

KENYA
20203

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No. 20 of 21

GOV'S COPY
CONT 66
NOTLEY

PUBLIC HEALTH ORDINANCE

1921

POLICY OF SEGREGATION

18TH MARCH

Encloses resolutions by Naitobi Indian Association protesting against certain remarks made by Mr Major in the Legislative Council. Considers there was no objection to Mr Major availing himself of the opportunity of explaining the conclusions of the Economic Commission.

Last previous Paper.

400/20105/21

S. H. Fiddler
to Mr. Major

And Conf 12 May 20
Copy comes to Mr. Major's

[copy in files & reports]

It is a pity that this troublesome passage in the Economic Commission's Report was raised up again, especially when it had been officially repudiated by Lord Milner in his Rep. of 21/5/20. It is all very well to say that Mr. Major was only making the point that the objection being raised was due not to racial bias but to evidence taken by the Commission. But what really comes to, I think, is that Mr. Major states publicly in Kenya that what the Report said was substantially

Next subsequent Paper.

400/20206/21

correct that Kung's reproduction
was not justified - at least
that is a not unusual interpretation
of his remarks. The evidence
taken by the Commission of course
does not satisfy the Indians;
& in any event, where the
evidence may have been, after
Kung's official reproduction,
the matter did not have been
raised again by a Gov.
official in Kenya. It is
obvious that such an action
must increase the difficulties
of everyone concerned.

1) first send copy to T.O. - & say
that Sgt. considers that
Col Major should not have
recused in this matter,
having regard to the official
reproduction of the statements
made by the Economic
Commission & that he
proposes to inform the
Gov. & suggest how
Sgt. Col Major should
be acquitted by Court
proper motive in making

his speech, he was
convinced in his
speech in regard to
the Commission
that Sgt. proposes to represent
Gov. & not the Indian
that the reproduction have been
recused by Sgt. & transmitted
to Sgt. for India - & that
Sgt. Major's speech was given
in presence, he is satisfied that
there has been a misunderstanding
in the matter & that
he does not propose to
take any action.

[Col. Major is, of course,
a very good Customs officer,
I know the Gov. think
very highly.]

14.6.44

Col. Major might naturally occur
himself & his colleagues on the Commission
from the charge of recusal, but
his recusal is a question of honor,
to the Government, and not of justice
to the Commission.

14.6.44

Economic Commission which contain reflections on the Indian Community do not represent the views of His Majesty's Government.

4. The speech was unfortunately incorrectly reported and this fact appears to have given rise to the passing of these resolutions. In reading the extract from the Report of the Economic Commission, the point made by Mr. Major was that the Report, and in particular the extract quoted, was not the result of racial bias but of evidence taken by the Commission, such evidence going to prove the necessity for race segregation. I considered that there was no objection to Mr. Major availing himself of the opportunity afforded by the debate to explain the conclusions arrived at by the Economic Commission, and the considerations actuating them.

I have the honour to be,

Sir,

Your humble, obedient servant,

W. K. Lockhart

For GOVERNOR.

(Draft approved by Governor.)

C O P Y.

Resolutions passed unanimously at a Mass Meeting of
Indians on Sunday, the 6th Nov, 1931.

Resolution No. 1.

This Mass Meeting of the Indian citizens of
Kenya expresses its keen resentment and disappointment
at the passive and partial attitude adopted by His
Excellency the Governor of Colony and Protectorate of
Kenya when presiding over the proceedings of the Meeting
of the Legislative Council on the 24th January, 1931,
when the Health Bill was under discussion inasmuch as
His Excellency permitted to be read by Mr. F. W. Major,
the Commissioner of Customs that libellous and
disrespectful portion of the Economic Commission Report
which has been officially condemned and repudiated by
His Majesty's Imperial Government.

Moved by Mr. Shamaud-Dzen, seconded by
Mr. S. B. ... and supported by Mr. Shamsi Harji.

Resolution No. 2.

This Mass Meeting further expresses its
indignation at the outrageous and unconstitu-
tional conduct of Mr. F. W. Major, the Commissioner of
Customs in deliberately inciting the feelings of the
whole Indian Nation by repeating in the Council the
falsehood contained in the said portion of the Economic
Commission Report in respect of the people of India
direct defiance of the policy of His Majesty's
Imperial Government and this meeting most respectfully
urges His Majesty's Government to remove Mr. Major
from his office in this Colony immediately in his
presence

-2-

? *unbilled*

presence and conduct is likely to embetter the feelings between the two sections of His Majesty's subjects.

Proposed by Mr. H. S. Trivedy, seconded by Mr. Mussainbhai Salwan Virji and supported by Mr. Diwan Chand.

Speech of Mr. F. N. Majeed, C.M.C., L.L.B., Commissioner
of Customs during debate in Committee of
Council on the Segregation of Cases of the
Public Health Bill.

Influence of Indians.

The Commissioner of Customs spoke of the report of the Economic Commission of which he had been chairman. The members of that Commission had been accused of racial bias. Their remarks had been made in perfect good faith; the members had given their best attention and pains to the subject.

Mr. Majeed then gave the following extract from the Economic Commission's report :

"Physically, the Indian is not a wholesome influence because of his incurable repugnance to sanitation and hygiene. In this respect the Indian is more civilized than the Indian, being naturally clean in his ways; but he is prone to follow the example of those around him. Plague, though said to be endemic in the country, has certainly been imported, if not originally, then on later occasions, from Bombay, and Indian quarters are almost invariably the focal point for massive outbreaks. The same holds true of all dirt-borne diseases. The Indian is not only the cause of the sanitation, but he is a menace not only to himself but to the health of the country."

May 1924

Sir
I have the honor to ask the seat of your

DRAFT
Kangaroo
Gov. Murray

Order N^o 86 Confid^l of the 18th of
towards copies of report
made by the Indian Association
regarding certain temples made
a speech
in the report of the Commission

MINUTE.

- Mr. Coad 7/5/24
- Mr. Parkinson 9.5.24
- Mr. Bottomley 9.5.24
- Mr. Grindle
- Sir H. Lambert
- Sir H. Read
- Mr. W. Pidgeon
- Col. Amery
- Mr. Churchill

Mr. J. W. Major, C.M.G., I.S.O.,
Commissioner of Customs,
during the course of a debate in the
in Committee of the Legislative Council
Separation of the Public Health

Copy
12 May 24

in the course of which he quoted an
extract from the Economic Commission Report

consider that, having regard
to the official repudiation of the
particular statements made in the
in the Report of
will be submitted in the
Economic Commission Mr. Major should

C.O. 1000

not have returned to the matter; and I have to

request that you will inform him that, while

I have no doubt ^{that} he was actuated by just

proper motives in making his speech, ^{I think that} he

was ill advised in so doing, as his action

was open to grave misinterpretation.

(2) The Indian Assocⁿ should be informed ^{that I}

that I have received their resolutions, and have

transmitted ^{copies} them to the S.G.S. for India;

and that, while I regret that Mr Mayor's speech

should have given offence, I am satisfied

that there has been a misunderstanding;

that I ~~the matter~~ and do not propose to take

DRAFT

any action in the matter.

MINUTE.

MINISTER S. CHURCHILL

- Mr.
- Mr.
- Mr.
- Mr. Grindle.
- Sir H. Lambert,
- Sir H. Read,
- Sir G. Piddes,
- Col. Amery.
- Mr. Churchill.

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12 May 1921



DRAFT.

Confidential
The U.S.S.

I.D.

MINUTE.

Mr. Clerk 7/5/21
Mr. Parkin
Mr.
Mr. Grindle.

Sir H. Lambert.
Sir H. Read.
Sir G. Fiddes.

Col. Amery.
Mr. Churchill

20203
CO. 15
of research

am to be transmitted to you,
for the information of Mr. Sec. Montagu,
the account copy of a despatch

from the Gov of Kenya, forwarding
a copy of resolutions passed by the
(republican)

Indian Assoc. Nairobi, etc.
~~...~~
by Mr. F. W. Meyer, C.M.G.,
and also a extract
I.S.O. Commission of
Customs, ~~...~~ during
a copy of Mr. Churchill's
~~...~~ debate
to this despatch.

2 1/2

in Committee of the Legislative
Council

(2) A copy of the Report
of the Committee has addressed
to the Gov. in reply is enclosed



(Signed) W. J. R. E.

~~CONFIDENTIAL~~