

1923

KENYA

50704

6 OCT 23

FOR EXAMINATION

THE
24

LAW OFFICERS' BOARD

MEMORANDUM

CERIAL STATUTES, PUBLICATION OF THE LAW OFFICERS' BOARD

Indicates main features of draft Bill to amend Legislative Council (Procedure) Act approved by Executive Council for introduction in Legislative Council, with reasons. Desires of Indian Congress and of Law Commission will be being regarded as well as possible.

S. B. G. 1923

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*Copy to Mr. (Law Dept) 23 Oct 23
1. Draft Bill was 24 Oct 23
Copy to Mr. (Law Dept) - (H.C.)
7 NOV 1923 10/23/23/23*

*20
10/23/23*

The Bill is intended to amend the Legislative Council (Procedure) Act, 1922, in order to bring it into line with the provisions of the Government of India Act, 1919, and to provide for the election of members to the Council by the people of Kenya.

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Telegram from the Governor of Kenya to the Secretary of State for the Colonies. Dated 16th October, 1923.
(Received Colonial Office 6.0 a.m. 17th October, 1923).

1297
No. 207 of 16th October

6
1948
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Your despatch of 9th August 1923 paragraph (a) Draft Bill has been approved by Executive Council. For introduction to the Legislative Council. This Bill amending Legislative Council Ordinance of 1920 as follows Section 3 repealed and provision been made for European members as at present to be elected to represent the present electoral areas ~~without the help of 5 members to~~ represent the interests of the Indian community. The Colony being divided for this purpose into three electoral areas two members to be elected for two of these and one for the third the division to be set out in the schedule attached to the Ordinance for which provision has been made (ii) one member to represent the interests of the Arab community in the whole Colony and Protectorate Section 6 repealed to provide for separate registers for each electoral area. Section 9 Provision added for register of voters of British subjects of Indian descent or decent or Indians the subjects of a territory under the suzerainty or protection of His Majesty and of Arabs New section added for inclusion of above in separate registers of voters. It will be seen that subjects of Indian States under suzerainty or protection of His Majesty are included in the Indian electorate. No property or literary qualification has been included for Indians or Arabs though in referring these proposals to the Indian

Received Colonial Office S.O. No. 170 October, 1923.
1923
No. 507 of 18th October.

Your despatch of 29th August 1923 paragraph 12.
Draft Bill has been approved by Executive Council for
introduction to the Legislative Council this session
amending Legislative Council Ordinance of 1919 as follows
Section 3 repealed and provision made for (a) 11
European members as at present to be elected in rotation
the present electoral system ⁽¹⁹¹⁹⁾ the present system to
represent the interests of the Indian community (b) 11
The Colony being divided for this purpose into three
electoral areas two members to be elected for two of these
and one for the third the division to be set out in
schedules attached to the Ordinance for which draft Bill has
been made (iii) one member to represent the interests of
the Arab community in the whole Colony and (iv) one member
Section 6 repealed to provide for separate representation
each electoral area; Section 9 Provision made for
register of voters of British subjects and of persons
or descent or Indians the subjects of a foreign power
the nationality or protection of His Majesty and of Arabs.
New section added for inclusion of above in registers
registers of voters. It will be seen that subjects of
British Majesty under nationality or protection of His
Majesty are included in the Indian electoral area.
property or inheritance has been included in
Indians or Arabs though in certain cases persons of
Indian

10/10/23

(1)

Indian Congress and the Arab Community the suggestion that ^{read} inability to write and speak one of the recognized languages in common use in the Colony should be a disqualification was put forward for their consideration. A survey being made as to whether this proposal would allow a wide franchise to the Communities. Executive Council in favour of universal suffrage for Indians and Arabs. Amendments and resolutions above mentioned were referred to the Indian Congress who desire to postpone the introduction of the Bill until the Session of the Legislative Council to allow of wider consideration of their Congress which meets in December. I have informed them it is essential to introduce the Bill this session to enable the election to be held February when the term of the present Council expires and I asked them to call special session of the Congress and submit recommendations at the earliest. Comments by the Indian Congress as soon as they are ready and of the Arab Community which are expected at early date will be incorporated earliest.

COPY ENDS

22

TELEGRAPH

POST OFFICE

FRW

TO THE
DIRECTOR
OF THE
BUREAU



very interesting research to have
done especially in the area of
language and culture. It is clear
that the material is of high quality
and the work is very well done.
I would recommend this work to
anyone interested in the subject.
The author has done a great job of
presenting the material in a clear
and concise manner. The research
is of high quality and the work
is very well done.

DECODE

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of a telegram from the Government of *Nyasaland*
RE 17 OCT 23

76th Oct 1923

Received in the Colonial Office at

6.0 AM 17th Oct 23

?294
204 16th October

Your despatch of 9th August 1125 paragraph 1(a) Draft Bill has been approved by Executive Council for introduction to the Legislative Council this Session amending Legislative Council Ordinance of 1919 as follows Section 3 repealed and provision been made for

(1) ^(eleven) 11 European members as at present to be elected to represent the present electoral area without the help of 5 members to represent the interests of the Indian community (ii) ^(two) The Colony being divided for this purpose into three electoral areas two members to be elected for two of these and one for the third the division to be set out in a Schedule attached to the

Ordinances for which provision has
been made. (iii) one member to
represent the interests of the Arab Community
in the whole Colony and Protectorate.
Section 6 repealed to provide for
separate registers for each electoral area.
Section 7 provision added for register
of voters of British Subjects of Indian
origin resident in India the Subjects
of a Country under the suzerainty or
protection of His Majesty and of Arabs.
New Section added for inclusion of
above in separate registers of voters.
It will be seen ~~to know~~ that Subjects
of Indian States under Suzerainty
or protection of H. M. are included in the
Indian electorate. No property or
literary qualification has been included
for Indians or Arabs though in referring
these proposals to the Indian Congress
and the Arab Community the suggestion
that inability to read write and speak
one of the recognised languages in common

Ordinance for which provision has
been made. (iii) One member to
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Section 6 repeated to provide for
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Section 7 amended added for register
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origin resident in India and the Subjects
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protection of His Majesty and of Arabs.
New Section added for inclusion of
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Common use, in the Colony
should be a disqualification
was put forward for their
consideration enquiring being
made as to whether this proposal
would allow a wide franchise
to the Communities (2) Executive
Council in favour of manhood
Suffrage for Indians and
Arabs (3) Amendments and
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Legislative Council to allow
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Congress which meets in
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Governor

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Governor

Handwritten notes at the top of the page, including "The King-Cole" and "25 Oct 37".

27 Oct 1937
DRAFT

Your telegram of 16 Oct. 37

ROUTE

- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]

of course must be to
 have direct view of
 Committee Council as to
 further and/or other
 for their use and
 Committee have been
 communicated to them
 Committee and 190

Vertical handwritten text, possibly a date or reference number, running down the center of the page.

to have been obtained by
the terms of the contract
which provided that the
to be returned

DRAFT. 10/16/61.

100
You tel of 16 Oct.

297. If any objection

is raised to the draft

MINUTE.

I consider that it should

be approved

if the same can be found

Mr. C. Smith

Mr. E. Smith

Mr. E. Smith

Mr. J. Marshall Smith

Mr. C. Smith

Chair of Directors

Salt

DRAFT. AMCI.

You let of 16 Oct.

297. If any objection

referred

is raised to literary text

MINUTE.

I consider that it should

be referred to the

Committee for their consideration

Mr. C. Smith

Mr. G. Smith

Mr. E. Smith

Mr. J. Smith

Mr. D. Smith

Mr. F. Smith

Sacer