businessmen from all sections of Onitsha community sent similar protest as the above.

In the light of the above, it is difficult to see how the Non-Onitsha Ibos Association could be associated with the present dispute which has been fathered and nursed by the *Nigerian Spokesman*. In the past, sons of Onitsha made their fortune in the rural areas as Court Clerks, Interpreters, etc. Today, sons of Onitsha are making their fortune from the rural areas as Lawyers and Doctors, etc. They even possess freehold properties and extensive plantations in the rural areas.

The world is a unit and it is madness for any group to think that it can do without the other. Mr Chuba Ikpeazu and Dr L. O. Uwechia want the Non-Onitsha in Onitsha to “pack and go.” If we were to pack and go, it may happen that Oze, Nkpo and Obosi, etc., the original owners of this land may one day ask the Onitsha people to “pack and go” back to Benin from where they came. People who set fire to this town must be prepared to extinguish it when it spreads. It will not spare its authors.

The Onitsha natives have decided to boycott the Caretaker Committee in which they are three as against two non-Onitsha Ibos and have thrown a challenge to the Regional Government at an interview with the Premier, even though they form 12½ per cent of Onitsha Community. The Non-Onitsha Ibos Association does not regard the composition of the Caretaker Committee as fair and has received it with disaffection. The Association accepts this composition as a contribution to the cause of peace in the township. It hopes, however, that

this composition does not in any way indicate the composition of the next Council.

According to Ikpeazu Delegation, the Onitsha indigenes have "decided to hit hard." We would like to warn the leaders of Onitsha indigenes that hitting hard is a two-way traffic. As for the gaseous threat that democracy will be introduced in Onitsha on the "dead bodies" of Onitsha natives, we of the Non-Onitsha Ibos will live and enjoy our civic rights without further molestation after burying the dead bodies. If Mr Chuba Ikpeazu, M.A., LL.B., is "not prepared to accept the claim among Non-Onitsha Ibos of majority in population and tax contribution" we sympathise with him for he still lives in the 18th century. We, however, want to inform Mr Chuba Ikpeazu that his ideas about democracy are outmoded and anachronistic and can only find a place in South Africa.

That "the Non-Onitsha Ibos in Onitsha can vote but should not stand elections" must be regarded by all sane men as the most stupid, tactless and insane statement that ever fell from the lips of anybody in contemporary Nigerian history. This part of the delegation's statement has disarmed the anger of the Non-Onitsha Ibos as they doubt the sanity of the authors of these words. That "the Non-Onitsha Ibos in Onitsha have even contributed money to celebrate what they called victory" is a subterfuge to bolster up collections being levied on all indigenous women and on families in the inland town by the new-found leaders of Onitsha natives, ostensibly to fight the Non-Onitsha Ibos in Onitsha.

We warn the reckless leaders of Onitsha Ibos to cease inciting innocent women to acts of lawlessness as we understand plans are afoot to precipitate a riot by using innocent women. The Non-Onitsha Ibos cannot and will not accept in Onitsha the South African form of democracy.

We reproduce below, paragraph 1 (c) of the letter No. 12907/1/332 dated 9th January, 1951, from the Secretary, Eastern Provinces, Enugu, being a reply of the Petition of the Non-Onitsha Ibo Association to the Eastern House of Assembly over the question of representation in the Onitsha Town Council. Paragraph 1 (c) which vindicates the cause of the Non-Onitsha Ibos reads: "The House is satisfied that the Non-Onitsha Ibo community in Onitsha is not adequately represented on the present Onitsha Town Council. But it is hoped that when Onitsha is brought within the framework of the Local Government Ordinance this anomaly will doubtless disappear and the future Council will be both fully representative and democratic."

This reply was a report from the Sub-Committee of the Eastern House of Assembly on the Petition of the Non-Onitsha Ibo Association. It was presided over by the then Senior Resident of Calabar Province, Mr C. J. Mayne (now Deputy Governor, Eastern Region) and signed by Mr A. E. Eronini, Clerk of the House.

1. We agreed as far back as 1949 that the Obi of Onitsha shall be the President of the Onitsha Town Council. We reaffirm this stand. The Non-Onitsha Ibo representatives in the former Caretaker Council and Onitsha Urban District Council were instrumental in raising the stipend of His Highness the Obi of the Onitsha to £600 per annum. A faction of the Onitsha indigenes who now claim to be champions of his rights had opposed both the increase of his stipend and the nomination of the present Onowu. To say therefore that the Non-Onitsha Ibos are against the Obi is a political ruse to confuse issues and to rouse the sentiments of uninformed Onitsha Natives.

2. In any future Council, there shall be an elected Chairman who will conduct the day to day affairs of the Council. The King of England does not chairman the meetings of the House of Parliament.

3. The Obi of Onitsha shall be paid his stipend as President and he shall attend the Council meeting on ceremonial occasions.

4. Elections into the Council shall be from Wards carved according to population.

5. We are strongly opposed to "family" representation. Those who provide tax for administration shall have the universally accepted principle of democratic control through elected representatives.

Behold the anomaly which we seek to correct. Figures tell no tales.

	Popu- lation	Males	Females	Represent- ative
Onitsha Inland Town	9,583	5,308	4,275	20
ONITSHA WATERSIDE :				
Central Ward	9,432	5,850	3,582	}—18
Fegge Ward	4,799	2,889	1,910	
Niger Ward	12,099	7,407	4,692	
Odoakpu Ward.. .. .	22,766	15,821	6,945	
Otumoye Ward.. .. .	18,242	11,081	7,161	

In the dissolved Council, these figures show that the 9,583 people resident in the Onitsha Inland Town had twenty representatives in the Council of thirty-eight while the 68,000 people resident in the Waterside section were represented by 18.

In conclusion, we wish to remark that it is indeed a matter for regret that despite the number of Chiefs, Lawyers, Doctors, Teachers, etc., that Onitsha has produced, her leaders have not set an example of how our local problems can be solved by public spirited men. Words of bitterness and threats to the Regional Government and Non-Onitsha Ibos are mere emotional outbursts that cannot convince any sane mind. We hope that the Minister of Internal Affairs, Eastern Region, will consult all parties concerned before drawing up a new Instrument for the new Onitsha Urban District Council.

Onitsha, 19th June, 1955.

TREATY SIGNED ON 9TH OCTOBER, 1884

TREATY BETWEEN QUEEN VICTORIA AND THE KING, QUEEN AND CHIEFS OF ONITSHA (NIGER LEFT BANK, No. 2), 9th OCTOBER, 1884.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, etc., and the King, Queen, and Chiefs of Onitsha, being desirous of maintaining and strengthening the relations of peace and friendship which have for so long existed between them ;

Her Britannic Majesty has named and appointed E. H. Hewett, Esq., her Consul for the Bights of Benin and Biafra, to conclude a treaty for this purpose.

The said E. H. Hewett, Esq., and the said King, Queen, and chiefs of Onitsha have agreed upon and concluded the following Articles :

Article I.—Her Majesty the Queen of Great Britain and Ireland, etc., in compliance with the request of the Kings, Chiefs, and people of Onitsha, hereby undertakes to extend to them, and to the territory under their authority and jurisdiction, her gracious favour and protection.

Article II.—The Kings and Chiefs of Onitsha agree and promise to refrain from entering into any correspondence, agreement or treaty with any foreign nation or Power, except with the knowledge and sanction of Her Britannic Majesty's Government.

Article III.—It is agreed that full and exclusive jurisdiction, civil and criminal, over British subjects and their property in the territory of Onitsha is reserved to Her Britannic Majesty, to be exercised by such Consular or other officers as Her Majesty shall appoint for that purpose.

The same jurisdiction is likewise reserved to Her Majesty in the said territory of Onitsha over foreign subjects enjoying British protection, who shall be deemed to be included in the expression "British subject" throughout this treaty.

Article IV.—All disputes between the Kings and Chiefs of Onitsha, or between them and British or foreign traders, or between the aforesaid Kings and Chiefs and neighbouring tribes, which cannot be settled amicably between the two parties, shall be submitted to the British Consular or other officers appointed by Her Britannic Majesty to exercise jurisdiction in Onitsha territories for arbitration and decision, or for arrangement.

Article V.—The Kings and Chiefs of Onitsha hereby engage to assist the British Consular or other officers in the execution of such duties as may be assigned to them; and, further, to act upon their advice in matters relating to the administration of justice, the development of the resources of the country, the interests of commerce, or in any other matter in relation to peace, order, and good government, and the general progress of civilisation.

Article VI.—Permission to trade in the country of the King, Queen, and Chiefs shall be regulated according to the terms of the agreement entered into on the 20th August, 1884, between the said King, Queen, and Chiefs and the National African Company (Limited), copy of which agreement is hereunto annexed.

Article VII.—All ministers of the Christian religion shall be permitted to reside and exercise their calling within the territories of the aforesaid Kings and Chiefs, who hereby guarantee to them full protection.

All forms of religious worship and religious ordinances may be exercised within the territories of the aforesaid Kings and Chiefs, and no hindrance shall be offered thereto.

Article VIII.—If any vessels should be wrecked within Onitsha territories, the Kings and Chiefs will give them all the assistance in their power, will secure them from plunder, and also recover and deliver to the owners or agents all the property which can be saved.

If there are no such owners or agents on the spot, then the said property shall be delivered to the British Consular or other officer.

The Kings and Chiefs further engage to do all in their power to protect the persons and property of the officers, crew, and others on board such wrecked vessels.

All claims for salvage dues in such cases shall, if disputed, be referred to the British Consular or other officer for arbitration and decision.

Article IX.—This treaty shall come into operation, so far as may be practicable, from the date of its signature.

Done in duplicate at Onitsha, this 9th day of October, 1884.

Their

- | | |
|---|------------------------------------|
| | Edward Hyde Hewett. |
| X | King Obi Anazeroun. |
| X | Queen Wanboka Aumoo. |
| X | 1. Chief Osiri Iyasarre Onowu. |
| X | 2. Chief Obi Ogenuch Eze Orbah. |
| X | 3. Chief Modisia Odoo Odundu. |
| X | 4. Chief Ofiri Aje. |
| X | 5. Chief Orsormah Onyah. |
| X | 6. Chief Orsowah Obi Awere. |
| X | 7. Chief Uba Egwe Ruafiffa. |
| X | 8. Chief Isamah Aqua Okabwe. |
| X | 9. Chief Okoraffa Onorie. |
| X | 10. Chief Oraquoe Asaagba Ijadide. |
| X | 11. Chief Meliah Osumah Affah. |
| X | 12. Chief Ifeyofah Ojudo. |
| X | 13. Chief Egwartoo Okaka. |
| X | 14. Chief Obi Ibobinitcha. |
| X | 15. Chief Ofiro Ozi. |
| X | 16. Chief Obiozor Ojiba. |
| X | 17. Chief Simebeh Ijaguor. |

marks.

The mark-signatures from that of King Obi Anazonwu to that of Simebeh Ijaguor were affixed in our presence.

JOSEPH FLINT
N. ROBERT TAYLOR

I, the undersigned Simon Inbannugo, do solemnly declare that I and James Modebe, who is unable to write, correctly interpreted to the natives parties to this treaty the several Articles thereof, and that they approved the same; that Article VI as printed was expunged because it was not agreed to by them, and that which now appears as Article VI was substituted.

SIMON INBANNUGO.

INTELLIGENCE REPORT ON THE TOWN OF ONITSHA, ONITSHA DIVISION

1. INTRODUCTORY

Scope.

1. This Report outlines proposals for the reorganisation of the native town of Onitsha in so far as all non-European inhabitants are concerned.

Geographical.

2. Onitsha is a Second Class Township situated on the left bank of the River Niger about 150 miles from the sea. The land, however, claimed to be owned by natives of Onitsha is much greater than that enclosed by the existing Township boundaries. The area under Report is therefore taken to be that actually belonging to the natives of Onitsha whether lying within or without the Township. This is approximately 20 square miles.

3. The total native population of Onitsha was shown at the 1931 Census to be 17,969. This figure is calculated approximately from an adult male population divided up (again approximately) as follows :

Ibos (of whom 80 per cent may be said to be natives of

Onitsha	...	...	...	...	...	...	5,000
Hausas	...	...	...	...	...	...	600
Nupes	...	...	...	...	...	...	300
Yorubas...	...	...	...	...	...	...	400
Kakandas	...	...	...	...	...	...	100
Miscellaneous (Jekri, Sobo, etc.)	...	...	...	...	...	...	200

4. Onitsha claims no relationship with any other town. As will be shown later, the indigenous inhabitants claim originally to have come from Benin. Relation-ship.

5. From Onitsha Public Works Department roads radiate East to Enugu, South to Owerri and Port Harcourt—and, West, by means of a Motor Ferry across the Niger, to Benin and Lagos. A Native Administration Road serves the area to the North as far as the nature of the country allows. Communi-cations.

6. The River Steamers belonging to the United Africa Company and John Holt Limited provide regular communication both up and down stream.

7. It is probably true to say that within a generation 75 per cent of the natives of Onitsha will be literate; a considerable percentage are already so. At present the Roman Catholic Mission maintain eight schools and the Church Missionary Society seven with a total of over 3,000 pupils. Not all of the pupils are natives of Onitsha but probably 75 per cent are. The standard of education reached by both Missions is class Middle five while the Roman Catholic Mission also provide training up to the Certificated Teacher Standard. Education.

8. As has already been shown there are large and distinct stranger communities of three main types (Hausa, Nupe and Yoruba) while varying numbers of about half-a-dozen tribes are also resident. Strangers.

9. It is proposed to form a single Native Administration for Onitsha for Judicial and Financial purposes under a Native Authority capable of exacting obedience from all natives residing within the Town. General Proposals.

10. The Towns in the areas contiguous to Onitsha are all members of other already established groups and it is unlikely that any federation will ensue in the near future. Federation.

11. It is envisaged that, should the reorganised Administration prove satisfactory, the existing Township of Onitsha may be abolished, the present powers of the Local Authority being to a large extent handed over to the newly constituted Native Authority. This proposal would be, of course, the subject of a further report. Abolition of Township.

12. All the proposals have been discussed with the people who have signified their approval.

13. The writer wishes to acknowledge material gained from Mr Meek's Report on "The Successor to the late Chief Mba," and also direction and help from Captain D. P. J. O'Connor, Resident, with regard to the local feeling (at present very strong) concerning the subject matter of much of this Report. Much of the general political situation in Onitsha is well known to His Honour, the Lieutenant-Governor.

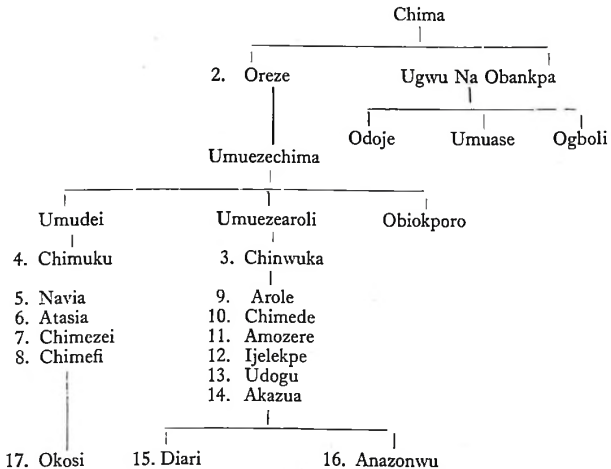
II.—HISTORICAL

Legend and Tradition.

14. Chima, a native of Benin, is said to have been forced to leave his native town because of a quarrel over the Kingship. With him left a considerable following who gradually made their way Eastward. (This migration is supposed to have taken place c.1520). On reaching the Niger some of the party moved South to Aboh while the remainder crossed the Niger under Oreze, Chima's eldest son, Chima himself having died. This party then settled on the site now known as the Inland Town (as opposed to the Waterside Town, though there is now no open space between the two) under Oreze as their King.

15. Beyond having to drive the inhabitants of the present town of Oze further inland no opposition was met and apart from the usual fights from time to time over land or slaves with neighbouring towns, little of note has been handed down by way of tradition.

16. A fairly consistent tradition, however, seems to have been retained concerning the line of Kings since Oreze, a list given in 1906 being confirmed almost in its entirety by the Elders today. In view of the importance attached to the Kingship it is worth placing this list on record. The traditional divisions of Onitsha are also shown so that the kindreds to which the Kings belonged may be more easily appreciated.



Early History 1857.

17. Established history as far as Onitsha is concerned would appear to begin in the year 1857 when the Government entered into an Agreement with Macgregor Laird that he would keep a steamer on the Niger for five years. The first steamer was the Dayspring which came out in the charge of Dr Baikie. Bishop Crowther (then the Reverend Samuel Crowther) joined the expedition at Sierra Leone and was able to acquire for the Church Missionary Society a site at Onitsha. Thus the first European Mission was commenced.

1879.

18. The same year also saw the commencement of European trading stations at Onitsha. A number of these Companies amalgamated in 1879 to form the United African Company, but the newly formed Company was forced to close

down the same year owing to continued outrages and pillaging by the natives. The goods and personnel were removed to H.M.S. *Pioneer* which happened to come to Onitsha that year, but as the Company's servants were attacked in the process the man-of-war landed a party which destroyed both the Waterside and Inland Towns as a punishment.

19. In 1886 Onitsha came under the control of the Royal Niger Company and from that year it has steadily grown as an important Mission, educational and trading centre. Its adoption as political Headquarters of the Central Division in 1905 (it was administered before that year from Asaba) saw further developments the most important of which was the laying of the telegraph cable across the River in 1906. This opened up telegraphic communication between Awka (20 miles East of Onitsha) and Lagos. 1886-1900.

20. In 1917 Onitsha was created a Township both the Inland and Waterside Towns being included in the Supreme Court Area in 1924. 1917.

21. In the purely native history of the town certain events of importance have taken place which should also be recorded.

22. In 1901 Government took the important step of recognising one Okosi, as Obi or King of Onitsha, at a time when the succession was in dispute. 1901.

In 1911 the Obi Okosi began the alienation of many Onitsha people by accepting the candidature of his own brother to be the Iyasele Onowu.

In 1925 one Neziyana was accepted as the Ogene and Chief Mba as the Owelle.*

23. On the 6th May, 1931, the Obi Okosi died. Strictly speaking this event should not have been made public for some time, but in actual fact the news was in every corner of Onitsha within twelve hours. This event began a period of internal strife and unrest which has not yet been allayed and will not be until a new Obi has been finally appointed. The troubles have been due to the inability of those responsible for the selection of an Obi to decide upon the rival claims of various candidates. 1931.

III.—ADMINISTRATIVE

Ancient System :

24. Onitsha, in common with many other Ibo towns which show evidence of foreign extraction or foreign invasion, based its administration on a system of titles (the main qualification for which was wealth) with supreme authority vested in a King. The authority of the Elders as such was limited to their own particular families. General outline.

25. The title system commenced with the now well known Ozo title, the holders of which had no real administrative significance as individuals but who, as a body, could exert considerable influence by force of their position as well-to-do members of society. The next title grade in ascending order was that known as the Ndichie, in which there were three classes according to the expenses involved in the taking. Those who took the highest grade of title had more authority and prestige than those who took either of the other two, but the Ndichie as a whole formed a Council whose duty it was to advise the King on all matters of public importance and generally to administer the town. The word "Ndichie" means in the widest sense "Those* who look after things," and signifies in Ibo, complete control. Title system.

*For a description of the importance of these titles reference must be made to paragraphs 34 et seq.

*Cf. the word Ndichiana in the writer's Report on the Ayamelum Group, Onitsha Division.

26. Broadly speaking then, the administration depended on a King immediately supported and advised by a Council of Ndichie, minor authority being exercised by elders and Ozo titled men.

THE OBI

Method of Selection.

27. The King, or Obi of Onitsha (to give him his native title) could only come from the Umuezechima Division (though in actual fact Obiokporo has never supplied an Obi). It is said that the original idea was that these kindreds should take it in turn to provide the Obi, but this custom has never been carried out in practice as a glance at the table of Kings in paragraph 16 above shows. Moreover everything is against the likelihood of such a custom being enforced, the procedure involved usually amounting to a *coup d'état* in favour of the son or other near relative of the late King. The reasons are, at least, understandable.

28. Firstly, wealth usually begets wealth and once a kindred had one of its members accepted as King, provided he lived for a reasonable number of years during which he could recover from the abnormal expenses connected with his coronation, his own family would be likely to be considerably stronger and better off at the end of his reign than at the beginning.

29. Secondly, it was the custom to impose considerable restrictions on the personal liberty of the Obi during his life time, e.g., he might not sleep away from his own house. Added to that was the custom that when an Obi died the fact would not be made public until all arrangements had been made to appoint his successor. Together, these facts allowed the deceased King's family to canvas all the higher Ndichie and other important men privately in favour of the late King's son or brother, so that when the Obi's death was publicly announced the appointment of the new King would be a *fait accompli*. "The King is dead: long live the King," would be the first indication the general public would have that any change was contemplated and they would, therefore, have little chance to voice an opinion unless subsequent disputes led to the possibility of civil war.

Customary Procedure.

30. The successor to the throne having been accepted it was necessary for him to perform certain ceremonies before his authority would be publicly recognised.

The Ofo.

31. Mr Meek records (paragraph 11) that the first step the king-elect took was to provide a feast for all the elders of the Umuasele kindred at which the senior elder would present the King with the royal Ofo—the symbol of "divine right." The present writer was unable to find general confirmation of this practice, the alternative theory being that it was the Onowu (the senior Ndichie) who presented the royal Ofo. This apparent contradiction may, however, be explained. Normally, the Onowu would come from the Division of Ugwu na Obankpa the largest kindred in which is Umuasele. Thus it is probable that more often than not the Onowu would be the senior elder in Umuasele. But whether the right to present the Ofo is inherent in the Onowu himself or in the Umuasele kindred it is difficult to say. The writer inclines to support the Onowu in person on the grounds that as it would be impossible to hide the King's death from the Onowu, and as he was the senior Ndichie, it is natural to suppose that he would take charge of the Ofo until the election of the next King. Granted that the Onowu were a member of the Division of Ugwu na Obankpa, the presentation by him of the royal Ofo to the new King would be taken as signifying his acceptance by the whole of this division of the town—a very necessary indication of feeling.

32. The royal Ofo having bestowed temporal authority on the new King it was necessary that he should pay reverence to the heavenly powers. Some days later, therefore, he would be escorted by the Elders of Obio family to the Udo or Ufe shrine. There the oldest Obio elder, who must have taken Ozo title (the new Obi would pay his fees for him if he himself had not already done so) made certain sacrifices on the King's behalf, finally leaving him to spend the night beside the juju. The next morning the Obi's head would be shaved after which he would provide a feast for all Onitsha. This ceremony is known as the Ije Ufc or Ije Udo. Ije Udo Ceremony.

33. Apart from a circuit of the whole town in order to make small sacrifices to all the principal kindred jujus the King might now be said to have been crowned. Certain restrictions were placed on his manner of living and his only really public appearance was once a year when he made a sacrifice known as Ofala. This was performed (in October) outside the palace in the presence of the whole town. The King appeared in all his regalia and received the plaudits and contributions of his people. Ofala Ceremony.

THE NDICHIE AND OZO TITLES

34. There are three classes of Ndichie title known, in order of importance, as Ume, Okwa and Okwa Oranze. All these titles are shown in Appendix V.

35. None of the Ndichie titles was confined to any particular family or kindred as of right though, in the case of the six Ndichie Ume titles, it was probably recognised that not more than one member of each of the six kindreds should be an Ndichie Ume*. Any person, provided he had taken Ozo title might, with his family's approval, approach the Obi to ask permission to take any Ndichie title which might be vacant. If the Obi approved he would consult with the other Ndichie and, if the applicant were considered suitable, confer the necessary title on him. It is said that the Obi had complete authority to accept or reject a candidate as he wished, but it is clear that he would seldom be so foolish as to go against the wish of a majority of the other Ndichie. The price of the Ndichie Ume Titles in money was approximately £30 to the Obi and £10 to each of the other Ndichie Ume. The fee for the junior grades was correspondingly less. Method of taking Ndichie title.

36. The initial Ozo title necessary before any Ndichie title could be taken, was made separately within each main kindred. Thus an Umudei man making Ozo title approached the senior Ozo Titled man in Umudei and the fees were divided amongst titled men in Umudei only. But initial approval would also first have been obtained from the Obi to whom a share of the fees would be given. The Ozo title was a very expensive one, though the payment of fees might be spread over several years. A minimum figure was £100. Ozo.

37. One other type of social group, the age-grade, must be described before the general scheme of administration can be shown. Age-grades.

38. All children roughly between the ages of ten and twenty years were known as Umu-Ilo. They were divided into three age-groups, the senior being in partial executive control of the rest with power to levy small fines on any member who failed to turn out for any of the duties which devolved upon them. These duties were confined to the up-keep and cleanliness, as understood by the Ibo, of paths, compounds and open spaces. Umu-Ilo.

39. After leaving the Umu-Ilo stage young men would join together to form social clubs corresponding to the successive age-grades. Each grade or club adopted a name. The Ndichie would periodically select one of these grades to act as police in enforcing their decisions. The grade so selected would Age-grades Proper.

*It is clear from present disputes that it was understood that the Onoccu should not be a member of the Obi's kindred.

perform these duties for as long as it was considered capable of doing so after which it would hand over its duties to another selected grade. (For age-grade names see Appendix IV).

Family
Council.

40. We may now consider the administration of the family and larger groups. The administrative head of each family was the senior titled man. If there were an Ndichie in the family then he would be considered the senior; if only Ozo titled men, then the oldest one amongst them by age. In matters of any importance, however, all the elders whether they had taken title or not, would attend as well as all the titled men. At such a meeting anyone would be allowed to air his views but the titled men would consult to decide the matter.

Kindred
Council.

41. In each of the six kindreds the Ndichie Ume was the administrative head; or, failing an Ndichie Ume, the senior Ndichie Okwa. In the kindred Council as in the family, any one who could command a hearing might express his views but only the titled men would withdraw to consult.

Town
Administra-
tion.

42. In all matters concerning the town as a whole, or in any family or kindred affair which required an authoritative order greater than that which the Ndichies concerned could give, the Obi was the final authority, though he was always first approached by and considered the opinions of his Ndichie before giving his decision. Confined to his own house most of the time as he was, the Obi would in practice take the advice of his Ndichie on most questions. If they were divided in opinion he himself might try to obtain more detailed information from other private sources or alternatively send the Ndichie away to consult more thoroughly and try to arrive at some single decision. But no measure adopted would be considered to be law until it had the Obi's consent and approval.

Obi's
Powers.

43. It is said that the Obi had power to vote and even act contrary to the unanimous or majority advice of the Ndichies. The fact that the present Onowu is recognised at all is, at least, partial proof of this statement, since every person in Onitsha (outside his own family) condemned the Obi's action in conferring this title on his brother. Yet today the Onowu's title is recognised as being, in itself, good, i.e., once conferred a title cannot be taken away. At the same time it must be admitted that it was only the presence of Government which gave the Obi confidence to take so rash and impolitic a step. He knew well that Government would prevent civil war. Thus the true interpretation of native custom is hampered. We do not know to what lengths either the Obi or the people would have gone in the absence of Government.

44. The real answer as far as pre-Government times were concerned would appear to be that while the people recognised the Obi's "divine right" in all ordinary matters, they also considered that the *vox dei* should conform fairly closely to the *vox populi* as expressed by the Ndichie representing their various families and kindreds. Any disregard by the Obi of such an expression of public feeling might not be a constitutional crime but it certainly would be a personal blunder, which if persisted in would almost inevitably lead to deposition.

The appointment (described above) of the Obi's near relative as the Onowu, without due regard for the necessity of keeping the kindred representation balanced is a good instance of such a blunder.

45. But having said all that, it is nevertheless clear that the Obi really was a King with considerable power. The Ndichie had no doubt considerable authority each in his own kindred and together as a Council; but, on the surface, at least, their power was essentially advisory.

46. The town then accepted as law any order the Obi might make, it being understood that he had made it "in Council" with the Ndichie. Any such law was made known through the medium of kindred meetings and was enforced by the age-grade which happened to have been selected by the Ndichie as their police. As an example it was once reported that a catechist had disclosed to a number of women of Onitsha that the jujus which paraded the streets were nothing but men dressed up. The King on hearing this summoned the Ndichie and they together directed the age-grade known as Ochoku how they should deal with the matter. They did so, making the offender and his family pay a heavy fine.

Enforcement of Law by an age-grade.

47. The selected age-grade had, it is said, the converse function of bringing to the Ndichie's notice any malpractice which was in their opinion capable of rectification by law. Thus at a time when the usual conjugal ties appeared to be being disregarded with impunity, the age-grade made representations to the Ndichie who obtained the Obi's consent to a law enforcing a wife's return to her lawful husband under penalty of a fine of £10.

48. A word may be added with regard to the Council of Ndichie. From all information gained previous to the recent disputes, it would appear that the Obi's Advisory Council really consisted of the six *Ndichie Ume alone and that the junior Ndichie confined their authority mainly within their own kindreds. Today, however, no one is prepared to dispute the fact that it was the entire body of Ndichie who met the Obi in Council, the Ndichie Ume only being given pride of place in order of precedence and a greater proportionate share of any fees.

Ndichie Council.

The writer is unable to say which custom was actually in force. It can only be said that the information recorded here is that given by a clear majority of responsible persons and on it the proposals have been based.

49. The ancient system of administration in Onitsha was briefly, then, an Obi or King in Council with the titled men known as Ndichie, using a selected age-grade to enforce all laws.

Summing up.

SYSTEM UNDER BRITISH RULE

50 The question of building up a Native Administration for Onitsha on the basis of the former organisation has never (until 1931) been seriously considered. The reason has been two-fold.

Native organisation not utilised.

51. Firstly: The Native Court established at Onitsha about 1901 has always had jurisdiction, until existing schemes of reorganisation commenced, over a number of neighbouring towns as well as over Onitsha itself. The first principle adopted was therefore, to select representatives from all the various towns concerned. On this principle the Obi was made a member to represent Onitsha native town.

Reasons.

52. Secondly: Until Europeans came to Onitsha the whole of the native town was situated where the present inland town now stands. But with the commencement of trade an ever growing community sprang up along the Waterside. This Waterside community now far exceeds the Inland Town and has done so for a considerable time. Although, therefore, it was never denied that the Obi held authority over the Waterside as well as the Inland Towns, it was, nevertheless, considered more satisfactory to administer the Waterside as a separate entity and to that end it was given distinct representation.

*The Ibo verb "meumele" means "to go aside," i.e., with the object of consulting. Thus the words "Ndichie Ume" mean "The rulers who go aside to consult." This is a local variation of the more usual Ibo phrase "gba izu" meaning "to consult."

In 1917 the Obi was gazetted as the Native Authority for the Inland Town while Chief Mba was recognised to be the Native Authority for the Waterside Town. Further the main groups of strangers (Hausa, Nupe, Yoruba and Kakanda) living at the Waterside were each given separate representation through a Court Member who was *ipso facto* regarded as also being the executive head of his group.

Attempted reorganisation.

53. Following the progress of reorganisation the various towns which used to attend Onitsha Native Court have one by one been attached to other groups. An attempt was at once made to remodel the Onitsha Native Authority basing it on the indigenous organisation, but the death of the Obi Okosi in 1931 and the failure of the people to select his successor have so far frustrated any attempts at reorganisation.

Present conditions.

54. Today we have the anomaly of a Native Court composed of four strangers (a Hausa, a Yoruba, a Nupe and a Kakanda) and one Chugbo, an Ndichie Okwa Aranze who was appointed a Warrant Member at a time when representatives were put forward for considerations other than those based on customary status.

WHAT SURVIVES

The framework remains.

55. It is difficult to appreciate today how much of the old system does still remain. The old titles still remain, it is true, but the question as to how much of the authority they used to carry with them is still recognised as doubtful.

Importance of the Obi.

56. The last Obi died in 1931 but correspondence elsewhere shows clearly that the title is still valued. It is admitted by one and all that no administration can function without an Obi at its head and that a final appointment of an Obi is earnestly desired. So much is this made evident, that all classes are prepared to accept the assistance of Government in bringing to an end the claims of the disputing candidates.

Ndichie.

57. The three grades of Ndichie title still remain, although, as Appendix V shows, not all available titles have been taken. That may be due in part to the fact that an Ndichie title is not considered valid unless it has been conferred by an Obi.

58. Five Ndichie Ume are recognised today but their inability to lead public opinion and to put an end to the disputes attendant upon the question of the late Obi's successor has done much to undermine their authority. There is evidence that this inability has been due to a desire to secure material gains from the rival candidates.

Age-grades.

59. The age-grades still keep their separate identities as social clubs, but Government with its Police and Court Messengers has done away with the necessity for one of the age-grades to act as they used to. A new body based on the age-grade system has, however, arisen to meet modern requirements. This body, known as the Ogbo Isato, is made up of the eight age-grades which have been formed from those who left the *Umu Ilo* stage after 1900. It thus comprises roughly all the young men in Onitsha between the ages of twenty and thirty-five years—i.e., the young intelligentsia. The Ogbo Isato was founded with the object of bringing non-partisan pressure to bear on the Ndichie in the settlement of the Obi succession and even if unsuccessful in this object it has come to be an unofficial power in the Town.

60. The ancient form of Government then still remains and there are indications (e.g., the interest of the Obi election) that if carefully fostered it may be capable of taking firm root once again. Summing up.

ADMINISTRATIVE PROPOSALS

61. It being clear that in pre-Government days any decisions of the Obi made in consultation with the Ndichie were regarded by the people of Onitsha as law: and that no decision made by the Ndichie alone could be given the force of law without the approval of the Obi, the Obi in Council with the Ndichie must be regarded as constituting the Native Authority as far as the indigenous inhabitants of Onitsha are concerned. Native Authority Personnel.

62. The possible number of Ndichie which might be members of the council is thirty-nine, but of this number, twenty titles are now without a holder leaving an existing Council of nineteen members. It will, however, be noticed that every kindred is represented by at least one Ndichie. No one has yet, of course, assumed the title of Obi. Ndichie.

63. It is also necessary to give some representation on the Council to the stranger elements in Onitsha since their numbers are proportionately large and since for some time they have been regarded as being the administrative heads of their own groups. It is therefore proposed that the recognised heads of the four largest groups of strangers shall sit with the Ndichie in Council as part of the Native Authority for Onitsha when matters concerning the whole town are being discussed or when matters arise affecting purely their own nationals. These strangers have agreed to recognise the Obi as the permanent President of the Council. Strangers.

64. It is therefore proposed that the Native Authority for Onitsha shall be, the Obi in Council with the Ndichie and with the recognised heads of the Hausa, Nupe, Yoruba and Kakanda Settlements. Proposed Authority.

65. It is proposed that this Native Authority shall be the recognised Authority with respect to all non-Europeans resident within the area owned by the Elders and people of Onitsha.

66. It is proposed that an administrative salary of £50 per annum shall be paid to the Obi of Onitsha in recognition of his services as a District Head. It is also proposed that an administrative salary of an amount equal to 10 per cent of the gross tax shall be paid to the Council for distribution by the Obi amongst Ndichie and strangers according to custom. Administrative salaries.

XV.—JUDICIAL ANCIENT SYSTEM

67. "It may be said generally that the Obi was bound to take cognisance of all cases which were likely to cause defilement to or disturb the peace of the town or involve dispute with neighbouring towns." (Meek, paragraph 24). In all other disputes the Obi acted only as a final Court of Appeal either from the Ndichie's decision or when the Ndichies were divided in opinion.

68. Matters which would be brought immediately to the notice of the Obi were murder and theft especially if committed by a stranger.

69. If a murderer were caught he was brought before a meeting of the whole town. If his guilt were established the Obi would mark his arm with a piece of white chalk, put an eagle's feather in his hair (so that no doubt might exist as to the Obi's decision) and hand him over to his own family to be hanged. Murder.

If the murderer was allowed to escape or if he had run away before being brought for trial, his family would be obliged to hand over a girl to the deceased's brother. That having been done, it was said that if the murderer afterwards returned nothing further would be done to him. This method of compensation was also enforced when it was only a question of homicide.

Theft.

70. In matters of theft it was said that the thief would be forced to redeem himself, the price being settled by the Obi and Ndichie. If the thief was a stranger and unable to redeem himself he would be sold as a slave. Presumably if he came from a neighbouring town a message would be sent to his family to acquaint them of his position. The redemption money was given to the injured party though substantial "kola" would be expected by the Obi and Ndichie. If the thief were caught breaking and entering at night he would probably be killed on the spot. At least if he were, no one would be charged with manslaughter.

Civil.

71. All Civil disputes were settled as far as possible between the parties concerned, higher authority only being referred to when no settlement could be arrived at.

Debt.

72. Thus where a creditor was unable to obtain satisfaction from his debtor after repeated visits to him and his near relatives, he would report the matter to the senior Ndichie in the debtor's family. This man might or might not be an Ndichie Ume. If he were not, the next person to be called would be the Ndichie Ume of the kindred. The highest authority in the kindred was the Ndichie Ume though none junior Ndichie or even ordinary Ozo titled men might well have tried to exercise their authority in favour of a settlement beforehand. In disputes involving large amounts a full meeting of the Ndichie was called attended also no doubt by the Ozo members of the kindred or kindreds involved. If opinion was still divided, then only would the Obi be asked to give his opinion. This in fact amounted to a casting vote.

Dowry.

73. A similar procedure occurred in disputes over dowry or land, if between persons of Onitsha.

Land.

74. Land disputes with neighbouring towns would first be enquired into by a deputation nominated by the Obi and composed of Ndichie of various grades according to the physical qualities demanded (e.g., the place might be too far for some to reach). Failure to settle the matter by amicable discussion would in all probability lead to an inter-town war in which "might" would prove "right."

Adultery.

75. Adultery was said not to have been considered a very serious offence, complete settlement being effected by the guilty party presenting a goat and a fowl to the husband for sacrifice. But as in other civil disputes the supposed adulterer had the right of appeal to the Ndichie and even to the Obi himself, if he maintained that he had been charged with the offence without cause.

Summing up.

76. It is thus clear that final judicial authority rested in the hands of the same persons as those vested with executive authority.

In all small disputes of everyday life the Ozo titled men or junior Ndichies were the first to attempt a settlement by arbitration. But no person had any power to enforce his decision on either party until the Obi, advised by the Ndichie, who must have made a preliminary investigation, had pronounced his opinion, that is to say the final judicial body was the Obi in Council with the Ndichie.

SYSTEM UNDER BRITISH RULE

77. In paragraphs 51-53 above it was shown how Onitsha Native Court was begun about 1901 and staffed by selected representatives.

The membership of the Court has now dwindled to five persons only one of whom is a native of Onitsha. Actually he is an Ndichie Okwa Aranze. It is thus clear that the existing membership is highly unsatisfactory.

78. The existing Court is staffed by a clerk and three Court Messengers. A fee of 5s is payable by the plaintiff in any civil or criminal case, such fee being returnable as costs.

PROPOSALS FOR THE FUTURE

79. As it is clear that the same persons that exercised administrative authority also exercised judicial authority it is proposed that a single Native Court be established with a membership the same as that composing the Native Authority, viz., the Obi and the Ndichie. Native Court Membership.

80. In order to ensure the fair trial of strangers it is proposed that the heads of the Hausa, Nupe, Yoruba and Kakanda settlements shall be accepted as temporary Court Members to sit with the Ndichie whenever a case involving one of their own people is to be heard. Strangers.

81. In view of the Obi's position by custom as the final arbiter in all disputes it is proposed that the Obi shall be considered as permanent President of the Court all judgments being delivered by him after consultation with the Ndichie and, where necessary, the stranger members. The Obi may, however, appoint any one of the Ndichie he wishes to act as president in his absence. Obi as President.

82. It is agreed that in the meantime the existing Native Court shall be used. The right to change this decision is, however, reserved when the opinion of the new Obi is known. Site.

83. It is proposed that the scale of fees in force shall be as follows:— Fees.

Civil and Criminal Subpoena	}	...	...	...	...	5	0
Warrant of Arrest		...	...	...	...	1	0
Adjournment Fee		...	...	...	...	1	0
Witness Subpoena		...	...	...	...	1	0

84. It is proposed that 80 per cent of the fees shall be handed to the Obi for division amongst the Court Members. Judicial Salaries.

85. The staff of the Court shall be one Court Clerk and three Court Messengers. Staff.

86. It is proposed that the Court shall have D Grade Powers. There would appear, from ancient custom, to be no reason to increase the Court's powers in cases of praedial larceny. Powers.

87. The writer has suggested in previous reports* the advisability of making it a practice for the Court to return costs to the complainant in all criminal actions in which a sentence of imprisonment (without alternative) passed on the accused is confirmed on review. The Court itself may recover such costs from the accused as and when it is able. Refund of Fees.

88. This proposal though not confirmed with reference to other reports is reintroduced into this Report as the writer feels that it is to be commended in the case of Onitsha even more strongly than in less well developed areas.

*Agbaja Group, Onitsha Division and Obukpa, Ichi, Nnadu Group, Nsukka Division.

Onitsha, as a Township, has been under either the Supreme or Protectorate Courts for a generation. During this time all crime within the township has been reported to and initially investigated by the Police who also conduct all cases brought for trial. The prosecution has always, therefore, as far as the complainant himself was concerned been free of charge. It is considered that an attempt to force the expense as well as the responsibility of criminal prosecutions back on to the people would be to foster the tendency to settle such cases out of Court.

89. If this proposal is accepted it will be necessary to add an item "Remission of fees" under Head IV of Expenditure.

90. In view of the fact that the people of Onitsha have been used to proceedings in the Supreme Court rather than in the Provincial Court; and also that the value of legal advice is both understood and easily obtainable, it is recommended that all appeals from the Native Court should lie to the Magistrate and not to the District Officer.

V.—FINANCIAL

91. The financial proposals have, in broad outline, been explained to the people. As Onitsha is itself the headquarters of the Division it is not considered advisable to contemplate the possibility of giving the new administration a separate Treasury meanwhile.

92. The estimates given below are reckoned on the present tax incidence of 4s.

Under Expenditure Heads V to XVI are proportionate payments reckoned on the relative size of the administration.

REVENUE						
I.	General Tax (50 per cent)	...	...	...	...	£ 375
II.	Native Courts:					
	1. Fines...	...	...	...	...	10
	2. Fees ...	...	...	...	...	80
III.	Other Receipts:					
	1. Interest	...	...	...	...	7
	2. Miscellaneous	...	...	...	...	2
					£	474
EXPENDITURE						
II.	District Head (The Obi)	...	...	...	...	50
III.	Village Heads	...	...	...	...	75
IV.	Judicial:					
	1. Sitting Fees ...	...	...	...	...	64
	2. Court Scribe	...	...	...	...	18
	3. Remission of Fines	...	...	...	...	1
	4. Court Messengers	...	...	...	...	20
	5. Uniforms	...	...	...	...	2
V.	Treasury:					
	1. Treasury Clerks	...	...	...	...	6
	2. Messengers	...	...	...	...	2
	3. Tax Clerk	...	...	...	...	3
	4. Audit	...	...	...	...	4

VII. Prisons:		£
2. Maintenance of Judgment Debtors	... ..	6
VIII.—Works Recurrent		
1. Maintenance of Buildings	... ..	5
2. Maintenance of Roads and Bridges	... ..	70
5. Upkeep of Motor Lorry	... ..	5
X.—Works Staff		
1. Motor Driver	... ..	1
XI.—Education		
1. Scholarship Umuahia	... ..	15
XVI.—Miscellaneous		
1. Stationery	... ..	5
2. Tax Discs	... ..	4
3. Assessment	... ..	4
4. Charities	... ..	5
5. Miscellaneous	... ..	1
6. Remission of Taxes...	... ..	6
		£ 372

This leaves a balance of £102 under Capital Works.

W. R. T. MILNE
Assistant District Officer, Onitsha

APPENDIX I

Map of Onitsha and environs.

APPENDIX II

Investigations and town meetings were carried out conjointly with the actual writing of the Report between the 19th August and 7th September, 1935.

APPENDIX III

Staff accompanying: P. IBERWE, *District Office Assistant*.

APPENDIX IV

Names of existing age-grades (vide paragraph 39) from youngest to oldest.

- | | |
|---|-----------------------------|
| 1. Ogbo Isato | 8. Ikusi |
| 2. Anidimma | 9. Akpali |
| 3. Nnokoka | 10. Edomani |
| 4. Ajaba | 11. Ochoku |
| 5. Achoba Evuru | 12. Akirika (one man left). |
| 6. Akakamma (the last grade to function according to ancient system). | 13. Iwonofu (none left). |
| | 14. Uchichi (none left). |
| 7. Omeke Ome. | 15. Ejiji-akpa (none left). |

APPENDIX V

NDICHE TITLES

<i>Class</i>	<i>Title</i>	<i>Present Holder</i>	<i>Kindred</i>
Ndichie-	1. Onowu	Gbasuzo	Umudei
Ume	2. Ajie	—	—
	3. Odu	Mbanefo	Odoje
	4. Onyia	Obiozor	Umuezearoli
	5. Ogene	Nezianya	Umudei
	6. Owelle	Obianwu	Ogboli

<i>Class</i>	<i>Title</i>	<i>Present Holder</i>	<i>Kindred</i>
Ndichie- Okwa	1. Ozizani	Nwosa	Umudei
	2. Osuma	P. Onwuta	Obiokporo
	3. Dum Omodi	Megafu	Umunaele
	4. Ozi	Umera	Odoje
	5. Odua	Anumonye Aboka	Umudei
	6. Akpe	Oranye	Umudei
	7. Ojudor	Owa Bosah	Umuaesele
	8. Ike	Elumelu	Umudei
	9. Ede	Egbuniwe	Umuezeoroli
	10. Osuma (Junior)	No holder	
	11. Ojiede	No holder	
	12. Odun (Junior)	No holder	
	13. Ojizani	No holder	
	14. Ojiba	No holder	
	15. Oboli	No holder	
	16. Ojiabu	No holder	
	17. Ojogwu	No holder	
	18. Okwungwe	No holder	
Ndichie- Okwa- Aranze	1. Onoli	Emodi	Ogboli
	2. Akwueh	Chugbo	Ogboli
	3. Eseagba	Onuora Anwa	Umudei
	4. Ojiba	Akpu	Umuezeoroli
	5. Ijengwa	Oboli	Ogboli
	6. Igwuoba	No holder	
	7. Agba-Owolu	No holder	
	8. Agba (Junior)	No holder	
	9. Asagwali	No holder	
	10. Ozah	No holder	
	11. Asagba	No holder	
	12. Igedu	No holder	
	13. Onika	No holder	
	14. Ogbaike	No holder	
	15. Ike (Junior)	No holder	

APPENDIX VI

DIVISIONS OF ONITSHA

A.—UMUEZECHIMA

I. Umudei:

1. Ogbeabu
 2. Ogbeodogu
 3. Umuosuloli
 - (a) Umuosodi
 - (b) Umuosuma
 - (c) Ogbeonira
 - (d) Umuozoma
- (e) Aba
(f) Umuezeoroli
(g) Umuokaligbo
(h) Umuifejo

II. Umuezeoroli:

1. Umuaroli
 - (a) Umuagadagba
 - (b) Umuanya
 - (c) Ogbeobi
2. Ogboza
 - (a) Umuchimedi
 - (b) Umuijelekpé
3. Ogbendida
4. Ogbeozoma

III. Obiokporo:

1. Umuikem
2. Ogbeotu
3. Ogbeolu

B.—UGWU NA OBANKPA

IV. Odoje:

1. Umuodumegwubuagu
2. Isiokwe*
3. Ogbendugbe
4. Umueke

5. Umuisagba
6. Umudim
7. Umuenaje

V. Umuse (or Umuasele):

1. Ogbeaba
2. Okwa
3. Ugbo
4. Okwulinye
5. Iyiawu

VI. Ogboli:

1. Eke

(a) Umuimagwa

(b) Umuosuma

(c) Umuokposieke

(d) Umuonogbe†

2. Olosi } Known as Iru Obodo
3. Agbor }

†*These families are really by descent part of Umudei and Umuezeoroli, but they have now identified themselves with the kindreds on whose land they live.

