

1931.

Kenya

No. 17003.

SUBJECT

C0533/405

Legislative Council

Appointment and Resignation

Previous

1620/30

Subsequent

See 17080/31 (Part of
minutes)

18173/32

No. Cav 21 - 1 Answer - 12 JAN 1931

ORDER STATUTE

31st December 30

Report provisional appointment of his carons
under statute
... temporary ...
... interests of office ...
... duty ...
... substituted ...

... B. ...

31.1.31

2.2.31

J. M. Allen

2.2.31

W. E. ...

2.2.31

W. E. ...

No. Cav 88 - 3 Answer - 1 FEB 1931

ORDER STATUTE

5. Rev. Hyne 138 10 March 3
... persons named for appointment, as
... members of legislative council, and
... submit their names for definite appointment

... to be ...
... as ...
... (as ... officers) ...
... the dissolution ...
... at the ...
... term

It will be seen from the
list with No. 3 that the names
in the same as those given
at the ... of the Council
... the substitution of the
... the ...
... to ...
... (Major ...
... in Col. ... absence)

The ... is again
... - ...
... of Col. ...
... of 1872/28. Col. ... has
... just returned to a further tour

which will cost the greater part of the
fund of the new Council.

Convey some matters for
[direction this name]

his applo recommended: Gazette

in a separate copy of
ref to para 2 & 401 para 2

1 No 2 of 1931 (37) say that
although the applo of Col Wilkinsan
was approved for special reasons

in 1928 & is now renewed the

purpose of the applo & the
of [unclear] as a member of

Col who is recommended in the
light of the observations made
the part of Col Wilkinsan

requiring the applo

J. W. Allen

14/6/31

Amintin

15.4.31

J. W. Allen

17/4/31

all [unclear]

16.4.31

G. G. 16.6.31

at [unclear]

8 March 1931
No. 31
13519/31
Secretary

RECEIVED UNDER STATUTE
To: Cas 299 - 5 Amintin - } 24 APR 1931
To: Cas 299 - 6 Amintin - }

8 Hon. Def. Moore 156 18 March
recommends appointment of Mr. [unclear] business
committee [unclear] legislative Council to
represent interests of African community

RECEIVED UNDER STATUTE
Cons. [unclear] was [unclear]

in [unclear] a [unclear] in the
para 1 para [unclear] to [unclear]

is [unclear] from the [unclear]
[unclear] [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] [unclear]

V. W. M. A.

14/4/31

29.4.31

App. [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] [unclear]

Secretary

his [unclear] is about for
the [unclear] till Sept. [unclear] the
[unclear] action is [unclear]

It [unclear] mean that [unclear]
[unclear] will not stop [unclear] as
[unclear] [unclear] on his return.

14.5.31

RECEIVED UNDER STATUTE
To: Cas 300 - 8 Amintin - } 6 MAY 1931

This arrangement will give
 rise to dissatisfaction among
 the Arabs, since the
 Arab interest then
 is reduced to the
 level of the official
 representative.

[Heavily scribbled and crossed-out text, mostly illegible]

As per para 2 of the
 report, the position is -
 Govt. Unofficial
 11 ex officio 11 European 1 elected
 9 nominated 1 Indian
 1 Arab
 1 for agreement - nominated

If we add a second unofficial
 Arab (nominated), the unofficial
 total goes up to 19, and the
 official number is only one -
 assuming that under the A.C.
 (there is a matter of interpretation,
 whether the Arab is included
 in the A.C. number or not -
 if found not to be, the official
 number is one.)

It is a difficult question, but
 in the whole of the Middle
 East, we might telegraph in a
 few days.
 [The point at A can
 wait. The vacancy is
 probably due to the
 very 2nd of Arab
 representation.]

Declaration
 21.5.37

I do not at all like asking the Governor
 to "have another look", and I should much have
 preferred to suggest that the special appointment
 of a European as the official representative of
 Arab interests should have been coupled with an
 announcement that the Government hoped at an early
 date to arrange for both the Arab representatives
 to be elected. This, however, is out of the question

until

This arrangement will give rise to dissatisfaction among the Arabs. Since the Arab interests are not being considered, the Arab representatives should be consulted.

[Extremely faint and illegible handwritten notes, possibly bleed-through from the reverse side of the page.]

At the present time the position is -
Govt. Unofficial
11 ex-officio
9 nominated
11 Europeans
5 Indian
1 Arab
1 for Africans - nominated

If we add a second unofficial Arab (nominated) the unofficial total goes up to 19, and the official number is only one - assuming that the Arab total is a matter of manipulation (as it is in the case of the Indian members of the Council of the Government).

[Faint handwritten notes, possibly bleed-through.]

It is a difficult matter to deal with in the whole of the Middle East. We might telegraph to the Government of the United Kingdom at the present time. The point is that we must wait the decision of the Government, which is probably due to the very nature of Arab representation.

Deetahum
21.5.21

I do not at all like asking the Governor to "have another look", and I should much have preferred to suggest that the special appointment of a European as the official representative of Arab interests should have been coupled with an announcement that the Government hoped at an early date to arrange for both the Arab representatives to be elected. This, however, is out of the question

until

until some opportunity arises to safeguard the official majority as a whole.

As the next best course I think that it might be suggested to the Governor, if he still presses for a European, that the arrangement should be announced as a temporary one pending careful consideration of the appointment to the Council of an Arab official who would be a suitable successor to so distinguished a Legislative Councillor as Sir Ali bin Salim. [To quote a local proverb, "Every dog has its fleas", and I suspect that much of the hostility against Sir Ali bin Salim is due to the fact that he is head and shoulders above every other Arab in the place.]

I have suggested an alternative conclusion to Mr. Parkinson's draft.

W.C.S.
21.5.31

P.H.B.
21.5.31

Dr. Shields (copy)
Page of this is away as
perhaps if you give you will
"at once"

P.H.B.

27.5.31

To Gov. tel. No. 170

22 May '31

Dr. Shields }
5 of 5 } to see No 11 & 12

Scene: D'Agree
105. 25.5.31

Notes CA
12/15

Ch

P 246

B. Sir Hume 315
... has provisionally appointed persons named to be nominated official members of Legislative Council; he has provisionally appointed Mr. H. H. Field Jones to represent that community until suitable Arab official is found.

- 1. temporary appointment - no demerit
- 2. Arab representative - Mr. Field Jones has been appointed on a purely temporary basis, & this has made clear to Gov. The Gov. has therefore accepted the suggestion in para. 2 of no. 12.

2 as in Dr. H.

Grant
8.7.31

The Gov. in No 11 did not suppose that he wished to appoint Mr. Field Jones in the place of Mr. Montgomery; and it was on this assumption that the provisional app. of the former was approved.

The

Nominated Official Members hold their place during His Majesty's pleasure. The Governor may simply mean that in appointing Mr. Feild-Jones he has made it clear that he is only to hold office pending the appointment of an Arab. You will see that in the footnotes to the list of members, Mr. Feild-Jones is described as "Nominated Member" whereas the members whose appointments are clearly provisional are referred to as Temporary Members.

If, however, the Governor has purported to appoint this member under Clause 21 I think a Validation Ordinance is necessary if he has taken his seat, whether his presence was necessary to form a quorum or whether his vote was required to pass any motion or not, so the enquiry suggested by Mr. Winter would not be relevant.

With regard to the passage I have marked "A" in Mr. Winter's minute of 9.7.31, it looks as if Mr. Feild-Jones' appointment is quite independent of the return of Mr. Montgomery, and as if the idea of appointing the latter to represent Arab interests has been abandoned. This is quite consistent with the wording of No. 11. If this is not so, would it not seem to the Arabs that the designation of a person already a Nominated Official Member as a member to represent Arab interests was a pure fiction? In any case I feel some doubt whether a Supplementary Instrument would be sufficient, and would suggest a fresh appointment.

Further enquiry as to the facts is necessary before the legal position can be

accurately

accurately determined. I should like to see the Instrument appointing Mr. Feild Jones and could probably have given all the information required by you if it was not available at the moment. I will be returning to you the Governor's reply to your letter.

J. B. Roberts, Esq.

14.7.31

in Chronically

The issue of Mr. Feild Jones' appointment is a serious one. It is not a mere question of procedure but of the principle of representation. Mr. Feild Jones is a British subject and his appointment as a member to represent the Arab community is a serious matter. It is not a matter to be decided by despatch or by casual opinion. It is a matter which requires careful consideration.

Supposing there is some technical flaw - it is really a technicality and one anyone ever pretty well validity of the Council's decision, then we can have a validating Ordinance.

Acc. Robertson

The Gazette of 16 May shows that 15.7.31 the word was "provisional" was used for...

p.646

It is a question of the validity of the appointment. It is not a matter of procedure but of principle. It is a matter which requires careful consideration.

1/2 31/1

usually, but it may still have
been used as a very important
reference (reverting
to the 21st)

Apparent of the fact that
instructed with effect to
the 21st of the 1920s

in the 1920s
in the 1920s
in the 1920s

(a) any action by the
Government in the 1920s
with a view to
the 21st of the 1920s

but he will be very
wonderful to be arranged without
border of possible and with
a minimum of direction from
here. 14.7.31.

do not think we can now convey
instructions for the appointment of a member when the
Governor has already purported to appoint and who has
presumably taken his seat.

It is possible to regard the telegram
(No. 12) as conveying sanction to the appointment
recommended in the despatch (No. 11) and I think the
order should be to this effect: that if the Governor
regarded telegram No. 12 in that light, and made the
appointment under Article 21 of the Royal Instructions
of the 11th of September, 1920, the appointment is in
order. Having regard, however, to the form of the
Government Notice No. 319 in the Official Gazette, it
is doubtful whether such is the position, and it would
appear that the appointment purports to have been made
under Article 21. If so, the appointment is invalid
and, in these circumstances, the Governor may wish to
consult his Legal Advisers as to (a) whether any action
of the Legislative Council turned on Mr. Field Jones'
vote, or whether his presence was necessary to form a
quorum, and (b) whether a validating Ordinance is
necessitated.

I have discussed this with Mr. Fuste, and he
agrees with the foregoing.

Robertson

21.7.31.

W. H. Jones
At the discretion of Mr. H. Jones
has put up. Will this meet
the case? Act 23.7.31

170

their seats, and he has been instructed not to ask
for further instructions are received.

... hope (C) to be able to advise that the action
will be able to agree that the action
will suffer

... will suffer
... will suffer

... will suffer
... will suffer

... will suffer
... will suffer

... will suffer
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... will suffer

... will suffer
... will suffer

1. King's speech the instrument of
 Government was not passed
 Council after the 1st of July
 1947. It was only passed on the 2nd of July
 1947. The validity of the instrument
 being suspended until the 2nd of July
 1947. The provisions of Art. VII of the
 Constitution further instrument passed
 would be required to be passed
 in order to take effect. It is
 not for the Council to
 be passed on the Council as first
 has not been passed. The instrument
 is under Art. VII of the
 Constitution. The instrument
 is not valid until it is
 passed in the Council. It is
 not valid until it is passed in
 the Council. It is not valid
 until it is passed in the Council.

J.P. Howell
 26/9/51

We just keep over this
 and take a Contingent on the
 answer to B being - the affirmative.
 Otherwise support has nothing as they are.
 J/B 28/9

I submit: J.P. Howell for Council
 J.P. Howell
 26/9/51
 B. Howell
 29

Mr. Has passed through to the
 J.P. Howell
 11/10/51
 11/10/51

17 - To Gov. Kenya. Sec No. 295 Secret } 17 Oct/51.
 (No. 16 and 8)

DESTROYED UNDER STATUTE
 Mr. Byrne 501
 Main question of appointment of OC, Northern
 Brigade, KAR will be considered when Col
 Williams relinquishes his appointment.

DESTROYED UNDER STATUTE
 Mr. Byrne 526
 Reports has provisionally appointed Mr. C.O. Silbert,
 Surveyor, to act temporarily nominated officer
 member of legislative Council in place of Mr. S.B.
 Brown, absent on leave.

DESTROYED UNDER STATUTE
 Mr. Byrne Secret
 Legal Advisor has advised that appointment
 of Mr. Field Jones as Non. Off. member of
 Legis. Council to represent the Arab Community
 can be regarded as having been made under
 Art. XIV of the P.I. It regarding matter
 not settled.

18. Put by
 19. J.P. Howell
 20. Good
 J.P. Howell
 28/9/51

X 17005/31 Kenya

C.O

- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]

G.D.
R. [unclear]
30

24 DEC 1931

DRAFT

Sir

Kenya
to G.H.Y.
by Mr. J.A. Byrne (copy)

I have pleasure to acknowledge the receipt of your despatch of the 30th November, and to inform you that His Majesty has been pleased to confirm the provisional appointment of Mr. Cyril Owen Gellie to be temporarily a nominated official member of the Legislative Council in the place of Mr. J.D.A. Bruce, who is sitting as an ~~ex~~ ^{eo} officio member of the Council. I have

J.P. GUNLIFTER

17
22

KENYA

No. 639 A



GOVERNMENT HOUSE
NAIROBI
KENYA

RECEIVED
12 DEC 1931
G.C.L. OFFICE

NOVEMBER, 1931.

Sir,

No. 9

With reference to Lord Passfield's despatch No. 300, of the 6th May, 1931, I have the honour to inform you that, in accordance with Clause XXI of the Instructions passed under the Royal Sign Manual and Signet dated the 11th day of September, 1920, I have provisionally appointed the Reverend Canon Harry Leakey to be temporarily the Nominated Unofficial Member of the Legislative Council representing the interests of the African Community in the place of the Reverend Canon George Gurns, O.B.E., now absent from the Colony and Protectorate, and to request that this appointment may be submitted to His Majesty.

Answered (23)

No. 4

From correspondence terminating in Lord Passfield's despatch No. 88 of the 4th February, 1931, you will see that Canon Leakey represented the African Community in the Legislative Council from July, 1927 to December, 1930.

15981/30

2. With reference to Lord Passfield's despatch No. 102 of the 31st January, 1930, in accordance with the provisions of Clause V of Instructions passed under the Royal Sign Manual and Signet dated the 11th September, 1920, I have also provisionally appointed the Reverend Canon Harry Leakey to be temporarily an Unofficial Member of the Executive Council during the absence from the Colony of the

THE RIGHT HONOURABLE MAJOR SIR PHILIP CUNLIFFE-LISTER,
P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.1.

LIST OF MEMBERS OF LEGISLATIVE COUNCIL.

November, 1961.

PRESIDENT:
His Excellency Sir Joseph Aloysius Burns, K.C.M.G., K.B.E., C.B. (Governor)

EX-OFFICIO MEMBERS

Assistant Secretary	Mr. J. E. Martin, C.B.E. (Acting)
Custodian General	Mr. A. D. A. Macgregor, M.C.
Treasurer	Mr. E. H. Asstons
Chief Native Commissioner	Mr. G. D. A. Wade, O.B.E. (Acting)
Commissioner for Local Government, Lands and Settlements	Mr. J. D. Logan (Acting)
Director of Medical and Sanitary Services	Hon. Dr. J. L. Gikis, M.B.
Director of Agriculture	Hon. A. Holm, C.B.E.
Director of Education	Hon. E. E. Biss, (Acting)
General Manager, Kenya Railways and Harbours	Brig. Gen. the Hon. G. D. Rhodes, C.B.E., D.S.O.
Director of Public Works	Hon. H. L. Sikes
Commissioner of Customs	Hon. G. Walsh, C.B.E.

NOMINATED OFFICIAL MEMBERS

Mr. T. Fitzgerald, O.B.E.	Postmaster General
Mr. T. D. N. Bruce	Solicitor General
Col. the Hon. R. Wilkinson, D.S.O.	Officer Commanding Northern Brigade, King's African Rifles
Lt. Col. the Hon. G. F. Watkins, C.B.E., D.S.O.	Provincial Commissioner, Nairobi
Sgt. the Hon. H. H. Brassey-Edwards, M.C.	Chief Veterinary Officer
Mr. J. W. Deak	Provincial Commissioner, Masai
Hon. T. A. Peck, J.P., (1)	Provincial Commissioner, Coast
Mr. C. Gilbert	Surveyor General
Mr. J. Welby, (3)	Acting Provincial Commissioner, Rift Valley

SUPPORT AND FIELD MEMBERS

Lt. Hon. Lord Delamere, K.C.M.G.	Rift Valley
Hon. Conway Harvey	Lake
Hon. T. J. O. Shea	Plateau South
Lt. Col. the Hon. Lord Francis Scott, M.S.O.	Ukamba
Major the Hon. R. W. B. Robertson-Eustace, D.S.O.	Coast
Lt. Col. the Hon. G. G. Durman, D.S.O., J.P.	Rikuyu
Lt. Col. the Hon. J. G. Kirkwood, C.M.G., D.S.O.	Plateau North
Capt. the Hon. H. F. Ward	Nairobi North
Hon. F. A. Bomister	Mombasa
Capt. the Hon. J. L. Cotter, M.C.	Kenya
Col. the Hon. W. K. Tucker, C.B.E., D.D. (Acting) (4)	Nairobi South

INDIAN ELECTED MEMBERS:

Hon. Hakim Singh
Hon. Dhanwant Singh
Hon. Abdul Wahid
Hon. Dr. A. U. Sheth
(1 seat vacant)

ARAB ELECTED MEMBER:

Hon. Sheikh Abdulla bin Sallam

NOMINATED MEMBER REPRESENTING THE INTERESTS OF THE NATIVE COMMUNITY:

Rev. Canon the Hon. H. Leakey (5)

ACTING CLERK OF THE LEGISLATIVE COUNCIL:

Mr. G. Beresford Stooke

(1) Nominated Member representing the interests of the Arab Community.
(2) Temporary Member in place of Mr. E. B. Horns, O.B.E.
(3) " " " " " " Mr. H. R. Montgomerie
(4) " " " " " " Capt. H. E. Schwartz
(5) " " " " " " Rev. Canon G. Burns, O.B.E.

R.S.S. AHS

GENERAL INFORMATION
E. HENNINGSEN
ALWAYS WITH COPY
OF THIS RECORD

COLONY AND PROTECTORATE OF KENYA

EXECUTIVE COUNCIL.

November, 1931.

HIS EXCELLENCY THE GOVERNOR, Sir Joseph Aloysius Byrne,
K.C.M.G., K.B.E., C.B.

EX-OFFICIO MEMBERS:

- Colonial Secretary. Hon. R. T. Martin, C.B.E. (acting).
- Attorney General. Hon. A.D.A. MacGregor, K.C.
- Treasurer. Hon. H. H. Rushton.
- Chief Native Commissioner. Hon. A. de V. Wade, O.B.E. (acting).
- Commissioner for Local Govt., Lands & Settlement. Hon. W. E. Logan (acting).
- Director of Medical and Sanitary Services. Hon. Dr. J. L. Gilke.
- Director of Agriculture. Hon. Alex. Holm.
- Director of Education. Hon. E. S. Biss (acting).

UNOFFICIAL MEMBERS.

- Right Hon. Lord Dalmeida, K.C.S.G.
- Lt. Col. the Hon. W. E. Tucker, C.B.E., T.D. (acting).
- Rev. Canon the Hon. H. Leakey (acting).

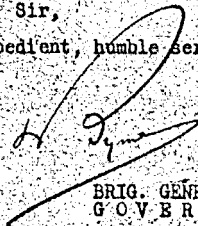
para 2, above, no validating Ordinance is necessary, and I should in any event strongly deprecate the introduction of such a measure at the present time, and should you hold the view that a validating Ordinance is, in fact, necessary to regulate the position, then I would suggest that the necessary legislation should be deferred until Council meets next year.

6. In the meantime I have instructed Mr. Field Jones not to attend further meetings of Legislative Council until I issue further instructions after the receipt of your reply to this despatch.

I have the honour to be,

Sir,

Your most obedient, humble servant,



BRIG. GENERAL.
GOVERNOR.

C. O.

X 17003 Kenya 24
31 Kenya 15

Mr. Howell = 2/1/31

X Mr. Roberts Gray 25.7.

X Mr. Parkinson 26.7.31

Mr. Tomlinson.

X Sir C. Bottomley 27/8

Sir J. Shuckburgh.

Sir G. Grindie.

Parli. U.S. of S.

Party U.S. of S.

Secretary of State.

31 July 1931

DRAFT.

Kenya

Conf Secret (2)

Mr. Byrne

No 13

ref to the second part of your
dep No 315 of the 25 June

reporting that you had provisionally
appointed Mr. L. A. Stale Jones

as a ^{Special} Nominated Member of
the Legislative Council to

represent the Arab community
in the United

Kingdom of the 10th Dec 1922

the Nominated Official Member of the
Council may be appointed by you,

(a) definitively on the receipt of
H.M.'s instructions through the S.O.S.
under the provisions of Clause XXII,

or (b) provisionally and subject to
H.M.'s confirmation or disallowance

2 afts

14/76

C. O.

C. D.
A. 27 JUL
1931

Mr. Eastwood
Mr. Howell
Mr. Gray Roberts
Mr. Parkinson

DOWNING STREET.

31 July 1931

Sir C. Balfour
Sir J. Shackburgh
Sir G. Grindle
Parly. U.S. of S.
Parly. U.S. of S.
Secretary of State

Sir,

I have, etc., to acknowledge the receipt of your despatch No. 315 of the 8th June, and to inform you that His Majesty the King has been pleased to confirm the provisional appointment of the following gentlemen to be Temporarily Nominated Official Members of the Legislative Council of Kenya:-

- Major D.R. Guild, D.S.O.
- Mr. T.D. Butler,
- Mr. C.E. Gilbert,
- Mr. H.R.E.B. Welby.

I have also to convey to you the instructions of His Majesty for the definitive appointment of Mr. H.L. Field-Jones to be a Nominated Official Member of the Legislative Council to represent the Arab community, with effect from the 31st May, 1931.

(Signed) PASSFIELD.
I have, etc.

DRAFT

KENYA

No. 552

Kenya

to convey the definitive appointment

(see Symp. 624 h.v.)

27/3



KENYA,
No. 3/5

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
6 JUL 1951
OFFICE

8th June, 1951.

My Lord,

With reference to Your Lordship's despatches Nos. 277 of 24th April, 1951, and 300 of the 6th May, 1951, I have the honour to inform Your Lordship that, in accordance with the terms of Article XXI of the Instructions passed under the Royal Sign Manual and Signet dated the 11th day of September, 1920, I have provisionally appointed the following gentlemen to be temporarily Nominated Official Members of the Legislative Council.

Major J. R. Guild, D.S.O., in place of Col. R. Wilkinson, D.S.O., now absent from the Colony on leave;

Mr. T. D. Butler, in place of Mr. E. B. Home, now absent from the Colony on leave;

Mr. C. O. Gilbert, in place of Mr. G. E. Deck, now absent from the Colony on leave;

Mr. H. R. E. B. Welby, in place of Mr. H. P. Montgomery, now absent from the Colony on leave.

2. With reference to my despatch No. 204 of the 16th April, 1951, I have (provisionally) appointed Mr. L. A. Field-Jones, Provincial Commissioner, Coast, to be a Nominated-Official Member of the Legislative Council.

THE RIGHT HONOURABLE LORD PASSFIELD, P.C.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, W.C.2.

NCS
1951 JUL 27
532
Handwritten notes and stamps on the left margin.

COLONY AND PROTECTORATE OF KENYA

LIST OF MEMBERS OF LEGISLATIVE COUNCIL

June, 1931

PRESIDENT:

His Excellency Sir Joseph Alvaus Byrne, K.C.M.G., K.B.E., C.B. (Governor)

EX-OFFICIO MEMBERS:

Financial Secretary.	Hon. H. M. H. Moore, C.M.G.
Attorney General.	Hon. A. D. A. MacGregor, K.C.
Procurator.	Hon. H. W. Rushton.
Chief African Commissioner.	Hon. A. de Z. Wade, O.B.E. (Acting)
Commissioner of Lands, Government Lands and Settlement.	Hon. H. J. Martin, L.B.E.
Director of Medical and Sanitary Services.	
Director of Agriculture.	
Director of Education.	
General Manager, Kenya and Uganda Railways and Harbours.	
Director of Public Works.	
Commissioner of Customs.	

NOMINATED OFFICIAL MEMBERS:

Hon. T. Fitzgerald, O.B.E.	Postmaster General.
Hon. J. D. H. Bruce.	Solicitor General.
Lt. Col. the Hon. C. F. Watkins, C.B.E., D.S.O.	Provincial Commissioner, Mzola.
Major the Hon. R. H. Brassier Edwards.	Chief Veterinary Officer.
Major the Hon. J. R. Guild, D.S.O. (D.F.)	Acting Officer Commanding Northern Brigade, King's African Rifles.
Hon. T. D. Miller (2).	Acting Provincial Commissioner, Masai.
Hon. S. C. Gilbert (3).	Surveyor General.
Hon. M. A. Fildes-Jones (4).	Acting Provincial Commissioner, Coast.
Hon. H. R. B. E. Vesby (5).	Acting Provincial Commissioner, Rift Valley.

EUROPEAN ELECTED MEMBERS:

Hon. Hon. Lord Delamere, K.C.M.G.	Rift Valley.
Hon. Conway Harvey.	Lake.
Hon. T. J. O. Shea.	Plateau South.
Major the Hon. R. W. B. Robertson-Eustace, D.S.O.	Coast.
Lt. Col. the Hon. J. G. Kirkwood, G.M.G., D.S.O.	Plateau North.
Lt. Col. the Hon. C. G. Durham, D.S.O., J.P.	Kikuyu.
Capt. the Hon. H. F. Ward.	Nairobi North.
Hon. F. A. Bemister.	
Capt. the Hon. J. L. Collier.	
Hon. W. C. Mitchell (Acting).	
Hon. F. O. B. Wilson, D.S.O.	

INDIAN ELECTED MEMBERS:

Hon. Harn Singh
 Hon. Dhanwant Singh.
 Hon. Abdul Wahid.
 Hon. K. D. Joshi.
 Hon. Dr. A. U. Shah.

ARAB ELECTED MEMBER:

Hon. Sheriff Abdulla bin Salim

NOMINATED MEMBER REPRESENTING THE INTERESTS OF THE AFRICAN COMMUNITY:

REV. CANON the Hon. G. Burns, O.B.E. (cc)

ACTING CLERK OF THE LEGISLATIVE COUNCIL:

Mr. W. Heresford Stooke

- (1) Temporary Member, in place of Col. R. Wilkinson, D.S.O.
- (2) " " " " " " " " Mr. E. B. Horne, O.B.E.
- (3) " " " " " " " " Mr. S. F. Deck.
- (4) Nominated " representing the interests of the Arab Community.
- (5) Temporary " in place of Mr. H. R. Montgomery.
- (6) " " " " " " Capt. H. L. Schwartz.
- (7) " " " " " " Lt. Col. Lord Francis Scott, D.S.O.

17003/31. Kenya.

A.C.C.P. 21.5.31

Sir C. Bottomley 21.5.31

S.H.W. 22.5.31 at once.

17003/31

PARAPHRASE

TELEGRAM from the Secretary of State for the Colonies to the Governor of Kenya.

(Sent 3.40 p.m. 22nd May, 1931)

No. 170. Secret.

Your despatch No. 204 Arab representation. I see

(11) your difficulty but I am very loth to agree to substitution of a European for an Arab as the nominated official member to represent Arab community's interests. I have no particulars of the Arab officials from whom you would have to choose but I cannot help feeling that politically it would be wiserto nominate an Arab official even though none possesses all the qualifications which you would desire.

However, if you are satisfied that no such appointment is practicable it might be possible to explain the appointment of a European as a temporary measure pending consideration of the selection of an Arab official who could fill suitably the place of a predecessor of so much distinction.

conson.

Dr. Shiels and Sec. of State to see this file on return. S.H.W.

the Arab community has the power to elect a representative to the nominated representative, and the community of representing itself at the polls.

4. In these circumstances, the proposal I submit to your Lordship is that the officer holding the post of Provincial Commissioner, Kuwait, be specially appointed to represent the interests of the Arab Community, and if that officer does not hold a substantive appointment as a nominated official member, that he be temporarily appointed.

5. The present Provincial Commissioner, Kuwait, is Mr. Montgomery, who has already been recommended for appointment in my despatch No. 138 of the 10th March, 1931. This officer will, however, be leaving the Colony on furlough in May and will be relieved by Mr. H. A. Reid Jones whom I recommend accordingly for temporary appointment as a nominated official member of the Legislative Council to represent Arab interests.

Yours faithfully,

Robert B. Murray, Secretary

Chief Secretary

GOVERNMENT

2.

5. Lt. Col. O.F. Watkins, C.B.E., D.S.O., Provincial Commissioner, approval of whose definitive appointment was conveyed in Your Lordship's despatch No. 665 of the 5th November, 1920.

6. Mr. E.B. Horns, B.A., Provincial Commissioner, whose provisional appointment to be temporarily a Nominated Official Member of the Council was confirmed in Mr. Abery's despatch No. 325 of the 8th Feb., 1929.

7. Major W.H. Brassey-Edwards, Chief Veterinary Officer, whose provisional appointment to be temporarily a Nominated Official Member of the Council was approved in Your Lordship's despatch No. 674 of the 26th August, 1929.

8. Mr. S.F. Dock, Provincial Commissioner, who on two occasions sat as a Temporary Nominated Official Member of the last Legislative Council, see Mr. Abery's despatch No. 623 of the 24th August, 1928, and Your Lordship's despatch No. 674 of the 26th August, 1929.

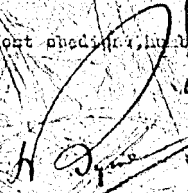
2. I have the honour to submit the names of the above officers for definitive appointment as Nominated Members of the Legislative Council and to request that His Majesty's pleasure may be ascertained.

3. I will communicate with Your Lordship at a later date in regard to the appointment of a Nominated Official Member to represent the interests of the Arab Community and/

And of a Nominated Unofficial Member to represent the
interests of the African community.

I have the honor to

Your Lordship's most obedient servant



Brigadier General,
GOVERNOR

PASSPORT

red in the l
correspondence
Wilkinson
h. g. ac.