

1923
1923

KENYA

CO
705
FEB 23

WELLYN, J.P.

DATE
20TH JANUARY 1923

CIRCULATION :-

- Mr.
- Mr.
- Mr.
- Mr. Grindle
- Mr H. Lambert
- Mr H. Read
- Mr J. Masterton Smith
- Mr. Wood
- Mr. Churchill

SUBJECT

POSITION OF INDIANS
& DISPOSAL OF HIS LAND

Requests interview on subject.

Previous Paper

L
10991
22

MINUTES
WITHIN

Mr. Wellyn.
Please see papers attached.
Mr. Wellyn's further comments
sympathetic, but do not at a time of
vacuum, appreciate his hesitation.
At end of draft.
 C.C.H. 12.2.23.

Amesd. 31 Jan 23
4 in amed. 1 Aug. 23
5 in amed. 9 Feb. 1923
x 5 in amed. 12 Feb. 1923
Copy to copy conf 26 Dec 23

Subsequent Paper

L
5914

Mr. Stephenson

172

We know nothing of Mr. J.B. Llewellyn personally beyond what is stated in the letter from Mr. R. Wynne attached to 15291/12. He is certainly a good fellow from what one can judge from interviews.

The position with regard to his land is outlined in the minute in 8196/22. He borrowed money in order to buy land near Nairobi which, under the proposals for residential segregation, would have been of great value as an Indian Township; that ~~is~~ ^{was} before the residential segregation proposals had been definitely formulated and five years before the Indians heard anything about the proposals. It is not, however, material to enquire how Mr. Llewellyn got such early information of what was in the wind.

Owing, first, to the war and then to the general Indian controversy, nothing has been done to give effect to these proposals, and according to the latest plans for settling the Indian question, residential segregation will be dropped. A year ago Mr. Llewellyn's creditors were apparently on the point of foreclosing; but it would seem that they have not done so yet.

Mr. Llewellyn's first proposal was that the Kenya Government should give him land in exchange for part of this town land, so that by selling the new land he would obtain funds for clearing

his

his debt and developing the remainder of the Nairobi plot.

Sir E. Northey was unable to agree.

When the matter came up again last November, we asked the new Governor to give further consideration to the matter because owing to the uncertainty as to residential segregation he could not dispose of the land to anyone. We have not yet had a reply.

In this new letter, Mr. Llewellyn suggests that a superior Indian township such as he could supply gives the solution to the segregation difficulty; if the better class Indian could live in such an area he would not want to live in the areas affected by Europeans. This is a new light on the question and I should be glad to believe that we had so easy a way out of our segregation difficulty but what the Indians claim is the right to live among Europeans, and the attempt to coax them into a different area would I feel sure be rejected simply because their objection to residential segregation is more sentimental than real.

If Mr. Llewellyn could hang on for a year or two, after the political settlement is effected, I daresay he would, at all events, clear his loss; but I am unable to advise that an individual speculator should be saved from the consequences of our political difficulties, and although a copy of this letter also might be sent out to the Governor for his consideration, I do not see that we can give the Governor any lead

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lead

lead in the matter.

173

I may add that Mr. Llewellyn telephoned to me a week ago to ask how the Indian settlement stood. I said that I could give him no information; but on his pressing me I told him that I did not think that the decision on residential segregation would be favourable to his schemes.

W. C. S.
30.1.23

Is anything known about the matter?

D. 29. 1

174

TELEPHONE
MUSEUM 2390

NUMBER TWO
100, GREAT PORTLAND STREET,
LONDON, W. 1.

From
The Duke of Devonshire

to
Lord Duke.



The Indian Question in Kenya Colony
has become an extreme financial difficulty
in regard to my property out there & though
I have written on several occasions to the
Colonial Office and the Governor of the Colony
nothing has been done.

Might I ask you to be good enough
to consider the following matters and if
possible grant me an interview to discuss them
with you.

I have spent some years in the Colony
and what I contend would go a long way
towards relieving the present difficulties out there,
namely:- land laid out as a model Indian
settlement & the only suitable land for such
a purpose near Nairobi.

NUMBER TWO
100, GREAT PORTLAND STREET,
LONDON, W. 1.

My contention with regard to knowledge of
township property, is based on the experience
gained on the Duke of Rutland's property
at Babewell + Ilkerton under Mr. Pagnifallows,
certain further experience gained in South
also + abroad.

The reasons I have for believing it would
a certain extent relieve the present difficulties
are many, a few of which are as follows.

1. No steps have ever been taken to
degrade the high class Indian from the superior
class in residential areas + the question has
been attacked in the wrong manner of
degradation of whites from whites instead
degradation of whites + high class Indians from
low class Indians.

2. No steps have ever been taken to allow

BINDER TWO

100, GREAT PORTLAND STREET.

LONDON, W. 1.

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The reasons I have for believing it would be a certain extent relieve the present difficulties are many, a few of which are as follows.

1. No steps have ever been taken to segregate the high class Indian from the lower class in residential areas + the question has been attacked in the wrong manner of segregation of Asiatics from Whites instead segregation of Whites + high class Indians from low class Indians.

2. No steps have ever been taken to allow

W. H. R. MUSEUM 2200

Box 200
100, GREAT PORTLAND STREET,
LONDON, W.1.

Indians to prove, in suitable surroundings, if they are capable of municipal control + progressive health arrangements.

3. If a suitable portion of land is set aside as a residential area for Indians attractively developed with roads, avenues etc in which classes can be confined to separate areas by means of building lines (demanding the erection of houses of a particular nature in respective areas) - then the Indian would be keen to live in that area where he could be given municipal control, + give expression to his ideas of development.

4. The Indian out in Kenya who is educated has some justification in complaint since nothing has been done for him + he is treated practically speaking on a par

Box 20
 100, GARRICK FOOTPATH STREET,
 LONDON, W. 1.

with his own sweeps: If he saw that his interests were being studied at all, & his requirement catered for, he would be inclined to forego his successive claims.

I am prepared to put this property at the disposal of the Government either in Exchange for other property or for a very reasonable sum of money.

The present uncertainty of the Indian situation in Kenya precludes me from raising the necessary finance to pay my liabilities & I am being considerably harassed with regard to the matter.

The local authorities on these matters naturally consider my proposition is conceived entirely for financial gain & I believe do not give it the far-sighted & logical consideration it deserves; besides which, I think they are not over anxious to sink any money in

Boxer Two
 120, GARDEN PORTLAND STREET,
 LONDON, W.1.

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Box 100
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

The development of such a purely Indian proposition regardless of the fact that any relief to the present unfortunate position may have the most immense effect on the future amicable relations between England and India

Please accept my apology for the length of this letter and

Believe me
 My loyal Duke

Your sincere most obedient servant

J. B. Kennedy

I should be grateful for the opportunity of explaining the matter more fully in person.

TELEPHONE
MUSEUM 2200.

Box 700
100, 101, 102, 103 STREET,
LONDON, E.C. 1.

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31st January, 1923

Dear Sir,

The Duke of Devonshire desires me to acknowledge the receipt of your letter of the 28th January and to say that the matter has received his careful consideration. He proposes to send a copy of your letter to the Governor of Kenya for consideration; and in the meantime he does not feel that any useful purpose would be served by an interview on the subject.

Yours faithfully,

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EA
written
1/31

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Yours faithfully,

Edm

Llewellyn, Esq.

1st February, 1923

Dear Sir,

Since you rang me up this morning I have made further enquiries and I find that there is no trace here of any undertaking ^(of the kind you mentioned to me) having been given to you by Sir Edward Northey. The whole question of your claim was referred to Sir Edward when he was still Governor of Kenya and as you know he advised the Secretary of State in an adverse sense. This gives rise to a strong presumption that there was some misunderstanding on your part, as if Sir Edward had given you an undertaking this would certainly have been a factor in the view which he formed on the case.

A further despatch on the subject was sent to the present Governor towards the end of last year and pending the receipt of a reply to this I do not think any purpose would be served by your seeing the Secretary of State.

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Mr. Llewellyn telephoned to say that he thinks Mr. Marryat has misunderstood his letter. Mr. L. was referring to the Government - not to the Governor.

Lord Elgin and Lord Milner both declared a certain policy regarding East Africa and the Government in 1913 sent out Professor Simpson on the subject of ^{Sanitation} Education and ^{it was} on his recommendation to the Government that Mr. L. bought his land. The Government is not prepared to confirm the policy declared by Lord Milner and sent out Prof. Simpson.

Mr. Bottonby

Mr. Llewellyn rang me up when I was out of the room, and the above message was taken down. It is quite certain that he did say that he had an undertaking from Sir E. Northey.

I don't think I need take any notice

Em
3/2

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3/2

TELEPHONE
MUSEUM 2290.

NUMBER TWO
106, GREAT PORTLAND STREET,
LONDON, W.1.

7th February, 1923.

E. Marsh, Esq.,
Colonial Office, S. W. 1.

Dear Sir,

I have to acknowledge the receipt of your letter dated 1st instant.

I am afraid you misunderstood me on the telephone with reference to the "undertaking". You probably thought I said "Governor" when I actually said "Government". I referred to the declarations of policy made by Lord Elgin and Lord Milner and the further recommendations of the Government expert, Professor Simpson.

You may have read a memorandum on the Indian question dated September, 1921, unanimously approved by the unofficial members of the Legislative Council and the Convention of Associations of Kenya, in which it is pointed out that should the Government change its previously declared policy it will break a solemn pledge given to the European (not only British) colonists in Kenya. If you have not seen the memorandum I shall be pleased to show it to you

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TELEPHONE.
MUSEUM 2289.

NUMBER TWO
108, GREAT PORTLAND STREET,
LONDON, W. 1.

- 2 -

as it very clearly explains the attitude we Europeans who have lived long in that country adopt towards the Indian question.

My reason for wishing to see the Secretary of State was not so much to ask him to do anything in my particular case as to ask whether there was any chance of the Government being unable to confirm the policy which previous Secretaries of State have declared. By this I mean will the Indians round about Nairobi be allowed to live where they like or will they only be allowed to reside in specially reserved areas?

Might I ask you to treat this matter as urgent?

I beg to remain,
Yours very truly,

J. B. Kilwally

TELEPHONE
MUSEUM 2299

NUMBER TWO
102, GREAT PORTLAND STREET,
LONDON, W.1.

- 2 -

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Might I ask you to treat this matter as urgent?

I beg to remain,
Yours very truly,

H. H. K. W. J.

9th February, 1923

Dear Sir,

I have your letter of the 7th, and I am sorry if I misunderstood our telephone conversation, in which I certainly thought you had mentioned Sir R. Borthey by name, telling me that you had gone through the plans of the proposed settlement with him, and that he had committed himself to the scheme.

I am afraid it is quite impossible for the Secretary of State to see you at the present time about the Indian question, but with regard to the special point which you mention I can say that there is at present no intention to reverse the policy of replacing the residential segregation of Indians by a system of building and sanitary regulations.

Yours faithfully,

E. M.

P. Lewellyn, Esq.

NUMBER TWO
108, GREAT PORTLAND STREET,
LONDON, W.1.

11.2.23.

Mr. Marsh, Esq.
Colonial Office, S.W.1.

Dear Sir,

I have to acknowledge with thanks the receipt of your letter dated the 9th inst.

I regret that I am not quite clear as to the meaning of your last paragraph.

Do you mean that there is a policy which is to cancel the old policy of segregation of Indians; and that certain building and sanitary regulations will be the only bar to Indians living in what is now the European residential quarter.

If the above is correct, would you kindly let me know if the policy is definite and final, and when it will be put into operation for certain.

For personal reasons the matter is of the utmost importance and urgency, and I shall be very grateful if you will reply at your earliest convenience.

Yours faithfully,

J. B. Hurley

NUMBER TWO
100, GREAT PORTLAND STREET,
LONDON, W.1.

11.2.23.

LEPFORE.
TELEGRAM 2299.
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Colonial Office, S.W.1.

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Yours faithfully,

J. B. Hurley

5703

[Handwritten initials]

12 Feb. 1923

DRAFT.

[Handwritten name]

I have your letter of the 11th of January; when I referred you

in my letter of the 9th that there is at present no intention of to

reverse the policy of replacing the residential population by a system of building and sanitary regulations

I was amplifying, for your guidance

what I understood his Excellency had told you when you telephoned

to him in January - that he did not think that the decision on residential regulations would be favourable to your scheme.

It is impossible for me to say

MINUTE.

Mr. *[Handwritten name]*

Mr. *[Handwritten name]*

Mr.

Mr. Davis.

Sir G. Grindle.

Sir H. Rend.

Sir J. Masterton Smith.

Mr. Ormsby Gore.

... of Devonshire.

[Vertical handwritten notes]

5703

12 Feb. 1923

For Mr. Harding.

Amount
570/4

To:

DRAFT.

Mr. Harding

I have your letter of the 11th of
January, when I informed you
in my letter of the 9th that there
is at present no intention of
reversing the policy of replacing the
residential exemption by a system
of building and sanitary regulations.

MINUTE.

- Mr. Harding 12/2/23
- Mr. Harok 12/2/23
- Mr. Davis
- Mr. G. Grindle
- Mr. H. Read
- Mr. J. Masterton Smith
- Mr. Ormsby Gore
- ... of Devonshire.

I was amplifying, for your guidance,
what I understood Mr. Pitt-Rivers
had told you when you telephoned
him in January - that he did
not think that the decision on
residential exemption would be
favoured by your scheme.

It is impossible for me to say

Copy of letter to Mr. Harding

that the feeling I mentioned will not
be removed, but I may tell you that
with the communications which we have
had on the discussion, and in papers
in regard to the business question no
suggestion for its reversal has been
made. It may be a long time before
anything more definite can be said,
but we will keep you advised as we can
and we have not told you so much
because we wish to let you know
as clearly as we can where you stand.

Yrs faithfully
(S.A.) E. M.

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