

1923

KENYA

C.O.
15186
Recd
24 MAR 23

FROM
INDIAN OVERSEAS
ASSOCIATION.

DATE
23rd MARCH 1923.

CIRCULATION :-
Mr.
Mr.
Mr.
1st. U.S. of S.
Di. H. Rao
28/3/23
2nd. U.S. of S. 22
3rd. U.S. of S. 21
Secretary of State. 28

SUBJECT
POSITION OF INDIANS.

Fwd's extracts of correspondence received from E.A Indian National Congress showing position taken up by Indian community. has received tel stating that deputation from India will arrive at end of April.

Previous Paper
26.
1589

24 March
25
27/11
J. K. A

MINUTES

I doubt if it is worth while taking up point by point all the matters referred to in these letters etc. As regards the Governor's attitude, we have on one side of the ledger, and although some of the statements attributed to him read oddly we need not assume that they are correct verbatim.

As regards "leakage", I am not at all sure that our efforts at confidential discussion were worth the trouble, when they result in such a travesty of the actual facts as appeared in the

Subsequent Paper
10.9.6
15621

and the terms as appeared in the

"Review of
 Jan. 24th (last volume)
 in which I have made
 some notes. [The reference
 to municipal representation,
 which also appear in the
 "5th volume" has no
 counterpart in any thing
 sent from here.]

I do not believe that
 in a system of taxation
 and education, his
 part is to try to get the
 means to give and better
 results than to be
 impatient with the
 results, who have
 got the way.

Little affairs to
 with rest

C. C. S. 26.3.23

H. J. O.

26/3/23

L.

27.3.

W. J. 28.3.23

J. 28.3

minutes of Bureau of
Jan. 24th (last volume)

in which I have made
some notes. [The reference
to municipal representatives,
which also appear in the
2nd City Council "has no
substant in any way
and from 1910]

I do not believe that
he is trying to do anything
and to do so, his
job is to get the
Americans to give in & leave
merely to give to
impatience with democracy,
is with history, who have
got in the way.

H. W. Little, official
with: read?

W.C.D. 26.3.23

H. J. D.

26/11/23

Jan
19.1.23
W.D. 26.3.23

D. 28.3

29th March, 1923.

Dear Sir,

I am desired by Mr. Ormsby-Gore to acknowledge the receipt of your letter of the 23rd instant, and to thank you for sending him extracts from recent correspondence which you have received from Mr. Shams-Ud-Deen, M.L.C. in his capacity as General Secretary of the Eastern Africa Indian National Congress.

Mr. Ormsby-Gore asks me to say that he read this correspondence with interest.

Yours very truly,

(sd) F. B. Boyd

F. B. Boyd, Esq.

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H. S. K. Polak, Esq.

Member of Executive Committee
THE AGA KHAN.

Deputy Chairman
Sir M. M. BHOWNAGGREE
K.C.I.E.

Hon. Secretary and Treasurer:
Hy. S. L. POLAK.

Indians Overseas Association, 15186

Kaloph Estrand, London
Kaloph, London.
Code
Central 2832

47-48, Danae Inn House,
265, Strand, London, W.C.2.

C. O.
REC'D
RE 24 MAR 23

March 23rd

1923.

R

Dear Mr. Ormsby-Gore,

I send you herewith extracts from the recent correspondence received by me from Mr. Shams-Ud-Doen, M.L.C., in his capacity as General Secretary of the Eastern Africa Indian National Congress. These extracts speak for themselves, and they will help you in forming an idea of the position at that time taken up by the Indian community.

It is a little bit difficult to understand the Governor's indignation with regard to the purloined draft telegram that was never sent, and which appeared in the "Kenya Observer" of February 7, in view of the notice calling a public meeting at Nakuru, published in the "Kenya Observer" of the 24th January, over the signatures of Lord Francis Scott, Major J. MacDonald and two others.

I have received a telegram from Mr. Sastri stating that he and Mr. Jannadas Dwarkadas, M.L.A., delegated by the Indian Legislature to discuss with the Imperial Government the Kenya question from the point of view of the Indian public, expect to leave India on April 14th. They should, therefore, reach here at the end of next month.

Yours sincerely,

[Signature]

Major W. Ormsby-Gore, M.P.,
Colonial Office,
S.W.1.

Encls.

EXTRACT from letter to Mr. Hy. S. L. Polak, from Mr. Shams-ud-Deen.
February 7-9, 1923.

On the 7th I was called away by the Governor together with Desai and Jessi. No sooner had we entered his office than he showed us the "Daily Kenya Observer" of the 7th and told us that there was a copy of the cable published in that paper which contained most of the information which was given to us in confidence. Desai said that the same information was given in confidence to Europeans and they had scrupulously kept it confidential but that we had betrayed that confidence that that this was the difference between the East and West. He said that this was the most disgraceful thing he had seen in his career of 32 years. He was excited and in a fit of temper.

Desai opened his mouth to explain that the cable or the publication thereof had nothing to do with the Congress but the Governor cut him up preemptorily, left his chair, called his private secretary and bid him to open the door and beckoned us to the door and did not utter a word in spite of Desai's entreaties to be given an opportunity to explain.

He had also called Sir Charles Powing, presumably to be a witness, and told us that in future we must always see him as he, the Governor, may be on Safari.

We have sent a copy of the cable that we have despatched to the Colonial Secretary on the subject of prolongation of the life of the Legislative Council. This is the Governor's last attempt to thwart the Colonial Office instructions.

One thing I must however add for your information, that although the Governor is so much annoyed with us apparently for the publication of the cable containing the Colonial Office proposals, the real reason is, because he was exposed in the said cable, he was put out to that extent. But I suppose you are aware that owing to the reason that he has been giving all the information to Europeans long before he told us anything, they had actually published the fullest details of the Colonial Office despatch as will also appear from the cables sent to the "Times" of London on the 12th January.

Every thing had been published by not one but scores of associations not a word has been uttered by the Government against their publications. During the time of Sir Edward Northey similar despatches were given to us in confidence and nothing was published but this time because the whole details were already known, the European journalist who stole the copy of unauthorised and undespached cable from Desai's office, also did not see much harm in publishing it. You will see the whole of the proceedings of the Legislative Council of yesterday, in which Lord Delamere asked the House to be guided by the Jockey Club Rules.

We are informed that the following cable has been sent by the
A. Indian Congress to the Prime Minister, Mr. Lloyd George, the
Duke of Devonshire, Lord Hardinge, Lord Chelmsford, Sir Robert
Hamilton, Col. Wedgwood, Mr. Asquith and Mr. Ramsay MacDonald.

"Inflammatory resolutions passed European community understood
basis granted common franchise five seats Indian eight European stop
no segregation no restriction immigration and free transfer Highlands
stop Municipal six Indians independent chairman stop real policy
common roll enfranchising ten per cent. Indian community seven or
eight European four Indians with official majority stop no segregation
questions highlands and immigration open stop adequate municipal
representation guaranteed stop Governor politely and courteously
thwarting Colonial Office orders since resignation Churchill
Governor afraid Europeans obtained permission restrict immigration
diplomatically hostile Indian rights urging Indians agree restric-
tions with communal franchise give up land in Highlands stating
quote "if I resign your cause will suffer Colonial Office cannot
afford sacrificing governor after governor and conclude must be
something radically wrong policy or why settlers opposing" unquote
unsuccessful attempt made election February 21st stop Indian
community determined secure fullest rights prepared sacrificed
leaders dissatisfied policy real question British subjects equal
rights colonies or not stop. European papers speakers rabid passing
absurd resolutions stop substantial suspicion Governor backing
refusing stop mischievous propaganda stop query Indian want domina-
tion declared but evidence missing stop emphatically state Indians
not want domination Sastris rumored statement Indian government
want to make Kenya Indian colony untrue stop Governor asked to
announce policy bring communities agreement asked local discussion
water down policy Governor asked Devonshire pay personal attention
policy who replied already studied and asked announce Governor held
up obtained permission discuss locally thereby prejudicing settle-
ment stop Indians humbly request not upset graceful settlement
submit solution capable permanency native interests to predominate
equal seats Executive Legislative Municipal councils government
majority Indians demand equal representation only though entitled
more free transfers Highlands and encouragement immigration Indian
civil military services open for all British subjects according
merits stop Administration to British neither unofficial white
Indian predominate.

Indian Congress."

We had an interview with the Governor on Monday last, the 29th instant, when he handed us a copy of the cable he had received from the Secretary of State for the Colonies on the 5th September last.

The Governor also read out to us certain portions from the despatches he had sent to London and the replies he had received thereto; and although these extracts only gave us a glimpse of what had been going on it became absolutely clear to us that Sir Robert Coryndon is solely responsible for having frustrated the whole scheme.

Apparently the Governor has done all he could to defeat the intention of the Colonial Office. Apparently he had instructions to declare the policy as soon after his arrival as he could. He told us that he asked for time to feel the local atmosphere before he could announce the policy. This request was granted but later on he told Mr. Churchill that the local feeling was against it overwhelmingly and asked Mr. Churchill to come out to the Colony. Mr. Churchill replied that he could not come out last year but would think of coming out next year (1923) but asked him to go on with enforcing what was his considered opinion.

Then the change in the Government took place and he had instructions from Mr. Ormsby-Gore to give effect to Mr. Churchill's proposal which had the approval of the new Government. He then cabled to Sir James Masterton-Smith to reconsider the position. Having no satisfaction from there he cabled to the Duke of Devonshire to pay the matter his personal attention and on being told definitely by the Duke of Devonshire the matter has had his personal attention and that the decision was his and not that of Mr. Ormsby Gore, his last tactics were to encourage all the local hue and cry among the settlers and engineer all these resolutions about the threats of violence and armed force.

He practically gave himself away by his occasional remarks in the private interview he granted to seven of us when he gave us the copy of the cable. For instance he said he did not see what the India Office had to do with this Colony, in reply to which he was told that the interference of the India Office was justified by the unequal treatment meted out to Indians and the Union of South Africa would probably come in at once if any of the Dutch people were treated similarly to Indians or did not have equal treatment in any other manner. He was also told that if the Colonies treated all their population equally the India Office would have no say in the matter and after all the India Office was only asking the Colonial Office to respect the resolution of the Imperial Conference. He then said "but why single out Kenya to be hanged".

The settler's game is simply this; that they know perfectly well that with the Governor on their side the Colonial Office is reduced into a state of helplessness. There is no force here to

well the disturbance and even if the Colonial Office thought of sending out any white troops here they would be equally useless as they would not fire on the white settlers. The impression is also abroad that although the Colonial Office had dismissed Sir Edward Herbert who had only 2½ years experience they could not think of dispensing with the services of Sir Robert Coryndon who had 32 years experience and even if they did to the extent of dismissing Sir Herbert for disobeying the Colonial Office the task of the man who takes his job will be more difficult as he would surely be assailed by the settlers and would be the most unpopular man in the colony.

In fact the settlers have the fullest confidence in Sir Robert Coryndon who is encouraging and helping them in every manner but they say quite openly that they do not trust the Colonial Office.

The last thing the Governor asked us to do was to agree to the immediate restriction of immigration. He said that although the Colonial Office had said in that particular telegram that after going through the figure of influx and efflux of Indians they did not think that there was any justification for changing the immigration law immediately, but on further representation being made by the Governor the Colonial Secretary had agreed to an immediate change of the said laws. He showed us a statement which he said he had got from the Immigration Officer and which showed that nearly two thousand more Indians had come into the country than the number which had gone out within the last nine months ending the year 1922. We suspect that these figures are not accurate and we are making our own inquiries because we know that very large numbers of Indians have been going out of the country during the last two years and very few have been coming in and most of these go to Uganda where there is not the same financial crisis as there is in Kenya.

In this week's papers you will observe that a quite novel interpretation has been put on the threat about the "bloodshed" as they say by this they meant the bloodshed of Europeans and not the Indians but yet the Districts are passing resolutions for the use of armed force. The actual words are of course being left out and dots thus printed instead of the particular words.

I do hope that you will place all these facts before Mr. Ormsby Gore.

We have received a number of enquiries from India by cable asking what the situation was and we have replied to all of them to the effect that the Indians here are perfectly cool and calm but they are determined not to relinquish their rights by threats of violence. Even if it came to a few of us being shot down we are quite prepared for that but we will commit no act of violence.

We have also had cabled from His Highness the Aga Khan asking us to remain absolutely non-violent.

But there is no doubt but that the whole of India is astir by law and the feelings of the local Indian are also very mixed as they cannot understand why the Government here can not suppress this openly malicious propaganda and resolutions when for a similar matter the Government would have imprisoned 20,000 thousands of Indians if they had indulged in the same sort of thing in India.

Acting on your advice the Executive Committee decided last night to postpone all programme about the non-payment of taxes.

We told the Governor that we would not carry on any further negotiations nor give in on any points until we heard from the Europeans as to how far they were prepared to meet us. We told him that we would never agree to the restriction of immigration, at any time for the present.

You will find that the "Standard", in writing a leading article on M.H. Aga Khan's cables has tried to create splits among the Indians. He has hopelessly failed to do so. The President of the Convention of Associations, and the Editor of the "Standard" approached a number of their good acquaintances amongst Indians and tried to get from them a signed declaration to the effect that we did not want any concessions and that we were quite content with our present lot but they all failed in doing that also. They carried on quite a lot of surreptitious communications, for a while having secret meetings with these Indian gentlemen, but they failed eventually.

But there is no doubt but that the whole of India is astir by news and the feelings of the local Indian are also very mixed as they cannot understand why the Government here can not suppress this open and continuous propaganda and resolutions when for a similar matter the Government would have imprisoned ~~thousands~~.. thousands of Indians if they had indulged in the same sort of thing in India.

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The confidential despatch of the Secretary of State for the Colonies has not yet been discussed or disclosed but the Governor has intimated to us his intention to discuss the same within the course of this week ... but what is believed to be the actual contents of the said despatch are already published by Lord Francis Scott as will be seen from the cutting marked "A". Lord Francis Scott belongs to the constituency of Lord Dalameere who is the member of the Executive Council and the despatch having been discussed in the Executive Council, the probability is that the contents of the despatch are correctly foreshadowed in the notice by Lord Francis Scott and others. Our Indian member on the Executive Council Mr. Phadke refuses to take anyone into his confidence as he says he is bound by his oath not to disclose anything that takes place in the Executive Council.

The position at the present moment is that the Government has taken up a very passive attitude in the matter and the Governor, in order to please the settlers, is trying to get us to agree to settlement by forgoing all claims to the free transfers in the Highlands and also by agreeing to communal franchise. We have informed him that we may consider to let the Highland question remain as it is for say ten years but Common franchise is the only solution of the whole situation. Once the Common franchise is granted to Indians all racial antagonism will disappear and both communities will realise that each of them is interdependent on the other.

The "East African Standard" in its issue of the 23rd instant (marked "D" in blue pencil) tried to refute the accusation that the European community were preparing for an armed rebellion and the bloodshed of Indians but has not been able to say more than "We believe we are justified in stating that it is most unlikely that unarmed Indians will be either murdered or shot by the settlers of Kenya". This has been falsified by the numerous resolutions passed by the settlers in various Districts to the fact that they will resist the granting of rights to Indians by "all means" in their "power". During Sir Edward Northey's time a resolution was passed in these terms and he compelled the particular association to withdraw the resolution and they had to change the wordings to "all constitutional means in our power". Besides this, the Nakuru meeting, in which Lord Dalameere also spoke, have passed curious resolutions in which their real intentions and programmes have been kept secret but they openly talk about "Extreme action" and "physical pressure".

Although the "Standard" has made an effort to record a very mild and hesitating denial of any intention on the part of the settlers to use violence it has ~~itself~~ stated, while anticipating the resignation of Sir Robert following the line of the resignation of Sir Charles Elliot, that "if Sir Robert Coryndon were forced to resign, knowing that his orders from the Colonial Office could not be enforced without bloodshed, it would be nothing short of a calamity.

The same paper has condemned the Honourable Mr. Ormsby Gore as knowing nothing about this Colony and the Settlers of Nakuru have also passed a resolution protesting against the appointment of Mr. Ormsby Gore. This was the meeting in which Lord Selkirk and Lord Francis Scott were present and spoke.

I wish that you should if possible convey to the Colonial Office that the Indian community here although perfectly cool and calm are determined to adhere to the demand of their political rights and although they will offer no provocation of any kind to the settlers they are not frightened of being killed in the course of enforcement of the decision of the Colonial Office.

We wish to make it absolutely clear that we have no intention of governing this country but we will certainly not submit to a government of the settlers so opposed to our interests. The Government of this country consists of the British officials directed by the Colonial Office in whom we have absolute confidence. It is merely a question as to whether the Colonial Office will govern the country whether it will be governed by the settlers.

There is also no question of the Asiatic domination. The British domination consisting of white Government officials and the unofficial members will always be there and we will be always in minority, but we can not afford to be conspicuous by our absence on the Legislative Council which would be flooded by millions of unofficial members.

One of the benefits of the Common Franchise will be that only moderate Europeans will be returned to the Councils as evidently depending upon the Indian votes partially, they will not indulge in the wild anti-Indian campaign as is the case at present.

If the Governor only had the courage to stand by the Colonial Office, the whole matter would end without any trouble, but the attitude he has adopted will encourage the settlers to such an extent that the present administration will cease to exist before long.

The following circular has been issued to the settlers of Nakuru and district:-

A dispatch has been received from the Colonial Office denoting the complete surrender by them to the whole of the Indian demands. The summary of the terms is as follows:-

1. A common franchise. Electoral districts to be re-arranged, giving 5 seats for the Indians and 8 for the Europeans. Legislative Council to be postponed until the Indian Register is made.
2. No segregation. *but*
3. No restriction of immigration. *but*
4. No direct alienation of land in the Highlands from the Government to any Asiatic, but no restriction in any transfer of land thereafter from a European to any Asiatic.
5. Municipal Councils (e.g. Nairobi) to consist of 6 Indians, Europeans and an independent Chairman.

It is essential in the interest of the white population of the Colony and the Empire as a whole that you attend a public meeting at the Nakuru Hotel at 10.30 a.m. sharp on Wednesday, January 24th to consider the action of the whole district in this matter.

Convenors:- Lord Francis Scott. Major J. MacDonald.
W. J. Beeston. W. J. Dawson.

Our readers will remember that in a letter from His Excellency the Governor to the Indian Congress Standing Committee published in the Kenya Observer on Monday, it was stated that authority had been received from London for the continuation of discussion on the main points of the proposals.

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