



511 DESPATCH

EAST AFR. PROT.
No. 21797

21797
REC'D
18 JUN 06

No. 1028

(Subject)

1906

May 21

Land Grants to Indians

last previous Paper.

Submits copy letter from Sec. Col. Aron, judy resolution
& amendment respecting the question of granting land to
Indians within the area opened for white settlement. Propose
to follow principle acted on by his predecessors. Also mentioned
by Sir C. Streat to Mr. Jackson on subject of copy comm. w. Col. Aron.
(Minutes)

Mr. Read

The proposal ^{for land grants} to reserve the land
between Hill & Fort Ternan is
the more ~~less~~ ^{beneficial} part of
the ~~proposition~~ ^{was} advocated by the
Land Commission (p. 14 of their Report)
and supported by the late Commr.
(Jan. 20 of def. of 14 Aug 1905)

33231

Some support was given to the sugges-
tion in the minutes on the paper
but the Sec. S. did not pronounce
on the question, & nothing was said
about it in the def. to the Commr.

It is not possible, as the
Commr. I think, sees, to issue any
Order a proclamation

PRINTED FOR PARLIAMENT
H. E. 158 AUGUST 1907

subsequent Paper

25976

concluding that the
 any rights enjoyed by the subjects
 of H.M. subjects. I cannot find
 that said persons are detracted from
 any property held in any part of the
 Empire (see the Peking Paper H.C. 203)
 except in the Treasury - in consequence
 the loss of the old Republic, & in the
 treaty a small part of Hong Kong.
 The Obstructions are always trying
 to introduce restrictions of the kind on
 navigation, & so far they have always
 succeeded. I should like to hear
 what is to be done at a time when
 the British are so ready to help the
 other side. It is not possible to keep the
 attitude.
 At the same time, it seems desirable
 to comment that the small part of
 the country which is now in the
 hands of the British, although not
 sufficient to be a serious barrier,
 and this was apparently being done;
 and the action of the petitioners in
 opposing it before they are best made
 it would be difficult to give effect
 to their wishes. For some months
 we must remember that we shall
 probably soon receive a notice

Yes to
 the point
 4/2

petition from the Indians, which
 may be directly supported by the
 India Office.

I would suggest that we should
 request the Comr. to inform
 the petitioners that it would
 not be in accordance with the
 policy of H.M.'s Govt. to exclude
 any class of His subjects
 from holding land in any part
 of a British territory, but
 that the Comr. will no doubt
 continue to exercise a reasonable
 discretion in making well-considered
 laws for land, bearing in
 mind the requirements of the
 area suitable for European
 colonization.
 And in a sep. despatch of
 Col. Paddy pursuing the policy
 proposed in par 4 of his despatch.
 (We need not notice the charge
 against the administration of
 being backed by the Indians
 brought by the person who is
 nobody a nobody)

of articles
repe. - New. Thales (say) of
the 100 is suitable for Indian civilization
but only one (with say) for European. It
has not seem unreasonable that we should
keep the latter one for the European
for a while.

1. 2 R

25/6

18th June 28

1010
27/6

29 6

30 6



21797

REC'D
REG 18 JUL 06

Commissioner's Office,

513

Nairobi,

May 21st 1906.

EAST AFRICA PROTECTORATE.

CONFIDENTIAL (28)

(Incl. S.)

PRINTED FOR PARLIAMENT
H.L. 158 AUGUST 1907

My Lord,

At the request of the Secretary of the Colonists' Association, I have the honour to submit a copy of a letter

I have received from the Association containing a resolution passed at a Public Meeting of the settlers held at the Town Hall, Nairobi, on the 9th instant, and an amendment which was subsequently passed thereto at the same meeting.

2. This meeting, which was the largest hitherto held in Nairobi, was the outcome of a meeting held by the Indian Community in Mombasa, which was for its object the urging on Government that equal rights be accorded to Indians and Europeans in this Protectorate.

3. The gist of the matter is whether Indians should be allowed

H. M. Prince, Secretary of State

for the Colonies.

Downing Street,

London, S. W.

Pres. Col. Assoc. May 18th

Mr C. Elliot Minutes

Mr Jackson Aug 18, 1902

Pres. Col. Assoc. May 18th

Pres. Col. Association May 17th

168-15

allowed to take up land within the area opened for White Settlement, which may be said to lie between Kiu Station and Fort Ternan. I am unable to find any proclamation from Sir C. Eliot on the subject, but in his minute to the Land Officer No. 297 he held that it was better not to grant any large holdings to Indians between Machakos Road and Fort Ternan and in Mr. Jackson's Circular of the 28th August 1902 the country lying between Kiu and Fort Ternan was expressly excepted to Indians desirous of settling as cultivators. Copies of these papers are attached. With regard to this area the Land Committee wrote in their report (page 14) as follows:-

" The area lying between Kiu and Fort Ternan has already been proclaimed as one suitable for European settlement and without wishing to bind themselves too closely to that area or to restrict its limits the Committee think that a European reserve should be maintained more or less on the lines laid down, and that within that area Asiatics should not be allowed to hold land (with the exception of such plots that have already been granted), and that outside the towns within the limits of that area they should only be granted leases of market-garden land

on short terms."

Although no definite ruling has been given in the matter it has been the policy of both my predecessors not to grant land to Indians, except within Municipal limits, within the area mentioned, and the Colonists' Association are quite aware that I have shown no intention of departing from this policy.

4. The matter is one upon which I am quite aware it would be very difficult to legislate, but with Your Lordship's approval I propose to follow, as I have hitherto done, the principle acted on by Sir C. Eliot and Sir D. Stewart, that land outside Municipal limits, roughly lying between Kiu and Fort Ternan be only given to white settlers.

5. After the resolution was passed at the meeting above referred to an amendment was proposed by a certain Mr. Low in language as reported in the "Times of East Africa", which caused me to communicate a strong protest to the President of the Association, a copy of which together with copy of his reply I enclose.

6. This Mr. Low is a man who has no interest whatever in the country. He was employed for a time as Editor of

the "Times of East Africa", Mr. Watkins's paper, from which post he was dismissed, I understand, for incivility and drunkenness, and I have heard, but I cannot say with what truth that he lost similar employment in South Africa for the same reasons.

7. As Your Lordship is aware, there is in East Africa a strong and increasing dislike to Indians on the part of the majority of the White Settlers, who look upon them as intruders, quite oblivious of the fact that till three years ago East Africa was a purely Native Protectorate with settlements of Indians, and that it was the Indians who materially assisted the Administration in the early days of the development of the Protectorate by working on the Rail-way, building houses and taking contracts at a time when there was practically no one else to do so. It is, therefore, somewhat irrational now to blame the Indians for having, under such circumstances, made a position for themselves in East Africa, or to blame the Government for having encouraged them. But the feeling undoubtedly exists and no effort on our part will remove it.

8. As to the innuendoes made by Mr. Low I know of no justification for them whatever, beyond the general feeling

to

to which I have alluded. The sentiments expressed by him are not shared in by the better class of settlers, and the President has lately called upon me and expressed his regret that such an amendment was ever put to the meeting and passed. I may add that Lord Delamere has written to the papers intimating his intention to resign his membership of the Association unless the statements made by Mr. Low are amplified or repudiated by the Association.

I have the honour to be,

With the highest respect,

Yr. Lord,

Your Lordship's most obedient,

humble servant,

J. H. Buller

ENCLOSURE

C. O.
21797
REC'D
18 JUN 06

Encls To Mr.

Nairobi,
E. E. Africa.

May 14/1906

1906.

518

Sir,

I have the honour to request that you would be pleased to forward to H.M. Secretary of State for the Colonies the following resolution passed at a Public Meeting held in the Town Hall, Nairobi, on the 9th inst:-

"That this meeting of white settlers in the East Africa Protectorate expresses in the most emphatic way its opposition to any alteration being made in the policy of the former Commissioners of the Protectorate, Sir Charles Eliot, and the late Sir Donald Stewart, of retaining the highlands of East Africa, defined in the Proclamation of Sir Charles Eliot as lying between Via Station and Fort Ternan Station on the Uganda Railway, for European settlement only.

"And this meeting pledges itself to offer the most determined opposition to the attempts of British Indians to be allowed to take up land in such highlands, and insists upon the Imperial Government reserving for European settlement the only part of the Protectorate suited to Europeans and to which they have the exclusive right by reason of the deficit in Protectorate expenditure defrayed from contributions by the British taxpayer, and by reason of a great number of white settlers having come into the country on the faith of its being reserved for Europeans.

"And further that this meeting of white settlers emphatically condemns the policy of the Government of this Protectorate, which it considers has been directly responsible for the attitude which the Indians have taken up."

The Commissioner
East Africa Protectorate,
Nairobi.

I may state that while the imperative necessity of reserving these highlands for Europeans was agreed to by all, it was felt by a large majority that the attitude of the Indians in endeavouring to force the Administration to break faith with white settlers was due to the policy of some of the present officials in directly favouring Indian subjects.

I remain, Sir, Sir,

W. Madge Wilson,

Acting Secretary.

8

Encls 2 & 3

INCLOSURE No. 2

Despatch No. 28 of 20/5/1906

519

MINUTE

Land Officer,

I am inclined to think it will be better to keep
 Indians and Europeans apart as far as possible and
 thus avoid friction. With this object it would be
 better not to grant any large holdings to Indians
 between say Machakos Road and Fort Ternan. But I see
 no objection to Indians having small plots in towns
 nor to station officials having a little ground near
 their stations if the Railway will allow it.

S/- C.E.

(297)

29 May 1906

9

Smiles 3rd No.

INCLOSURE No. 3

28/1/1906

CIRCULAR

539

INDIAN SETTLEMENT.

-----00000-----

With a view to developing the country, H.M. Principal Secretary of State for Foreign Affairs has directed me to assist with moderate grants to those Indians of respectable character who are at present resident in the Protectorate and are desirous of settling as cultivators.

- (1) The grants will take form of seeds and agricultural implements, the loan of bullocks for ploughing, and the lease of land for 5 years at a very moderate rent.
- (2) The rent charged will vary slightly according to the locality. It will, however, be sufficiently low not to stand in the way of settlers success.
- (3) The country lying between KIU and PORT TERMAN does not come within the scope of this Notice, but it is particularly desired to open up the districts between the Coast and Kiu, the Port Terman and the Lake.
- (4) Intending settlers should make application to the nearest Sub-Commissioner or Collector. They should be provided with certificates and references as to character, and they should state what experience they have previously had in agriculture, and the nature and the extent of the assistance required.
- (5) Preference will be given to a number of Indians who are prepared to work in partnership rather than to a single man.
- (6) Bona Fide settlers who have given proof by their industry that they are able to support those dependent on them, will be assisted in obtaining passages for

their



their wives and families from India.

(7) Care should be taken by Sub-Commissioners and Collectors in forwarding applications for grants of land not to recommend those of applicants whose residence in the Protectorate would be undesirable as the settlement of original colonies would be a distinct menace to the Natives, and retard rather than advance the development of the country.

BE/- F. J. JACKSON,
ACTING COMMISSIONER.

Mombasa,

August 28~~th~~ 1902.

Commissioner's Office,

522

Nairobi,

May 12th 1906.

Sir,

The attention of His Majesty's Commissioner has been drawn to certain passages of the account given in the issue of the "Times of East Africa" of the 18th instant of the recent meeting of the Colonists' Association at Nairobi.

2. A certain Mr. Low is reported to have said, in connection with an amendment he made "emphatically condemning the policy of the Government of this Protectorate" - which amendment was subsequently carried by a majority - that, "He considered that the Indians held a most extraordinary position in this country (Applause). They were over-rated, they had special privileges such as not being amenable to Municipal Regulations, in fact they did very much as they liked, and that it seemed to be in favour with the Government. He thought the support given the Indians was not done from motives of benevolence but "back-sheesh" was at the bottom of it. (A statement which elicited loud applause from a certain section of the meeting)"

3. I go to enquire what is meant by this charge evidently directed against the officials of the Protectorate. Vague and unsupported as it is it appears to have met with support from a section of your Association.

4. I am further to enquire whether you consider that the tone displayed at this meeting justifies H.M. Commissioner in looking for the future for any support from your Association in the task he has before him of developing the country in the interests of the white settlers and the community in general.

I am, Sir, Yr. Obedt. Servant.

A. CHOLLS,

SECRETARY.

President,

Colonists' Association,

Nairobi.

is willing and can be of great service to the
Government.

I remain S.C., S.C.

~~S.A.~~ - FRANK WATKINS.

14

1797

Common

EAT



20777

PRINTED FOR PARLIAMENT
H.L. 158, AUGUST 1907

525

DRAFT. (Confid.)

17 July 1906

EAT

Common

MINUTE.

Mr. Liddell

Mr. Hunt 3

Mr. Astor 3

Mr. Cox

Mr. Lucas

Mr. Graham

Sir M. Ommanney 13/5

Mr. Churchill

The Earl of Elgin

5. I have the honor to
ack the receipt of your
Confid. ltr. N. (28) of the
21st of May last, submitting
a copy of a letter from
the Charities Association
on the subject of
land grants to Societies
of the E.A.S.

2. I have ~~to~~ to
request that you
will cause the
Charities Association to be
informed that it
would not be in
accordance with the
the

See 23976 below

169-18
21797

also mentioned, I
have to inform
that I approve of
your adhering to the
principle acted on by
the pedicars, viz +
that lands outside
municipal limits,
roughly lying between
Kiss and Fort Town,
should be granted
only to European settlers

Yours &c
W. J. P.