

1928

Kenya

No. 10118

SUBJECT

C 0533/377

Indian Representation on
Legislative Council

Previous

X 10118/27

Subsequent

See 17379/31

Recd. File A
(Early Question)

17060/31 - File put in
reference in 17060/31
Leg. Council

Colonial Office _____ 5 March 1928
Copy of Official Gazette Vol. XXX No. 4 of 21 Jan 1928.
Registered for record vide memo on X 15100/28/Kenya
- Official Gazette File

2

For } above
Carson
5/3

2 Colonial Office _____ 12 March 28
Cutting from Times of 5th March as to Boycott
of elections by Indians.

This has been registered for records. We
have had nothing from the Govt. The point is that
nomination can be carried from the electoral roll.

A substantial number of Indians did register -
several thousands. (The roll is in No 1023/27 tagged).
The register does not apparently lapse at the end of
a year; but is revised annually. The nomination of
anyone not on the roll would involve an amendment

to the R. O. - see memo to us No 8 of 10/8/27.
There is a précis in the matter above No 6 in
2824/26. The tel in No 6 in that paper indicates

the Governor's view that if the Indians did not
accept the communal roll they had no claim
under the White Paper to representation; that,
in that case, the British European members would

resist further nomination as contrary to the
spirit of the White Paper. The Govt however replied
(No 7) of 28/2/28 that he could not agree that
further nominations would be contrary to the
White Paper. (part), pending developments.

1/17/28
1/19/28

R. W. ...
12.3.28

W.S. 13.3.28
office

* Gazette copy
below. JPD

Entry proper ~~DESTROYED UNDER STATUTE~~ Commons! — 23 March 28
Sub Bill A

Question by Mr. Underwood

4 To Gov: Copy of copy Official report
(vide Minute on Sub Bill A)

1928
25 APR

5 Copy of tel from Gov Kenya dated 28 March/28
Copy of tel. to Gov Kenya dated 11 April/28

~~DESTROYED UNDER STATUTE~~ Commons! — 20 APR 28
Question by Mr. Laell

P. Q. No 2 on Sub Bill A

8 - Mr's So' Kya - (vide copy) 26 April 28
on sub bill 9
JK

9 — Gov Kenya tel 111 — 9th May 28
(Resolution from Kenya Central Indian Assoc
stating that they are unable to accept representation
on Nomination basis as offered by the Governor)

10 To S.O. Ans S.O 19 May

9 170 have been read but for
record in the news. Part

1928
25/3
stage

11 Gov's dep. Ryan
memo addressed by the Gov to
Mr. William Young regarding the Indian
franchise question.
attached Part by
at once
17-7-28
1928

Entry proper ~~DESTROYED UNDER STATUTE~~ Commons. 23 March 28

Sub file 'A'

Question by Mr. G. B. Kenworthy

4 To Gov. Conf. (copy official reports) (vide Minute on Sub-File A) 11/28
E5 APR 1928

5 Copy of tel from Gov. Kenya dated 28 March 28
6 Copy of tel. to Gov. Kenya dated 4 April 28

~~DESTROYED UNDER STATUTE~~ Commons. 20 April 28

Question by Mr. Snell

P. Q. No. 2 on Sub-File A

8 Mr. S. O. Kya (U.P. Kya) 26 April 28
on sub-file B

9 Gov. Kenya tel. 111 9th May 28
(Resolution from Kenya Central Indian Assoc. stating that they are unable to accept representation on Nomination basis as offered by the Government.)

10 To S.O. Kya S.O. 19 May 28

9 no number reqd but for record in the series. Part

10/10
stave

11 Gov. d.p. Kya
Mr. Hillon Young
functions of...
attached

12-7-28
by the Gov. to
regarding the...
Part by
at once

(copy) 297 2/9/28



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

KENYA.

No.

RECEIVED
14 JAN 1938
O. O. REGY

12th July, 1928.

Sir,

I have the honour to enclose a copy of a Memorandum by His Excellency the Governor addressed to Sir Hilton Young on the Indian franchise question.

The Memorandum was written and sent in for despatch, His Excellency being on tour in the Northern Frontier Province.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

GOVERNOR'S DEPUTY.

The Right Honourable Lieut. Colonel L.S. Amary, P.C., M.P.,
Secretary of State for the Colonies,
Colonial Office,
LONDON, S.W.1.

M E M O R A N D U M.

I wish to add a few observations to the official precis of the evidence given by me before yourself and your colleagues on the Commission on the 4th February, a copy of which has recently been sent to me. In part of that evidence I dealt briefly with the demand of the Indian community in Kenya for a common electoral roll; and I observed that, while in theory there is a good case for the establishment of a common roll provided that the qualifications for Indian voters are sufficiently high and the further immigration of Indians strictly controlled, the major consideration is that nothing should be done to weaken or hybridize the British civil service to which we are endeavouring to educate the African.

2. When that evidence was given, I was not aware that the Indian representatives had given evidence to the Commission on the subject. Since, however, the Commission left the Colony, an impression was gathered amongst the Indian community, that the Commission is giving serious consideration to the establishment of a common roll. I do not doubt, if this were really the case, that I should have been invited to give more further evidence upon the subject; but since it seems possible that the Commission may find it desirable to make some reference to the subject in their report, I think I should briefly place on record my views on the merits of such a change in the electoral system

of Kenya....

of Kenya at the present stage of the Colony's development.

3. At this stage any such change would in my opinion most gravely complicate the already complex problem of government in Kenya. The European community here comes from countries in which representative government has been established for centuries. They are of a high average, even for such a community, and they are born and bred to the practice of self-government. The Indian community is of a totally different character. It comes of races which have no such tradition; from a country where western representative institutions have only recently been introduced and are still in a purely experimental stage; and for the most part from the least educated classes of the population of that country. I do not imply by this any inferiority in the Indian races, which have their own great history and traditions. I merely state that as a result of that history and those traditions the Indian races are politically different from the European, and that the establishment in East Africa of an electorate in which the European element was outnumbered by voters drawn from the present Indian population, would in practice so seriously aggravate the difficulties of Government as to outweigh altogether any theoretical advantage to be derived from it. It is absolutely necessary in Kenya that the electorate returning the main body of the elected members of the legislature should be kept...

kept as true an education and responsibility can make it to the highest standards and traditions of British civilization. This task would be rendered impossible by the dilution of that electorate with superior numbers of a different race and civilization. It is not compatible with our duty to the African races who form by far the largest element in the population of the Colony that such an experiment should be undertaken.

4. The leading Indians in Kenya are willing, I think, to admit the force - and indeed the finality - of this argument. But they urge that Indian representation might be so limited under the system of franchise to be established that a common electoral roll for Europeans and Indians would not seriously affect the British character of the electorate. They would like to see a system introduced which would remove the discrimination against educated Indians which is implicit in the communal system of election without in any way endangering the predominance of British methods, British traditions and, in all respects, of British civilization.

5. I do not question the sincerity of those representations, and I wish that I could meet them in the spirit by which they are inspired. But I am convinced that in practice the limitations imposed upon the number of Indian voters would either be found illusory or else would

lead to a racial controversy of the bitterest kind, which would do incalculable harm to the Colony. The Indian leaders of the present day in Kenya cannot pledge the whole of their compatriots or their successors. If there is discrimination in having separate rolls for European and Indian electors, there is discrimination also in having a common roll for both races but different qualifications for the individual voter; and the latter form of discrimination seems to me by far the more objectionable. How long would Indian sentiment in fact remain satisfied with a system under which Europeans enjoyed adult franchise while many Indians of high educational achievement, judged purely by the schools, were debarred from the franchise by artificial limitations based solely on race? In my opinion, a new agitation would be inevitable. The system of communal electoral rolls is based upon the difference between European and Indian civilization, and, properly understood, is a mark of difference, not of inferiority in either community. The system of a common roll with different qualifications for European and Indian voters would necessarily be based on racial discrimination between individuals, whatever their respective character. On these grounds the separate qualifications for franchise must inevitably prove increasingly objectionable to the Indian community as an unjust imputation of racial inferiority. It could not continue long

without...

without kindling the bitterest racial controversy, and I should therefore regard its introduction in East Africa as a calamitous error.

(Intd.) E.C.

Kenya.
July 6th, 1928.

9
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(Sgd) J. W. BARTH.

GOVERNOR'S DEPUTY.

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Secretary of State for the Colonies,
Colonial Office,
LONDON, S.W.1.

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(Intd.) U.S.

Kenya,
July 6th, 1928.

Orig Draft with X 15033/28

10
15

15033/28

Downing Street,

10 May, 1928.

Col. Fr. Cox
Kenya 9th May
Draft Telegram

With reference to your official letter of the 7th February 1928 (K. F. O. 815/28) and previous correspondence I enclose a copy of a telegram from the Governor of Kenya regarding the report of the Peetham Commission on Local Government and the Bill which has been prepared to give effect to the recommendations of the Commission. It is understood that the Bill has been published in the Official Gazette but there has not yet been time for a copy to reach the Colonial Office.

I should explain that as the Indian community refused to nominate candidates for the election of Indian members of the Legislative Council in March last, it became necessary to consider some alternative means of securing representation of the Indian community on the Council if they were to have a voice in the discussion of this legislation. Private and personal correspondence passed between the Secretary of State and the Governor, in the course of which the Governor

R. H. A. CARTER

Governor put forward the proposal that the difficulty might be met by nominating Indian members to the Council from the existing voters' roll (provision for which is made in the existing Royal Instructions), so that they might serve on a Select Committee of the Council to which the Bill would be referred. The Select Committee was to include, in addition to official members, an equal number of European and Indian unofficial members - five of each, so the number of the new Indian members to be nominated would have been four.

The Secretary of State decided that the Governor might announce that the Bill would be introduced at the May session of the Council, and that after its second reading it would be referred to a Select Committee as above, and further, that he should announce that the Government was prepared to nominate four Indian members to the Council for another year in order that the Indians might thus have full constitutional opportunity for criticising the Bill. In agreeing to this action the Secretary of State was influenced by the fact that this procedure had the merit of offering the Indians a definite method for enquiry into their case with an investigating body containing members of their own race;

and

and in authorising the Governor to act on these lines the Secretary of State made a point of the importance of the Governor announcing his proposals for the reference of the Bill to a Select Committee before any attempt was made, to nominate Indian members to the Council.

The Governor took action accordingly, but it will be seen from the enclosed telegram that the Indians have refused to accept nomination to the Council and that their opposition to the Bill is now based on objections of a general nature to any form of communal franchise whether for legislative or municipal bodies.

The Governor takes the view that the principle of the White Paper of 1923 in regard to communal representation should be re-affirmed as early as possible, and that it should be made clear to the Indian community that this question will not be raised again in the report of the Hilton Young Commission on Closer Union. On this very important question of policy the Secretary of State has informed the Governor privately that he does not know what is in the mind of the Commission as to the franchise and that it is impossible for him either to influence them or to announce that the

1923 decision will prevail over any recommendation which they may make. No further consideration need be given therefore at the moment to that suggestion. The Secretary of State has given further consideration to the possibility of postponing this legislation. This, you will remember, was suggested by the Government of India in their telegram of the 20th of January a copy of which was enclosed in your letter of the 20th of January (S. & O. 499/28), and postponement had previously been suggested to the Governor by the Secretary of State - see Colonial Office despatch Confidential (2) of the 6th of February, a copy of which accompanied our official letter of the 8th of February. He has however come definitely to the conclusion that it cannot be postponed, not only because of the necessity of placing the municipal services of Nairobi on a more satisfactory footing at the earliest possible moment, but also because he feels that in view of the atmosphere of controversy which has now arisen, it is important that if it can possibly be done this particular question should be settled by agreement before the report of the Commission on Closer Union is published, in order to avoid the danger that the existence of this outstanding matter might prejudice the reception

reception of that report or that, on the other hand, any contentious issues raised by the report might unnecessarily embitter controversy on this purely local matter. Accordingly he now proposes to telegraph to the Governor confidentially in the terms of the enclosed draft, but before doing so he would like to know whether Lord Birkenhead wishes to offer any observations.

The Secretary of State fully realises that the proposal which he is making may not be acceptable to the Indians. It may also be open to objection from the point of view of the Europeans who could possibly denounce the appointment of a Committee as proposed in the draft telegram as violating the non-co-operation and refuse to take part in any further discussion of the Bill outside the Legislative Council. On the other hand the European community might prefer that the Indians should have a further opportunity of discussing the matter separately from general political questions rather than take the risk that their non-co-operation should lead to an indefinite postponement of the question. That view the
 Governor

Governor will himself take of the proposal, the Secretary of State cannot say; but in all the circumstances if a further effort is to be made to secure Indian cooperation - and the Secretary of State is anxious that the Indians should have every opportunity of this - it appears to him to be the most satisfactory procedure which he can suggest.

There is one other point to which reference should be made. In paragraph 5 of the telegram from the Government of India of the 20th January, certain suggestions were made as to concessions to meet Indian demands. The Secretary of State knows from the Governor privately that he has carefully considered these suggestions, and it is understood that as regards Mombasa the Governor thought he could meet the Government of India, but as to Nairobi he was not optimistic. If the balance of representation were altered as suggested, the inclusion of the outer suburbs would be impossible and the whole scheme would then fall to the ground. This information was received early in March, but there has been nothing since to suggest that the Governor has changed the view then expressed.

We should be very glad if we could have a reply
at

21

at the earliest possible date.

W. C. Edgerton Co.

Original on X/15035/28K

22

9

Relevant portions marked X on pages 1 & 4
TELEGRAM from the Governor of Kenya to the Secretary of State for the Colonies.

(Date: 9th May Received Colonial Office 9.23 p.m. 10th May, 1922)

No. 111. 9th May.

The following resolutions have been received from (a) Kenya Central Indian Association. 1. That this Committee while appreciating H. E. the Governor's offer to secure representation on Nominations teams for Indian Community on the Legislative Council without any reference to communal register and without prejudice to their demand for a common franchise feel unable to accept representation as offered and hereby confirm resolution arrived at in the last session of Congress. 2. The Executive Council of Kenya Central Indian Association draw attention of the Governor of the Colony to the dissenting minute of Mr. V. V. Shinde and Mr. J. B. Pandya and various representations made by the Indian Community on recommendations of Feather Commission and strongly protest against proposed introduction of Bill arising from that report in the Legislative Council at this stage when the whole political situation of the Colony is under investigation. A Royal Commission in total and callous disregard of the representations mentioned above and in disregard of the fact that the Indian Community have laid their case before Hilton Young Commission and have refused to accept communal and unequal system of representation accorded to them. This Committee hereby requests the Governor not to proceed with the Bill till the question of Indian franchise is satisfactorily settled and states that the Indian Community will be reluctantly compelled in case the Government proceed with the Bill to withdraw Indian members from local bodies and also states that the Indian Community reserved the right to take such steps as constitutional

constitutional protest against the measure(s) of the Government or the Kenya Central Indian Association say from time to time decide upon responsibility for having driven the Indian Community to this position entirely resting with the Government. 3. That this Committee is of opinion that Bill to establish a Land and Agricultural Bank in this Colony is ^{prejudicial} ~~prejudicial~~ in view of the facts that (1) the question of allotment of land to various communities and particularly relation to Indian(s) has not yet been finally decided (2) the proposed Government subsidy to the Bank is a charge on the whole revenue of the territory irrespective of the Bank being practically a measure calculated to benefit only a single community (3) the Indian Community are at present without the means of influencing decision of Legislative Council on this point.

Copy
to
the
Secretary
to
the
Government

(b) Mahabha Association "Have Meeting of Indians passed resolutions regarding strong protest against the proposed constitution of Mahabha and Nairobi Municipal bodies and adoption of communal franchise principle therein. Urge the Government to adopt majority voting principle. In the event of passing the Bill without satisfying Indian demands recommend that all Indian Municipal District committees members resign forthwith and community cease all co-operation in municipal work and put all possible constitutional objection in the same. Protest against introduction of the Bill without giving sufficient notice to the public for consideration and criticism of provisions." It will be seen that these resolutions showing Indian opposition to Jephson Commission Report and Local Government Commission Bill are now based as objection to any form of communal franchise whether for legislative or municipal bodies.

(7) You

You will remember that Rhadke and Abdul Wahid Indian Members of the Commission did not oppose communal franchise see page 52 Volume 1 of Report and absence of any reference to this point in Rhadke's minority report and that Falhaya in his minority report laid no particular stress on common franchise Nairobi Municipal constitution which Indians accepted is on communal basis through Indian members on 1924 Municipal Commission as in the case of Legislative Council made proviso that their acceptance did not commit them to any approval of communal roll it must I fear (p. 52) be recognized that opposition to Postman Commission is now merged into general demand for common roll and that Nairobi and Mombasa proposals however modified will be steadily opposed on that ground pending the Commission of Hilton Young Commission. It is clear that the Indian position to-day is based on claim to common versus communal roll and that until a definite pronouncement is made that an alteration will be made regarding the matter of communal representation Indian non-co-operation may be expected to continue. In discussion with Rhadke who represents the moderate Indian party in Kenya he made this point clear and further stated that Indians regarded this question as one of the terms of reference to Hilton Young Commission. Their representatives had been examined at length in regard to it and it is generally believed by the Indians that a recommendation on this point will be embodied in the Hilton Young Commission Report. They consider therefore that the present is the time to make their position quite clear and to cease from any provisional acceptance of a communal roll. They believe therefore that any acceptance of nomination to the Council at the present stage might only tend to weaken their position. It is urgent therefore that the principle of the White Paper in this respect

respect should be reaffirmed as early as possible and that
 it should be made clear to the Indians that it will not be
 raised again on Hilton Young Commission Report. Until this is
 done I do not consider it would be possible to secure Indian
 co-operation and if this is regarded as an essential in respect
 of Legal Government Bill and other legislation it would mean
 indefinite postponement of measure(s) in the interests of all
 communities. The agitation on those terms is further bolstered
 by the presence of two Indian agitators but I do not think I
 can expect any co-operation from Indians in view of the
 general feeling that the question at issue is one of ~~status~~
 versus communal roll. In resolution 1, it is stated that
 I offered representation on nomination basis without any
 reference to communal register. This is incorrect. Question
 as to whether nominations were to be made from register or not
 was left over though I stated that I was willing to agree
 that nomination should be without prejudice to demand for
 communal franchise. Phadke and another leading Indian on being
 privately consulted expressed opinion of the attitude which
 may be summarised as follows: "Do nothing until we hear what
 Hilton Young Commission are going to do. If we give in now we
 may lose every chance of getting communal roll".

X

Paraphrase Original

RECEIVED
on 30 MAR 1928
P. R. ...
31
K.
Comm. of Enquiry

PARAPHRASE telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 28th March.

(Received, Colonial Office, 9.45 p.m., 28th March, 1928).

Private and personal. 27th March. Your telegram 15th March. I understand your position and appreciate that you desire if possible to support me. I have already considered carefully course of action which you suggest but two difficulties have arisen which prejudice, I fear fatally, the chances of success. In the first place opposition of Indians to Feetham Report which was not serious when I first returned to Kenya has now been merged in general campaign on the question of status of Indians in the Colony. This was stimulated by public attacks both in India and at home on policy of appointing Commission and encouraged by other events to which I need not again refer. It was also fostered by visit of Esbank and H. Singh who have left the impression everywhere that the Indian Government is once more intervening actively in East African affairs. I have done and will do my best to combat this idea but it is very deep. Main plank in the position of Indians is once more demand for common vote. This demand having been revived naturally they are anxious not to prejudice their position by accepting elected representation in the Legislative Council under the 1923 Settlement or by compromising on Feetham Report. This is the reason for their refusal at eleventh hour to nominate candidates for election this month and also for their demand that action on Feetham Report shall be deferred until after Hilton Young's Commission has reported. Maharaj Singh and Esbank asked me for assurance on the latter passed point which my Report lays outside their terms of reference and those of the Commissioners I naturally said I was not able to give but Indian determination to hang up the Feetham proposal on general grounds even more than on its own merits remains. For these reasons I fear that chances of success of agreement on a Committee such as you propose would be practically negligible.

Nevertheless

Nevertheless I would already have attempted it but for second difficulty which is even more serious. Revival of Indian agitation for common roll and renewed refusal in spite of agreement to that effect last year to nominate candidates for election is rousing amongst European Elected Members strong feeling against any tendency on Government's part to compromise with Indian policy of non-co-operation. With regard to Feetham Report their contention is that every possible step to sift and conciliate feeling of Indians on Municipal re-organisation of Nairobi was taken by Feetham Commission under impartial Chairman who over a period of several ^{weeks} went out of his way ~~was~~ to secure agreement from all interests and that Indians should now be told that proper place (for) restating their case and criticising Report is the Legislative Council where they will be afforded every opportunity. I am informed that appointment of Committee such as you propose would be denounced on these grounds as yielding to non co-operation and that Unofficial Europeans would refuse to take part in any further discussion of the Report outside the Legislative Council.

Myself I hold very strongly that any sign of yielding to the policy of non-co-operation would have evil consequences. Feetham Report has become the test case in this connection and I submit that non-co-operation should be as firmly discountenanced in Kenya as it appears that it is in India.

Forseeing this situation I had intended with your approval to propose that Bill should be introduced in May in the Legislative Council, read the second time and then referred to Select Committee composed of Official Members of the Commission ^{Martin} and Haggard five European Elected-Members including those (corrupt group) Members and five Indian members. This would involve nomination to Council of four Indian members from existing voters roll.

I will subject to your views announce procedure contemplated by the Government including composition of the Select Committee (which

you

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you will see given Indians equality with unofficial European Government (I am prepared to nominate four Indian members for another year members) and say that ~~in order that~~ Indians may have full constitutional opportunity for criticising the Bill.

I have reasonable hope that Indians will accept solution offered them since there is an Indian party opposed to non-co-operation but it must be clear that if they refuse to accept nomination for Council as proposed the Government will proceed with the Bill in their absence. The Government would have to face strong European agitation if it took refusal as ground for further postponement of the Bill. Situation would however be equally difficult if the Government appointed Committee outside the Council after Indian declaration of non-co-operation as regards the Council itself. Therefore I trust that you will approve firm but conciliatory attitude which I suggest. I have discussed the position not only with usual advisers but also privately with one or two representative Europeans such as Bank Managers who are in close touch with both communities but who stand outside politics. These insisted on necessity for showing Indians that non-co-operation will not (group omitted) Government but will on the contrary only put Indian leaders out of court. If Government fail to do this there is risk of grave anti-Indian movement.

Please forgive long delay in answering your telegram. I have been absent in Northern Province and wished carefully to weigh your suggestion afresh before replying to it. Bill should be published early in April if you agree to course I propose. I shall therefore be grateful for reply as soon as possible by telegraph.

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X 15140

28 Kenya

Mr. Whitehead 29/3/26

Mr. Jeffries

30/3/26

Mr. ...

Mr. ...

Mr. E. J. Harding

Sir J. Shackleton

Sir G. Grinnell

Sir O. Davis

Sir S. Wilson

Mr. Ormsby-Gore

Lord Lovat

Mr. Amery

[Handwritten signature]

C. D.
R -2APR
44

15 APR 1926

D. D.
R 30 MAR
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Sir,

I have etc. to H. to

you the acc. copy of

Answers and Answers in

the House of Commons

relating to ...

... regard to ...

... ..

Legislative ...

I, you are, no

doubt, regarding ...

on the whole question

of Indian representation,

including

DRAFT

Kenya

Conf

(No. 22)

C.O. 532/272

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including your proposals
for dealing with the situation
arising from the failure
of the Indian community to
take advantage of the recent
opportunity given to them
by their representatives. In
this connection, I would
make reference to your conf.
tel. No. 401 of the 22nd. of Nov.,
1950, and my reply of the
26th. of Dec..

I have etc..

(
No.
607
on
XF 2684
26 Nov.)

INDIANS IN KENYA.

BOYCOTT OF THE LEGISLATURE.

(FROM OUR CORRESPONDENT.)

NAIROBI, MARCH 4.

Nominations for four vacant Indian seats in the Legislature were due on Saturday, but as a result of resolutions passed at the recent session of the Indian Congress, no candidates were forthcoming and the election was boycotted. There is, therefore, only one Indian representative in the Legislature. He was elected a year ago, but is not recognized by the Congress as representing the views of the party.

The Indian leaders explain that the boycott of the election is not a policy of non-cooperation, but the logical outcome of the renewed determination of the Indian community to reject the principle of communal franchise and to vote for a common roll. At present the voters register is based on communal basis and it has been largely expanded during last year after the Congress in 1937 accepted the advice of the leaders to cooperate in the work of the Colony. It is maintained, however, that after the decisions set forth in the White Paper of 1931, Indians understood that there would be no alterations in the Constitution of Kenya until the status of Indians was finally settled.

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THE
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OF THE
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GOVERNMENT NOTICE No 33

THE LEGISLATIVE COUNCIL ORDINANCE

Chapter 24 of the Revised Edition.

AND

THE REVISED EDITION OF THE LAWS
OPERATION ORDINANCE, 1926.

WHEREAS in pursuance of instructions from His Majesty the King through one of His Principal Secretaries of State and by virtue of the powers vested in him by Articles I and II of the Additional Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Kenya, in regard to the constitution of the Legislative Council thereof, dated the 28th day of March, 1927, the then Acting Governor of the Colony appointed certain persons to be Nominated Indian Unofficial Members of the Legislative Council subject to the provisions of the afore-mentioned Additional Instructions;

AND WHEREAS it was provided in the Instrument by which the said persons were appointed that such Nominated Indian Unofficial Members should vacate their seats on the 31st day of January, 1928, or at the next dissolution of the Council, whichever is the earlier;