

1921-22

KENYA

C O
3127

FROM

DATE

GOVERNOR
NORTHEY

CONF
303

13TH DECEMBER 1921

REC'D
DEC 20 1921

TO CIRCULATE

SUBJECT

Mr. Bostwick

LOCAL ALLOWANCE

Mr.
Mr.
Mr.
Mr.
Mr. H. Read

Encloses memorial from European C. S. Assocn praying for reconsideration of decision to reduce from 1st April next. Is considering means for giving effect to instructions in S.O. despatch of 9.11.21.

Mr. Masterton Smith

Previous Paper

20/1649/21

MINUTES

There is nothing new here in the way of arguments and I do not think it is necessary to do more than reply that the points raised are dealt with in our despatch of 5/28/21. I ask that the petitioner may be informed that the S. of C. has received their memorial but that for the reasons given in that despatch he regrets that he is unable to reconsider the matter.

Subsequent Paper

5082

Tang

[See your minute on 1649 as to this being a try on...]

26.1.22

S. R. Longden as speaker of the Uganda protest, but

YA.
303.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

3127
18th December, 1921

CONFIDENTIAL.

Sir,

With reference to your telegram of the 14th December, on the subject of the reduction of the local allowance as from 1st April next, I have the honour to transmit herewith, in response to the request of the petitioners, a memorial from the European (S.E.A.) Civil Servants Association praying for reconsideration of the decision that has been taken in this matter.

1. 11. 1921

835

2. Your Confidential despatch of 28th November 1921, was received simultaneously with the memorial from the Civil Servants Association, and I am at present considering means for giving effect to the instructions contained in paragraph 4 of that despatch.

no other
instructions
them
in
C.A.S.

I have the honour to be,
Sir,

Your humble, obedient servant,

Stewart Wathey

GOVERNOR.

RICHD CHURCHILL
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON, S.W.

a recognition of the relative importance of the Asiatic and the European and of the relative standard of living.

5. The unofficial members of the Legislative Council strongly supported by the Press and public opinion generally whilst in favour of a reduction of the local allowance in the case of the more highly paid grades of the services expressed themselves as being firmly opposed to a reduction in the lower grades at present.

6. Expenses are expended of the effect of the proposed reduction of the local allowance on April 1st next.

(a) A married clerk engaged in January 1910 on the minimum salary of P. 50 per annum would receive

	P. A.	S. P. A.	Total	Rs. or P.
On 1/1/20	190	100	290	4,650
On 1/4/20	310	100	410	4,850
On 1/4/21	320	100	420	4,875
On 1/4/22	320	100	420	4,250

He will thus be drawing 400 fewer coins of smaller purchasing power in April 1st 1922 than in March 1920 in spite of an increase in substantive salary and two increments.

(b) An unmarried District Commissioner on the 1st March 1920 drew 850 P. A. substantive salary plus 40 Duty allowance

	590	Rs. 15/-	= Rs. 885
On 1/4/20	600	Rs. 15/-	= Rs. 900
On 1/4/21	625		
	plus 312/10s.		
On 1/4/22	650		
	plus 162/		

He will thus receive 725 fewer coins in 1922 than in 1920.

No.

3122

31 December 1944

CONFIDENTIAL

I have had a number of meetings with the leading Europeans and Indians, acquainted them confidentially with the terms of your memorandum dated 26th August, and advised them to sign to reach agreement.

On my return here in October, I held meetings with the leading Europeans and Indians, acquainted them confidentially with the terms of your memorandum dated 26th August, and advised them to sign to reach agreement.

3. For some time I hoped that the European Community would accept the proposals to which I did all I could to persuade them to do so, but finally they decided they could not accept them. Their views are set out in their memorandum which I attach and in a copy of a letter addressed to myself (also attached). Their attitude is, prima facie, one of the most definite refusal to accept any compromise; their views will, no doubt, be given you more fully by the deputation (Lord Delamere and Col. Griffiths, C.O.).

4. If you could agree to substitute common franchise for common franchise I think the remaining proposals in your memorandum would be accepted by the Europeans, but cannot persuade them to entertain the idea of any form of common franchise, that is the rock they will stand on.

5. The Indian Community have, under the auspices of the Indian Association, considered the proposals seriatim, and I enclose copy of their letter.....

THE RIGHT HONOURABLE
WINSTON CHURCHILL, P.C., M.P.
SECRETARY OF STATE FOR THE COLONIES.
DOWNING STREET,
LONDON, S.W.

certain percentage, on to the voter's roll. Whatever form of franchise is given, if any, the Kenya Indians being under the thumb of the Political Agitator will vote

the Indian... be given... suggest, one for the Coast... Nairobi, and one for... other electoral areas in Kenya... are at present of sufficient importance to justify representation on the Council. But, in order not to disenfranchise qualified voters, I would divide the whole Colony and Protectorate into the required number of electoral areas, ten European and three Indian, of the latter two, the Coast (including Mombasa), and Nairobi, would each elect two Members. The Indian constituencies would be based on the present European electoral boundaries, but would include two or more of them. European Areas - If at any future time the number of qualified Indian voters justified it, the number of their electoral areas can be increased by subdivision.

10. With regard to an Indian member on the Executive Council, there is one, and only one, in the Country, whom I would recommend that His Majesty be asked to nominate, viz., Mr. Phadke. If he should refuse, or if the Indians object to his nomination, as I think they would, for he is a moderate man, I should not be prepared to suggest another name.

the... Also... Munition... them... wards.

12. I have made this despatch as short as possible, as you have already so much correspondence on the subject; my views are well known to you both from previous despatches and from our recent conversations.

I have the honour to be,

Sir,

Your most obedient servant

C. P. ...

Despatched 29th November 1921.

"Indian Policy. I regret delay in reporting due entirely to length of time taken by Europeans and Indians to consult their constituents. Agreement by compromise has proved impossible. Indian demands as follows: common electoral roll with qualification of £500 capital or £100 annual income and reasonable knowledge reading and writing English. of which half Indians. Executive and Legislative Councils. Laws to remain as they are. Highlights to be made to be retained. to respect. Law of a... of... of... head entirely... ready to give Indians... urge permanent and... Europeans by... the entire... conditions... and... January... is given. Despite... represents very... whole European Community, we wish to represent their case to you after the most careful consideration. I recommend that you postpone decision till you have seen the deputation. But if final decision must be made and announced immediately I advise that Indians be given one nominated seat on Executive Council and five elected....

CONVENTION OF ASSOCIATIONS.

Nairobi, Kenya Colony.
23rd November 1921.

His Excellency Major General
Government
Nairobi

Your Excellency,

We have thought it advisable to answer to the memorandum which you handed us from Mr. Churchill on October 7th in order that there should be no mistake as to the exact wording of our reply and our reasons for it. This takes the form of a statement (A) and a criticism (B) of the general basis of Policy which accompany this letter. We recognise how much you have already done to bring about a favourable issue on this question, and we very much regret that we find it impossible to accept Mr. Churchill's proposals as they stand.

The general basis of policy and the granting to Indians of a "common electoral roll" with Europeans cut away the very foundations on which we feel our future is fixed; and, from the broader Imperial standpoint, are intended to perpetuate the difficulties and dangers they are intended to allay; so that we feel that we should be traitors to our race, and to the civilisation which we represent if we voluntarily accepted such proposals.

The Union of South Africa, the only self-governing Dominion which has tried this policy in practice, has protested against it at the Imperial Conference. To the other self-governing Dominions who, in fact, deny these rights to Asiatics, this question is no longer a living issue; and we submit that they were not in a position to judge the effect of this policy in Africa on the facts before them. To us it seems to show a wanton neglect of the lessons of the past in other Colonies, and to be the certain forerunner of years of political strife.

The policy outlined in Mr. Churchill's memorandum as it stands can have no real finality. It does not, in fact, give the equality which it professes to lay down as the basis of policy, and, therefore, it cannot satisfy the Indians, even though they may accept it as a stepping stone to further concessions. It takes from the Europeans definite political rights which they already possess. It destroys the value of the constitutional changes of the past which forehadged the future of the European community in the future.

We have no objection to Indian community representation in order that they may not regard the interests they hold in the Colonies as a mere concession of political equality with themselves in a position which has been reached from savagery by European initiative and self-sacrifice, and where the great native populations depend entirely on European ideals of Government for justice and advancement in civilisation.

We.....

We cannot seriously believe that His Majesty's Government intends to extend the political chaos in India to Kenya, or will consider enforcing a policy which offends the European community - which, after all, has no real hopes or future except under the Flag - to the open detriment of the disintegration of the Empire. We are sure that Your Excellency will be able to make a whole-hearted appeal to the Government for persons, and

In view of the fact that it is difficult for us to maintain a position in England, and that Your Excellency is no longer able to carry on the negotiations in England which have done so much to alter the attitude of His Majesty's Government, we have decided to despatch a delegation to England to lay our case before Mr. Churchill, and personally to explain to him in detail our objections to the policy which it is intended to introduce, and to press for its modification.

We should be very grateful if Your Excellency would give the delegation the status necessary by a letter to Mr. Churchill, and in this connection we may say that we regard the statement in Mr. Churchill's proposals as an undertaking that no change in the constitution will be made before the end of next year. This being so, we would urge Your Excellency to use your influence to have any decision on the matter delayed until such time as the members of the delegation have reached home, and have had the fullest opportunity of discussing the subject in all its bearings with the Secretary of State for the Colonies.

The delegation is composed of the Right Honourable Lord Delamere and Colonel Griffiths, C.M.G., from this Colony, and may be strengthened by the addition of another member on its arrival in England.

The more detailed criticisms of Mr. Churchill's proposals will be conveyed to him by the members of the delegation personally.

We are,

Your Excellency's obedient servants,

(SGD) DELAMERE.
(SGD) C. WENDELL ARCHER.

2 ENCLOSED.

The Elected Members of the Legislative Council and the Convention of Associations of Kenya have carefully considered the terms proposed for a settlement of the Indian question, contained in a memorandum entitled "Indian Policy in Kenya", which was handed by His Excellency to a meeting of Legislative Councillors, and of Members of the Executive Committee of the Convention of Associations, and of certain delegates of the Convention, called by him at Government House on October 7th last.

Deeply conscious of the heavy burden of responsibility laid upon them by the vital issues at stake, and of the grave consequences which may follow any rash decision, they have brought to their deliberations a very genuine desire to find in these terms some common ground on which to base discussion and to seek compromise on all matters which are not essential to the great principles on which rests British Dominion in Africa.

Nevertheless, after examining in detail every clause of the terms, they are constrained to inform His Excellency that they are driven by the dictates of loyalty to the Crown, and of duty to their countrymen in Africa and to the African native races, to adhere to the previous discussion on this subject, as set out in the resolutions passed by the Convention at its special session in June last, and confirmed at its special session of August last, as the only wise policy, because they are calm and dispassionately convinced that, only by adhering to the policy then advocated, can the honour and safety of the British Government in Eastern and Southern Africa be assured.

2. Moreover, having regard to the widespread denunciations of disloyalty in India, and having regard to repeated agitation attempts by the Indians, who sojourn here, to stir up disaffection amongst the African natives of this Colony by means of a mendacious propaganda, and having regard to the heated and vehement protestations of indignation by these same Indians for the more extreme agitators in India, it is considered that the advantages of adopting clause 2 of the Convention's Policy, viz. the Indian members of the Legislative Council, selected by nomination instead of two Indian members elected on a communal franchise as laid down by Lord Milner's despatch of May 1920, and accepted by Convention as part of the irrevocable minimum, are emphasised; and it is submitted that the trend of events during the last few months makes it more than ever certain that it is neither safe nor wise to entrust a communal franchise to the Indian community of this Colony.

It is feared that in the present state of Indian feeling, the mass upsurge and the few in violent agitation, communal election might result in the return of two extreme politicians, whose presence on the Council would tend to further the interests neither of the Indian community nor of the Colony. On the other hand, by nomination it may be possible to select two Indian councillors from the more stable sections of the Indian community, who would advise the welfare of their compatriots.

3. However the European community of Kenya welcomes further discussion with the Secretary of State for the Colonies, in the belief that the act of putting forward these terms and

the.....

the manner in which they have been put forward are indications that the Imperial Government fully shares Kenya's desire to settle this question on broad lines of Imperial policy. It has therefore been arranged with the approval of His Excellency the Governor that a Delegation proceed immediately to London to put before the Right Honourable the Secretary of State for the Colonies the views of this Colony in more detail than is possible within the compass of a written document.

In view of the fact that the intentions of the Imperial Government may be clearly ascertained in regard to the fundamental objects which it has in view, it is suggested that a discussion may be held in the future on the subject of the proposed policy.

A. The proposed policy is based on the principle of the use of Imperial funds for the purpose of assisting the Colony to develop its own resources and to carry out its own policy. It is suggested that the Government should consider the possibility of all-India arrangements for the purpose of assisting the Colony to develop its own resources and to carry out its own policy. It is suggested that the Government should consider the possibility of all-India arrangements for the purpose of assisting the Colony to develop its own resources and to carry out its own policy.

B. The proposed policy is based on the principle of the use of Imperial funds for the purpose of assisting the Colony to develop its own resources and to carry out its own policy. It is suggested that the Government should consider the possibility of all-India arrangements for the purpose of assisting the Colony to develop its own resources and to carry out its own policy.

(1) The preservation of the integrity of the Colony under European administration with gradual evolution into European self-government; and

(2) The recognition of the rights of the native population to promote the ethical and social development of the Colony in accordance with the Western ideals of civilization, and to secure the best possible conditions for the welfare of the native population.

As evidence of the Government's policy in this regard, reference is made to the resolution passed on October 7th last at Government House, Nairobi, in which the Government declared its intention to carry out the policy of the Convention. It is suggested that the Government should consider the possibility of all-India arrangements for the purpose of assisting the Colony to develop its own resources and to carry out its own policy.

For the same reason the principle of restricted immigration on equal terms for Indians and Europeans contained in clause 4 of the Terms, provided that detailed regulations for its operation are drawn to conform with the two basic objectives set out in paragraph 4, Section B, sub-section 1 and 2 above of this memorandum; and as a step towards the fulfilment of clause 1 of the Convention's policy.

SECRET RECORD OFFICE

"Equal rights for civilised men."

This is one of those political formulas which may mean a great deal or nothing at all, in accordance with the method under which they are administered in practice and which therefore...

The basis of the War is still being disturbed... The so-called "civilised" determination from different points of view... It is not possible to apply the term "civilised man" by any words...

A civilised man in the view of the European community would be one who is capable and desirous of helping the world as a whole to advance along the path of a civilisation based on Western morality and ideals.

Can any Asiatic be so defined or would he accept such a definition? His aspirations and his ideas of civilisation widely diverge from our own, and cannot be blended with them without loss to the ideals of our own civilisation.

The phrase "equal rights for civilised men" presumably includes social as well as political rights. Does this mean that the Imperial Government wishes to encourage inter-marriage and the mixing of the races? This is a policy to which we could never agree, and yet it is the natural outcome of "equal rights for civilised men". Without this, the proposed policy only emphasises the gulf between the races.

The self-governing Dominions which have agreed to this "basis of policy" in theory have always in fact declined this equality to Asiatics. The Union of South Africa which has had practical experience of this policy refused to subscribe to it at the Imperial Conference of 1921.

A satisfactory statutory definition of "civilised man" is in our opinion an impossibility. An arbitrary qualification intended to admit 10% of the Indian population to equal political rights is no solution. Under these circumstances we feel we cannot accept a "basis of policy" which has no real foundation, and which is liable to expansion or contraction at the will of any individual or party who may be temporarily responsible for the government of this Colony at any time. The demand by India for such further alteration in the constitution of Kenya is bound to arise whenever the political position in England is favourable, if only from the very fact that the details of policy indicated in Mr. Churchill's memo would mean that equality which is a direct result of the basis of policy in Kenya.

We believe that these formulae which the policy is to be based on can only lead to political trouble and strife if it is honestly applied, and should be admitted to mean the ultimate basis of the European Dominions and the betrayal of the native races.

If it is not honestly carried out can any one believe that it will allay Indian discontent? We cannot see far enough into the future to determine the ultimate policy of an

Empire....

Empire composed of different races, but we have the practical experience of other Colonies to show us that it is not practicable at present to attempt to mix Asiatics and Europeans on an equal footing in one community.

The Imperial Conference laid this down in 1917, when it enunciated the policy of the inherent right of every community to determine the composition of its own population. This policy undoubtedly meant that the self-governing Colonies and India were to advance side by side as states within the Empire on a friendly footing at certain stages. It was necessary to avoid friction by keeping their respective inhabitants in their own zones by reciprocal control of immigration.

Admittedly this applied at the time only to self-governing states within the Empire, yet it laid down a basis of policy founded on the experience of the past, which was that the efforts of the Imperial Government had succeeded in settling Asiatics in Colonies which were ultimately to be given self-governing rights, and that a modus vivendi had to be found in such time as the future solved the problem. This method was in fact segregation by countries within the Empire.

This system of segregation between the self-governing Colonies and India has so far succeeded, that the delegates of Australia, New Zealand and Canada were able to meet the delegates of India on common ground in England at the Imperial Conference of 1921 and to work in agreement with them.

General Smuts, representing the Union of South Africa, was on the other hand unable to do so, because the causes of friction were still existent in South Africa. This was not because South Africa had given less in the past to Asiatics, but because she had given more. The result of having given so much in the past is that South Africa, in order to apply the segregation policy between East and West within the Empire, is bound to push forward strict control of immigration and to work towards the determination of her own population, which means great temporary friction until she has done so.

This proves to the full the wisdom of the policy of the segregation by countries of the Asiatic and European inhabitants of the Empire. Where this has been done the friction has subsided - the cause of friction still exists where it has not been carried out. The only hope of peace in the near future between East and West within the Empire is to eliminate the causes of friction by carrying out this policy.

India is engaged in a great struggle. It will take some years to determine whether it is capable of self-government. On the one hand, if the experiment it may be justified as a step towards making India a voluntary member of the Empire. On the other hand, if it fails, it will be a permanent member of the British Empire.

But she has still to prove herself, and no valid argument can be presented in favour of her equal political rights with Europeans in Africa who have proved their capacity for self-government over other races for whom the Imperial Government is responsible.

We.....

We feel therefore:-

1. That the experience of the past has proved the impossibility of mixing Europeans and Asiatics in one Colony on any footing which is acceptable to both.
That, therefore, the Imperial Conference has in fact laid down a policy of segregation by countries between East and West by reciprocal control of migration.
at India, not having proved themselves capable of governing themselves, cannot be trusted to govern others.
the policy of segregation laid down by the Imperial Conference should not be prejudicial to the rights which are, in reality a pledge of the government in the future.
2. That the new supplementary policy of the Imperial Conference in 1921 is contrary to the spirit of the policy laid down in 1911. It is applied to countries, which, as in Kenya, have been given any such measure of popular European representation as foreshadowed self-government in the future by the European community.
3. That the introduction of any form of Eastern control in Africa is a real potential danger to the Empire. No one can say with certainty today that India will side with us when the inevitable struggle between East and West takes place, and even if the chance of her not doing so is a small one it is none the less even the slightest risk of throwing Africa on the scale on the wrong side. European Colonial Africa can only strengthen the Empire. Asiatic control over any part of Africa may easily be a source of weakness. The experience of the past is that you cannot have both within the same boundaries without creating that very friction you wish to avoid.
4. That the Imperial Government should not prejudice the future of the African by sharing its burden and responsibility of Government with a race which has, no right, by conquest or by peaceful benefits from except under British protection, to claim itself entitled to rule in Africa. Let the Africans, Africans should share in the government of their own continent in keeping with Imperial policy; and that in the meanwhile they should fill the posts which their capacity allows as surely as their right. European settlement in Central Africa is undoubtedly completely inimical to African advancement. Asiatic settlement is equally detrimentally concrete with African settlement.
5. That the "basis of policy" of Kenya should not be a ridiculous formula, which introduces the troubles of Africa is undergoing now, and which the self-governing Dominions have had to overcome in the past, thereby creating continual friction between India and the other units of the Empire.

The....

The "basis of policy" should be the recognition of the true spirit of the finding of the Imperial Conference of 1917, which was that European and Asiatic cannot live together on any footing of equality within the same boundaries, without creating a friction which is harmful to the Empire.

In the case of Crown Colonies such as Kenya, "equal rights for civilised men" as applied to Asiatics can only keep alive that friction which it is intended to lay to rest, and prejudice the future peaceful political advancement of the country, besides taking from the European community political rights which the past policy of the Empire has led the

Once this is recognized, a fair and equitable policy can be laid down for the Asiatics already legally domiciled in Kenya. Once India is informed that she has to prove her own capacity for self-government, that a demand for rights over other inhabitants of the Empire cannot be considered, and that she must accept this as the unalterable determination of the Imperial Government, the agitation to take part in the Government of Africa will die down, just as the agitation to attack British India in Africa and Canada has faded away.

The past policy of the Imperial Government in attempt to force on European communities political rights for Asiatics has failed; and, besides creating friction within the Empire itself, is to the standing of the Empire in the world a disgrace. The true world policy of England, in close cooperation with the United States of America for the advancement of our British civilization,

The "basis of policy" should be the recognition of the true spirit of the finding of the Imperial Conference of 1917, which was that European and Asiatic cannot live together on any footing of equality within the same boundaries, without creating a friction which is harmful to the Empire.

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The past policy of the Imperial Government in attempt to force on European communities political rights for Asiatics has failed; and, besides creating friction within the Empire itself, is to the standing a hindrance to the true world policy of England, a close cooperation of with the United States of America for the advancement of our mutual civilisation.

EASTERN AFRICA INDIAN NATIONAL CONGRESS.

Standing Committee's Office.
Mombasa. 17th November 1921.

His Excellency,
The Governor of the Colony of Kenya
Kenya Protectorate
Nairobi

Reference is made to the Memorandum of the Indian Community in Kenya, dated 10th November 1921, and to the Special Committee of Enquiry, appointed by the Government to inquire into the position of the Indian community in Kenya, and to report thereon to the Governor. The Committee has the honor to acknowledge the receipt of your letter of the 14th inst., in which you refer to the Memorandum of the Indian Community, and to the Special Committee of Enquiry, and to the report of the Committee, dated 10th November 1921, and to the report of the Committee, dated 10th November 1921, and to the report of the Committee, dated 10th November 1921.

The Committee has the honor to acknowledge the receipt of your letter of the 14th inst., in which you refer to the Memorandum of the Indian Community, and to the Special Committee of Enquiry, and to the report of the Committee, dated 10th November 1921, and to the report of the Committee, dated 10th November 1921, and to the report of the Committee, dated 10th November 1921.

Subject to these qualifications any British subject or protected person, male or female, of the age of 21 would be eligible to vote.

In this connection my Committee is of the opinion that a satisfactory English literacy test, they have taken a view which will give a very large number of otherwise qualified Indians the right to vote. Consequently the Government's only verification being to permit the Government to arrive at a satisfactory settlement.

We beg to suggest the number of constituencies to be 8, and electoral areas should be so arranged that the Members returned should be Europeans and half Indians.

We agree to the new constitution to be introduced at the end of 1922, or the beginning of 1923, when the next general election under the present constitution would have been due in the normal course of events.

It is suggested that the voters already on the register should be qualified to vote as to property and to any other qualification generally proposed in connection with new constituencies.

INDIAN REPRESENTATION IN THE NEW CONSTITUTION.

In the production of the new constitution on the respective associations, five Indian members should be appointed to the Legislative Council, which will be distributed as under:-

- 2 Seats Mombasa.
- 2 " Nairobi.
- 1 " Kisumu.

I would.....

I would here respectfully remind Your Excellency that five seats were actually offered by you at the Round Table Conference.

368

We agree to official majority to be maintained on the Council.

EXECUTIVE COUNCIL. My Committee is of the opinion that the Indian should be appointed to the Executive Council and should be consulted before the appointment in the proposed manner.

IMMIGRATION. The immigration laws should remain as they are at present, as they have worked quite satisfactorily so far. No additional restrictions of any kind should be placed in the way of Indian immigration.

SEGREGATION. My Committee is firmly of the opinion that there should be no commercial or residential segregation. We however, willingly agree that strict sanitation laws may be enforced in commercial and residential areas.

The whole community is firm in the segregation question, and it is absolutely impossible for us to agree to any modification. The terms offered in the proposals allowing the voters to stay where they like, would be strongly resented by the whole community, as starting segregation between Indians and Europeans.

HIGHLANDS. After a very careful consideration and discussion, we have agreed to respect the alleged pledge. We do not object to Crown lands in Highlands to be alienated in the first instance to Europeans only, and lowlands to be alienated in the first instance to Non-European British subjects and protected persons only.

We are convinced that the attempt to maintain the legal restrictions embodied in the Governor's veto, in the Land-Ordinance of 1915, is against the spirit and in violation of the pledge to the Indian community. Therefore we submit that the transfers between British subjects of different races should be open and unretarded by the Governor's veto.

MUNICIPALITIES. We are awaiting details, and we shall communicate decisions on receipt of particulars.

I have the honour to be,
Your most obedient &
humble servant,

(Sgd) J.B. PAUL.

Honorary Secretary.

1100

10



COPY.

EASTERN AFRICA INDIAN NATIONAL CONGRESS.

TELEGRAM.

SECRETARY THE GOVERNOR. NAIROBI.

THE COMMITTEE EASTERN AFRICA INDIAN NATIONAL CONGRESS
 DECIDED FOLLOWING MODIFICATIONS INDIAN POLICY IN KENYA
 *STOP COMMON ELECTORAL ROLL FOR EUROPEANS AND ASIANS STOP
 *QUALIFICATION PROPERTY IN LANDS FIVE HUNDRED POUNDS OR
 *HUNDRED IN ONE AND REASONABLE KNOWLEDGE WRITTEN AND SPOKEN
 *ENGLISH STOP CONSTITUENCIES AGREED SUBJECT TO HALF THE SEATS
 *BEING RESERVED FOR EUROPEANS AND HALF FOR INDIANS STOP E AND
 *F AGREED STOP INDIAN REPRESENTATION AGREED SUBJECT TO FIVE
 *MEMBERS BEING APPOINTED INSTEAD OF FOUR STOP OFFICIAL
 *MAJORITY AGREED STOP INDIAN MEMBER EXECUTIVE COUNCIL AGREED
 *PROVIDED WE ARE CONSULTED BEFORE APPOINTMENT STOP IMMIGRATION
 *LAWS AT PRESENT IN FORCE TO STAND AS THEY HAVE WORKED
 *SATISFACTORILY NO ADDITIONAL RESTRICTIONS TO BE PLACED IN THE
 *WAY OF INDIAN IMMIGRANTS STOP SEGREGATION NO SEGREGATION
 *TOWN WILL BE WILLING TO IMPOSE STRICT SANITATION LAWS STOP
 *RESPECTING THE ALLEGED MURDER CASES WE DO NOT OBJECT
 *CROWN LANDS AND HIGHWAYS TO BE OPEN TO ALL INDIANS
 *TO EUROPEANS ONLY STOP CROWN LANDS OPEN TO ALL INDIANS
 *RESERVE AND CROWN LANDS SUBJECTS BUT WE CAN
 *SHOULD BE OPEN TO ALL INDIANS
 *REGARDING MUNICIPALITIES STOP WRITING LETTER EXPLAINING ABOVE
 *DETAILS.

GENERAL SECRETARY.

EASTERN AFRICA INDIAN NATIONAL CONGRESS.

Standing Committee's Office,
Moroni, 17th September 1921.

Mr.
FC &
help

His Excellency,

The Governor of the Colonies of Kenya
& Kenya Protectorate.

NALOPRITY

Dear Excellency,

INTERIM PROPOSALS.

I beg to confirm my telegram of 16th inst.,
as follows:-

- *REGARDING INTERIM REPRESENTATIONS THE STANDING
- *COMMITTEE HAS AGREED TO ACCEPT AS PROPOSED IN
- *TELEGRAM OF DATE AFTER AGREEMENT ON MAIN
- *PROPOSALS HAS BEEN RECORDED."

I have the honour to be
Your most obedient &
humble servant,

(SGD) J.B. PANDYA.

General Secretary.

Heading.	Mr. Churchill's memorandum suggests.	Views of Kenya Europeans.	Views of Kenya Indians.	Governor's remarks.
Franchise & representation on Legislative Council. <i>150</i>	Common Electoral Roll. Qualifications £1000 Capital or £200 income, & reasonable knowledge of written & spoken English. 8 Electoral areas of which about 3 would be Indians.	There should be as at present, eleven elected Europeans, but only two nominated Indians.	Common Electoral Roll £500 capital or £100 income, with reasonable knowledge of written & spoken English. Twelve constituencies of which half should be European & half Indian.	Election of five Indian Members of Legislative Council on Communal Register. Retention of ten seats by Europeans, the present seventh seat (the seat) to be one of the five Indian seats.
Immigration.	Same qualifications as for Voters Roll.	Restricted as suggested in Mr. Churchill's Memorandum.	Immigration laws to remain as at present.	No alteration.
Executive Council.	1 Indian Member.	No Indian.	1 Indian.	1 Indian.
Land.	To be reserved for Europeans.	To be definitely reserved by Statute for Europeans.	All land available to be held for by Europeans afterwards, unrestricted as to transfer.	To be reserved for Europeans.
Segregation.	Indians to be segregated but residential areas to be separate.	Absolute segregation in Residential Areas.	No segregation of any sort.	Segregation in Residential Areas but not in Commercial Areas of Townships.

Municipal representation and/or discussion between the Indian representatives and the Nairobi Municipal Council. Basis for settlement, division of Town into wards.