

1921

KENYA

180

52967

25 OCT 11

GOVERNOR
ORTHEY

CIPHER
TEL

DATE

20 October

Recd 3.24 p.m. 23/10

COULATION :-

SUBJECT

LAND SALES

States continued holding up pending general settlement of Indian Policy is causing inconvenience and delaying trade and progress together with loss of revenue from stand premia and rent. Urges Milner policy be acted upon until end of 1922 and requests authority to auction plots without reservation in commercial areas of large towns.

Mr. Grindle
Mr. H. Lambert
Mr. H. Read 25/10/21
Sir Basil Smith 25.10.
Mr. Wood 25.10.
Mr. Churchill 3.10

Previous Paper

MINUTES

oag
52058
mms
S. H. M. J. D. S. (Notes)

Sir E. Read.

The "Milner policy" so far as it relates to land and townships, was as follows:

- (1) Separate areas for occupation by Europeans and Asiatics in residential, and whenever practicable, in commercial areas.
- (2) Acquisition of land by Europeans in the Asiatic area and vice versa to be forbidden whether by direct Government action or by transfer between individuals.

The ^{Secret} instructions sent to Sir E. Northey for his guidance in endeavouring to obtain a settlement were as follows:-

- (1) No commercial segregation.
- (2) No residential segregation for persons on the common electoral roll; i.e. better class Indians can live where they like, but the lower would be excluded from the European quarter.

The Governor now proposes -

- (1) Sale without reservation in the commercial areas of large towns.

Subsequent Paper

52523

(2) In other respects, and

~~principally~~ in the case of new townships,
the adoption of the "Miner policy"

In the first place, as the
Secretary of State has definitely ruled
that there should be no commercial
segregation, I do not think it possible
to confine sale of commercial areas without
reservation to the large towns.

Apart from this, it is obvious
that any sale of Crown land, without a
limitation as to bidding, will put us
back into the agitation which we have had
for the last 2 years, and I should have
thought it would have fatally prejudiced
the Governor's attempt to obtain a
settlement by agreement. If we are to
obtain a settlement, we cannot afford to
behold that we are pre-judging the
result.

If, on the other hand, the
miner is told that, until a settlement
is achieved, all sales of Government land
in townships which are considered to be
necessary must be made without reservation,
we shall, no doubt, to some extent be
pre-judging the issue in the other
direction. This is the smaller of the
two evils. If the European is unwilling
to bid for land on the Government
residential sites because of his fear of
having an Indian on the next plot he will
prefer to take up one of the private plots
referred to in the second paragraph of the
telegram.

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE

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primarily in the case of new townships,
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having an Indian on the next plot he will
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referred to in the second paragraph of the
Memorandum.

M. Parag...

telegram. The Government will to that extent lose the advantage of competitions, but, at all events, the European will not be forced into an environment which he does not like. I think the Governor should be told that there can be no reservation of the commercial areas even ⁱⁿ small townships, and that, as regards the residential areas, it would seem better, from the point of view of securing a settlement of the Indian problem, to defer action for the few months which should be all that is necessary, ^{but} so that, if he considers it essential to hold sales of residential plots now, it can only be on the basis of no reservation.

25/10/10

H. J. J. J.
25/10/10

H. J. J. J.
25/10/10

Unlabeled

If there is seen a remote chance of Sir S. Nesbitt, following a settlement, is joined, as Mr. Botley says, to effectively destroy a mission as his mission to the practice of sale with inclusion of bidding by Indians

I think the course suggested at A above the only possible one

25/10/10

Secretary of State.

Land Sales in Kenya.

Since you spoke to me about this question, I have given it further consideration in the light of your general direction that the present policy should hold the field until a new policy has been substituted.

The policy that technically holds the field is the "Milner" policy, which laid down Segregation between Europeans and Asiatics in residential and (whenever practical) in commercial areas also. This applied equally to occupation, as well as to acquisition of land.

Although no new policy has yet been substituted, your secret instructions sent to Sir Edward Northey recently for his guidance in endeavouring to obtain a settlement, embody a change in the "Milner" policy in favour of the Asiatic, and contemplate no commercial segregation, and no residential segregation for persons on the common electoral roll.

It has hitherto been thought advisable that Sir Edward Northey should "go slow" on the "Milner" policy, until it was known whether Sir Edward Northey had succeeded in evolving the settlement based upon his secret instructions.

that the chances of a settlement
and not in fact likely to be
jeopardised by the action he proposes
to take.

In all the circumstances I
attach for your consideration the
draft of a telegram in reply to the
Governor.

28
1 R.

190

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

(Sent 3.50 p.m. 3rd November, 1921).

3rd November.

Secret. Your cipher telegram Secret of 20th
of October. I assume you have satisfied yourself that
the chances of a general settlement being effected will
not be jeopardized by your request for grant of
authority to auction plots on conditions defined. I
approve on this understanding.

W. S. Marshall

W. S.

52967

phrase.

Telegram. The Governor of Kenya to the Secretary of State
for the Colonies.

Dated 20th October.

(received Colonial Office 3.25 p.m. 23rd October, 1921)

191

October 20th. Secret. The continued holding up until
general settlement of Indian Policy of sale of plots in
townships is causing much inconvenience and delaying trade
and progress.

Townships are being built on private property in
outstations near Government sites which will entail loss
of stand premia and rents as marked sites will not be required.

It is suggested that we act on Milner policy until the end of
1922 and accordingly ask the authority to auction plots in
commercial areas of large towns. I recommend sale without
reservation.

NOT REPLY

52967

phrase.

Telegram. The Governor of Kenya to the Secretary of State
for the Colonies.

Dated 20th October.

Received Colonial Office 3.35 p.m. 23rd October, 1921)

191

October 20th. Secret. The continued holding up until
general settlement of Indian Policy of sale of plots in
townships is causing much inconvenience and delaying trade
and progress.

Townships are being built on private property in
outstations near Government sites which will entail loss
of stand premia and rents as marked sites will be required.
I suggest that we act on former policy until the end of
1922 and accordingly ask for authority to auction plots. In
commercial areas of large towns I recommend sale without
reservation.

MUNICIPAL.

NO. 1471



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

C. O.
59529
1930.21

20th October, 1931

193

Sir,

I have the honour to inform you that I have sanctioned the issue of Special Warrants Nos. 116 and 117 for Florins 241,035.44 and Florins 62,210 respectively.

A. Special Warrant No. 116 represents balance of expenditure of State Provis sanctioned for 1930-31 on works which were not completed in that year but are now completed.

Special Warrant No. 117 represents expenditure upon the 1930-31 programme of State Provis expenditure.

B. The Schedule of works is shown on the enclosed copies of the Special Warrants.

I have the honour to be,

Sir,

Your humble, obedient servant,

GOVERNOR.

THE RIGHT HONOURABLE

WINSTON CHURCHILL, P. C., M. P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W..

1871



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

C O
59529
18. 3. 1921

20th October, 1921

193

Sir,

I have the honour to inform you that I have sanctioned the issue of Special Warrants Nos. 116 and 117 for Florins 241,035.44 and Florins 62,910 respectively.

Special Warrants

A. Special Warrant No. 116 represents balances of expenditure of State Grants sanctioned for 1919-20 on works which were not completed in that year but are now finished.

Special Warrant No. 117 represents expenditure upon the 1920-21 programme of State Grants expenditure.

B. The Schedule of works is shown on the enclosed copies of the Special Warrants.

I have the honour to be,

Sir,

Your humble, obedient servant.

Edward A. Hartley

GOVERNOR.

THE RIGHT HONOURABLE

WINSTON CHURCHILL, P. C., M. P.,

SECRETARY OF STATE FOR THE COLONIES,

BOWLING STREET, LONDON, S. W.,

THE COLONY AND PROTECTORATE OF KENYA 194

1924 SPECIAL WARRANT No. 16

GOVERNOR

23. 11. 1924

THE HONOURABLE TREASURER,

Whereas it has become necessary, in the interests of the Public Services to incur certain liabilities not provided for on the Estimates set forth in the subjoined Schedule, in payment of the expenditure of the Treasury of Kenya.

You are hereby, on my personal responsibility, authorized and directed to pay from the moneys the sum of **£ 100,000-0-0** and every five thousand pounds thereafter up to **£ 200,000-0-0**

in charges on the Funds and Sub-funds of the Government specified in the Schedule.

You are to do this together with the proper Accounts, Certificates, and Acquittances in your sufficient warrant and to be done.

PART	To be charged to		No.
	Head	Sub-head	
1. Salaries and Wages of Officers and Employees of the Government	111	111	111
2. Salaries and Wages of Officers and Employees of the Government	111	111	111
3. Salaries and Wages of Officers and Employees of the Government	111	111	111
4. Salaries and Wages of Officers and Employees of the Government	111	111	111
5. Salaries and Wages of Officers and Employees of the Government	111	111	111
6. Salaries and Wages of Officers and Employees of the Government	111	111	111
7. Salaries and Wages of Officers and Employees of the Government	111	111	111
8. Salaries and Wages of Officers and Employees of the Government	111	111	111
9. Salaries and Wages of Officers and Employees of the Government	111	111	111
10. Salaries and Wages of Officers and Employees of the Government	111	111	111

Signature of the Officer submitting the Schedule for Warrant.

MR. I. A. DUFF, TREASURER.

2024. August, 1924.

to Kenya

59529/21



6 Dec 1921

I have the honor to acknowledge

recd. of your despatch No 11571

of the 20th of October, and to

inform you that I approve of

the issue of Special

Warrants Nos 46 & 17

in connection with

Flam 241,035 per 15 9/10

Handwritten notes on the left side, including "No 11571" and "Bitterley".

Small handwritten notes at the bottom left, including "Nov 2 12 21".

82,910 respectively, as reported.

therein