

1ST AFR. PROT

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REGD 20 JAN 19

India Office

1619

Mr. Simpson's letter
on Indian conditions
in Mombasa has been
regarded by the
Government as
an important factor
in the Indian
policy of the Governor
General.

This has been held up for
previous papers from circulation.

There are two points:

- (a) segregation of Indians in Mombasa, i.e. that
they shall not occupy plots in the areas reserved for
Europeans, and
- (b) restrictions on ownership by Asiatics of plots
in the European area.

I put up just below the paper a copy of
Professor Simpson's report on sanitation. It will be
observed that he is a strong believer in segregation,
and with his intimate experience in Indian conditions
it is impossible to go behind his opinion. As to
whether it would have been better for us to have con-
sulted the I.O. when his report was first received, I
doubt whether we should have been able to bring home to
them then as now the fact that the Indians in Mombasa
are practically without exception of the wrong type, (see

Professor Simpson's letter to Sir H. Read (copy with 6852)

Next Subsequent Paper

SAC

9/26/1919

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REGD 20 JAN 19

We have made little progress in introducing Professor Simpson's scheme as there is little money available for town planning. But everyone here is agreed as to the need for it.

For a long time there was no new affair in E.A. It was recognised as long ago as 1911 that in the towns at all events, there must be separate locations for Europeans and Asiatics.

As regards (b), the idea of restricting marriage in the European area was raised in Mr. Young's despatch of 1917. The question had already risen in connection with the sale of the Governor's residence and the transfer of land as between persons of different races. This suggestion was retained in the C.M.C.'s despatch in 1915 and other executive powers for the Governor were given up. At the same time the C.M.C. gave special power to the Native Affairs Dept. to prevent native owners being victimised by land sharks, whether European or Asiatic. In the 1917 despatch the C.M.C. tells us that, with the concurrence of his Executive Council it was decided to prohibit all transactions which involved the acquisition of town plots by members of the ~~2~~ minority in areas in which they were not allowed to reside. This plan was enforced in the case of the sale of certain enemy property in Nairobi.

The C.M.C. proposed to apply the same plan generally in the sale of town plots by auction. He gave three reasons for para. 5 of his despatch, and particularly emphasised the fact that if it were made impossible for an Asiatic to acquire land in the European area, there would then be no danger to public health should another Govt. in the future remove the restrictions on residence.

He did not at the time intend to apply this arrangement to Mombasa, but in Dec. 1917 he telegraphed proposing to apply it to the sale of certain town plots in Mombasa.

63058/17

Montagu which were required for European residential purposes. In 1900 menied that the purchase should be so. Europeans as other were feared that prices would be much inflated and went of buildings erected so high that the means of poorer people were.

After the war it was well founded. They in U.A. D.C. were enabled to make money during the war, and in their bank account they have made it hand over to the I.O. They have bought the land and the firm and what people would have

This approach, it is certain, is sufficient to oblige the I.O. Mr. Montagu obviously still has some question of segregation. We fear that he cannot admit that the I.O. is irrelevant and our reply to him is as follows (62384/18). In that letter they quoted Mr. Simpson as saying that there was no reason why segregation should limit ownership. We told that the owner of whatever was conformed to the provisions of the Ordinance relating to these zones. Our reply promised that further consideration would be given to his matter when an Ordinance of the kind contemplated existed. It is true that our letter did not bring ^{out} the point that it was the owner of ownership we were dealing with. The phrase used was "the question of the banishment of Indians from certain areas of Mombasa".

Until the papers have been to the I.O. we find it difficult to suggest any form of reply to Mr. Montagu. It will probably ease matters considerably with the I.O. if something were said to the effect that

it would have been better if
the general policy in
the country had been consulted
before the independence
of Kenya. The Kenyatta
disgrace), would have prevented a compromise being
in the policy of segregation.
and As regards our point about the
Professor Simpson's
project to segregate
country, and that our re-
at the point of leaving the
then such an offshoot
and possibly a separate
dispersion of the
people, and that
they are now
and a number of
mercy of the Indian powers as
it up.

I agree with Mr. Feller that we need not apologize
for the past. But I should like to see our actions and
a suggestion that we should work with the T.O. on
the whole question of standards of living - and then
have long discussions and deliberations. We must get
a purely ~~existing~~ basis with the T.O. on all the questions
of law. May - 1972. By S. N. Singh

R-1

My dear Milner,

I shall be glad to receive your answer to the question concerning the sale of land in the British African Protectorate, which a good deal of correspondence passed between your predecessor and me.

From Colonial Office,
dated 3rd September 1918
with enclosure. 2280
Colonial Office,
dated 1st October 1918
with enclo re. 2900
Colonial Office,
dated 2nd November 1918
Colonial Office, 2851
dated 21st November 1918.
Colonial Office, 5285
dated 24th December 1918.
From Colonial Office, 26639
dated 7th January 1919.
22844)

The relevance of which to the auction of Government land is not at first sight clear.

I need not repeat what was said in Sir Thomas Holderness' letter of the 24th December. My contention remains unanswered.

The Right Hon.

The Viscount Milner, G.C.B., G.C.M.G.

unanswered that it was attempted to justify a wanted racial discrimination against Indians at Mombasa by a report of an eminent sanitary expert who did not /s/ such recommend what
I do not wish to go into upon points.

Reference to Africa for four years past raised
the Indian question in question, but, so far as
I know, it has never before been argued by the Colonial
Office that such masters were sure to dominate Africa, even
in the self-governing Dominions. I remember that
such questions as trading-privileges and municipal regulations
in Natal and the Transvaal, in which the local authorities
were obviously ~~going to~~ ~~take~~ ~~ires~~ from the legal point of
view, have been fully discussed by the Colonial Office
and the IPD's Office.

Mombasa of course differs markedly from an
average South African town, and in some respects offers a closer
analogy to Indian towns; hence my remarks on Indian
practice. It is not an origin colonial town like Durban
or Johannesburg, but a very old Oriental seaport. I fully
realise the necessity of the strictest sanitary rules in
such a place, though I am informed that under tropical
conditions the residences of the lower classes of Europeans,

BRITISH DELEGATION.

PARIS.

on their servants,
insanity, prohibition of the
ship of plots by measure that goes
further, and is not really regarded by them as a
real financial hardship, apart from the noble plan
placed upon them. Europe must be a place
where, without any difficulty, or the plant there is in
practice more than the usual residences of the
two races than exist at present, or arising from Indian
landlords.

Indian rights, as in my judgment with
good reason, given by British authorities in any
art of the Empire with conflict with the general
assurances given by His Majesty's Government of full
recognition of Indian services in the war. Such measures
afford powerful weapons to the disaffected, while they
perplex and discourage the loyal. In connection with
the future of German East Africa a great deal has been
made in India of Indian disabilities in British East Africa,
but for the most part these were connected with the
reservation of the Highlands for European settlement.
Now comes this Mombasa affair, in the coast-belt in which

Indians

Indians have lived nobly for centuries. I feel sure
we can improve our standard, and I trust that
you will care to review the whole question.

Yours sincerely,

J. M. C.
J. M. C.

3rd September

6093

for Ind
the Officer
Ministeries, the
Protectorate, embarking
British East Africa Ind
exclusion of

2. The right to land three areas in
respect in reference to the signature
frontal and maritime recommendations by
T. C. Simpson, and J. A. Robins and it
allowed to apply in Asiatic areas.

I am, etc.,

(C. I.) G. G. D.

Under Secretary of State,
India Office.

99/1918

TELEGRAM FROM THE OFFICER ADMINISTERING THE GOVERNMENT OF THE
East African Protectorate TO THE SECRETARY OF STATE.

Crimes.

(Received 29th August)

(Arrived Colonial Office 3.30 a.m. 30th August, 1918)

1635, August 29th.

Your telegram 28th December am requested by British East Africa Indian Association transmits to you following resolution passed and to ask that same be forwarded to Secretary of State for information begins resolved this association protests strongly against local governments reservation of British subjects to impossible acquire residence in Mombasa, sales of plots Mombasa September 1918 that they would not be permitted to live there except as servants of Europeans.

This discrimination most unfortunate especially at time when Empire engaged in righteous cause of world's equal opportunity of liberties. But this entitles equal treatment other British subjects being second to none in their loyalty, Crown and many war sacrifices whereas it is obviously sought to deny them privileges accorded even foreigners. Such Government actions bound create great racial animosities and bad blood among different sections which calamity our association most anxious see averted. Anxious as they are Indians of this country

country not to embarrass
engaged in more serious
will be failing in the
Empire if they passively
approised of elements
of the Indian problem
unseen in the first
occur with a
suspicion of objection
to the public and also generally
in any class of nation,
one voice over
looks forward to full
and complete
the rule of
the people
such friends as
our Association is urging on the active
steps as will repel attention to Indian grievances.
fumble pitch or remove said humiliating conditions
is liable to hurry from plunging into active
agitation thus.

BOWRING.

COLONIAL OFFICE,

DOWNTON STREET, S.W.1

1 October, 1918.

Sir,

With reference to the letter from Mr.

I enclose herewith a copy of a letter addressed to you, dated 20th

the accompanying copy of a letter from Mr. Justice C. G. Read, District Attorney, regarding

the appointment of a certain Mr. H. J. Read, as a Commissioner of Enquiry

in respect of a certain area of land in the

Hindoo and Hindu areas of India, relating to the question of Indian representation in the Legislative Assembly of the Province of Bihar.

I have the honor to enclose a copy of the letter of the Secretary

of State, dated 20th October, 1918, in which he states that the assistance

of Mr. Justice C. G. Read, as a Commissioner of Enquiry, has been requested by the Government of India, and that the same will be given him.

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of Mr. Justice C. G. Read, as a Commissioner of Enquiry, has been requested by the Government of India, and that the same will be given him.

H. J. READ.

The Under Secretary of State,

INDIA OFFICE.

TELEGRAM from the Officer Administering the Government of the East Africa Protectorate to the Secretary of State for the Colonies.

(Received 13th September 1918).

Support

Bill

to impose there. Endorsement
of bill. Instruct
imposing restriction of land so
as to avoid example of segregation races. Most humili-
ating & controversial letters such as above
engendered be "to" be issued to guard against. Fact existence
of race. Not to accept a. Reference
Local Govt. Telegram 6/2 192 January 14th received no
further reply since Government imposed surcharge tax.
Applied conscription to Indians. Yet no Indian members on
various Civil Service Commission without
Indian members. Immediate appointment of Indian members on
Council absolutely necessary to
satisfy project. Indian members serially
ly project. Interests of Indians. Most respectful prayer
to obtain His Majesty's sanction and to issue necessary
instructions to Government to appoint at least two members
to

to be recommended by Nairobi and Mombasa Indian Associations.
independent of contemplated self-government
Suleman Virji President Indian
Association representing Indian Association at
Mombasa Kenya

in "achieve members' ends,

repeated to Secretary

J. A. P. 3578.

1.

2 NOV 1916

Sir,

I am directed by the Secretary of State for India to acknowledge Mr. G. Montagu's letter No. 100 dated 29 September and Sir H. K. Long's letter No. 101 dated 1 October forwarding copies of telegrams from the office of the Governor of the East African Protectorate, concerning the position of Indians in British East Africa which makes Indians ineligible to acquire residence or property at auction sale in an area reserved by the Government for European occupation in Mombasa. I enclose also the reply which has been given by the Secretary of State to the representation made by Mr. Polak.

Mr. Montagu regrets that Professor Simpson's important Report which was presented to the Colonial Office in 1914 has only been recently communicated to this Office. The Report makes constant reference to the position of Indians in East Africa, and Mr. Montagu would have been able, had the Report been received earlier to convey his observations on the issues raised before action had actually been taken by the local authorities.

Mr. Montagu notes that Mr. Long proposes to await a report on the subject of the memorials from the new Governor of the East African Protectorate, but in the meantime he feels it incumbent upon him to protest against the action that has been taken in the way of imposing conditions involving racial discrimination.

Colonial Office.

to the 1st of January, 1868, the population of India was 300,000,000.
The present population is the same, but would point out that
the military, &c., & the civil service, introducing features which cannot
be attributed to India, & that the Indian Army is now 200,000 and India,
other than India, is responsible for the allotment of all
these men. The cause of sickness is more than one, but the following
is to be observed in the records of buildings in areas
where it is lessened. This is the necessity for insisting in
obtaining certain documents which are recognized in India, prohibition
of marriage by any class of British subject is unknown in that
country.

Dr. LINDSEY would, therefore, be glad if his views as
contained in this letter could be conveyed to the Governor, so that
they may be before him when he is considering the whole question
raised in this connection.

I have the honour to be Sir,

Your obedient Servant,

(Sd) T. W. HOLDEPNESS.

COLONIAL OFFICE

DOWNING ST.

22 Oct 1918

to inform Mr. Set...
survived your letter
had been given to the Indian Association against the exclusion of India
from the League of Nations.

... by Professors... which
the author... is showing without
any... ability with

immigrants into those countries, and the political conditions in India. Reconsideration of this question was at a time when India's place in the Empire was fully recognised by the presence of Indian representatives at the Imperial War Cabinet, the Imperial War Conference, and the Peace Conference, and by the acceptance of the principle that questions affecting Indian residents in the self-governing Dominions are of Imperial and not merely local character.

It can hardly be gainsaid that, however strong may be the reasons for the recent action of the South African Administration, it has in fact imposed upon British-Indian subjects a new racial discrimination.

... it is open to doubt whether the
Simpson, whose competence is fully
actions against which
not to be denied. In view of his long service
Simpson observes that the division into separate colonies would not
prevent any such resistance, which from being fast
and strong except on one, providing they consent to
the division. This is
principles which are supported by
for stamping out such associations. It has
submitted that these can be
and are not warranted by the option of colonial
action as regards autonomy. Regarding
one hand, it has been
it is difficult to estimate
the effect of European occupation. We
are setting up our equality the property of India
to its best advantage. The Indian himself India experiences fine
sublime, to an important bearing on a question which intimately
concerns Indian freedom in the Protectorate.

I am, Sir,

Your obedient Servt,

(Sd.) T. W. HOLDERNESS.

COLONIAL OFFICE

DOWNING STREET

b653

7 January

Sir,

I am directed by Mr. Secretary
to acknowledge the receipt of your letter
of the 2nd instant in which you ask
the Under-Secretary of State to give you
copies of the documents on the subject of
the proposed union of Rhodesia with
the dominion of the South Africa, which is
present under the consideration of the
Government.

Yours &c.,

(Sd.) G. G.

The Under Secretary of State,

India Office.