

1921

KENYA

612

23840

FROM
INDIA OFFICE

DATE
14th May

Per
No 16

FOR CIRCULATION -

SUBJECT

Mr. Bottomley

INDIANS - SEGREGATION

Mr.

PUBLIC HEALTH BILL

Mr.

Mr. Grindle

Sir H. Lambert

Sir H. Road. 23/5/21

Sir G. Fiddes

Col. Amery

Mr. Churchill

Acknowledges action taken and trans copy
tel to India stating that Bill is being re-
committed with omission of Part 13.

Previous Paper

MINUTES

Gov 23500.

Putley Wed 16.5.21

Mr. Gladstone Bottomley

We have been too busy
with general principles involved
in the Bill in 20206 to refer
it for legal scrutiny.

I shall be glad if you can
now find time to examine
it.

WCA 16.5.21

To Gov Conf 24 May 21

Subsequent Paper

Gov 23913 (Proposed
Indies)

On the basis of the
 Ehrhardt's minutes
 say that there will
 be points for amendment
 of the Ordinance when a
 suitable opportunity
 occurs, and that as the
 meeting can't meet
 to take up to frame
 regulations, a take
 a similar action,
 which go beyond the
 provisions of the Constitution

W.S.
 20 5 24
 Stone

1. The provisions in Part II as
 to quarantine must be amended
 consistently with the International
 San. Conv. 1912 (ratified last
 year). I am inclined to think
 that s. 63(1)(a) + 64(1) should be
 limited to cases falling within
 Art. 21 of the conv. + regulations
 under (g) of s. 73 should not go beyond
 the provisions of Art. 13.

2. S 162 seems unnecessary +
 embarrassing. Reg. of births
 + deaths is dealt with in Ord
 7 of 1904. From the A.F.'s
 Explor. I gather that his
 attention has not been drawn to
 this Ord.

A.L.

I am inclined to think
 that the Commission
 should be asked to
 consider the matter
 and report back to
 the Council.

~~Notes~~
 Treat
 Series 2/21
 14/3/21

For the Secretary of State for India
Public Department
India Office
London, W. 1.
The following reference is made
P. 2946.

INDIA OFFICE

WHITEHALL

LONDON, S.W. 1.



16th May, 1921.

614

Sir,

With reference to your letter of 4th May, No. 20206/21, enclosing copy of the Public Health Bill as passed by the Kenya Legislature, I am directed by Mr. Secretary Montagu to express his acknowledgment of the action taken by Mr. Secretary Churchill in telegraphing instructions to the Governor to recommit the bill with Part XIII omitted for the reasons stated in your letter.

Paraphrase of a telegram sent to the Viceroy is enclosed.

I am, Sir,

Your obedient Servant,

Walton

for Secretary,
Judicial & Public Department.

The Under Secretary of State,
Colonial Office.

INDIA OFFICE,

WHITEHALL,

LONDON, S.W. 1

16 May, 1921.

614

REC
16 MAY 21

Sir,

With reference to your letter of 4th May, No. 20206/21, enclosing copy of the Public Health Bill as passed by the Kenya Legislature, I am directed by Mr. Secretary Montagu to express his acknowledgment of the action taken by Mr. Secretary Churchill in telegraphing instructions to the Governor to recommit the bill with Part XIII omitted for the reasons stated in your letter.

Paraphrase of a telegram sent to the Viceroy is enclosed.

I am, Sir,

Your obedient Servant,

J. Walton

for Secretary,
Judicial & Public Department.

The Under Secretary of State,
Colonial Office.

*From Secretary of State to Viceroy, Commerce Department,
7th May 1921.*

J. & P. 2946/21

P.—2359. Reference Indians in Kenya. Telegraphic instructions were issued on the 29th ultimo to the Governor by the Colonial Office, that the Public Health Bill should be recommitted, omitting segregation clauses, and that his assent might then be given to the Bill so modified. Instructions are intended to avoid any appearance of prejudging the question of segregation while it is being considered.

24 May 1921

2nd

UK

I have to refer to your Compt's
dep. N: 70 of the 26th of March,

DRAFT.

Kenya Compt.
Gov Northey

enclosing copies of The Public Health
Bill, 1921, to which you were
recommitted as

MINUTE.

- Mr. Clerk 21/5/21
- Mr. Parkinson 21/5/21
- Mr. Edwards 23/5
- Mr. Grindle 23/5

authorised to amend on the terms
directed
in my tel. of the 29th of

- Sir H. Lambert.
- Sir H. Road. 23
- Sir G. Fiddes.
- Col. Amery.
- Mr. Churchill.

April and to make the following
in addition to the amendments
of section 51, as directed in
my tel. of the 12th of May,
I have to make the
following amendments on the bill.

In Carson

- (a) The provisions in Part VI as to
quarantine must be administered
consistently with the International Sanitary

Convention 1912, which was ratified in 1920,

and I consider that Section 63(1)(a) and

Section 64(1) SLS. be limited to cases falling

under Article 21 of the Convention, while the

regulations under subsection (g) of Section 73

should not go beyond the purview of Article 13.

Registration of births & deaths is

dealt with in Ord. N° 7 of 1904,

and accordingly Section 62 seems unnecessary

an embarrassment

No.

The above will be points for amendment

of the Ordinance when a suitable

provision occurs and in the meantime care

must be taken not to frame regulations or

take administrative action ^{which goes going} beyond the

provisions of the Convention

DRAFT.

(Signed) WINSTON S. CHURCHILL

MINUTE.

Mr.

Mr.

Mr.

Mr. Grindall

Sir H. Lambert.

Sir H. Road.

Sir G. Fildes.

Col. Amery.

Mr. Churchill.

Convention 1912, which was ratified in 1910,
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Section 64(1) S.D. be limited to cases falling
within Article 21 of the Convention, while the
regulations under subsection (g) of Section 73

should not go beyond the purview of Article 13.

Examination of births & deaths -
dealt with in Ord. N° 7 of 1904,
and accordingly Section 62 seems unnecessary
and embarrassing

The above will be points for amendment
of the Ordinance when a suitable
opportunity occurs and in the meantime care

must be taken not to frame regulations or
take administrative action ^{which goes going} beyond the
provisions of the Convention

DRAFT.

(Signed) WINSTON A. OMBIRWA

MINUTE.

Mr.

Mr.

Mr.

Mr. Orindle.

Sir H. Lambert.

Sir H. Bead.

Sir G. Fiddes.

Col. Amery.

Mr. Churchill.