

KENYA

C. P.
414
4 JAN 21

414

OFFICE

INDIANS - RACIAL DISCRIMINATION

1920

20th Dec

at previous Paper.

134/21

Inquires as to exclusion of Indians from bidding at auction sales.

Subsequent Paper.

440/21

Transcript
[Illegible handwritten notes]

RECORD

[Extremely faint and illegible handwritten text, possibly containing a list or detailed notes]

Mr. Montague's statement
to explain his statement

On the same point for Henry, please refer
para. 4 of Gov/59333/7 E.A.P. which is
that in 1947 the acting Gov. decided to withdraw
activities from bidding at sales of currency in
possession of the [illegible] for European
occupation, in the same way as he had [illegible] them

from notes of Brown & Co in record books

See also letter of 28 June (1902/2009)

the Public Health Ordⁿ they asked about
 has been outstanding for over 5 years & we
 have just got the Bill (Supplement
 of 6 Nov. 1920 - in the Section might have
 a copy?); the "Segregation of Race, Bill"
 did not & does not exist. If there had been
 any reference to Rules (which are not
 sent to us & not made) we should have
 discussed it at the time (see letter of 11.7.18
 A European law has been defined for
 Montserrat in 1920 in the Statute Book
 of 23 Oct. 1920 p 418 - quite distinctly
 under the instructions given by the
 ... generally; but the
 so long as sales by auction remain
 ... as usual that if an
 holding land in the European area
 ... European, it
 ... be transferred to
 ...
 ...

... of the ...

...

The systematic reading of
 ... & local papers has I fear
 been crowded out in the last three
 years - we must try to revive it -
 but it is very doubtful whether the
 1918 Rules, giving effect to accepted theory,
 and have been considered deserving of
 special record.

Wed. 28.12.20.

30219 K
20

Dear Sir for Mr H. Head's signature.

Handwritten scribbles

DRAFT

Downing Street,
31 December, 1917

MR. C. SETON, K.C.B.,
INDIA OFFICE.

MINUTE.

Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...
Mr. ...

Your letter to me of the 22nd - I have had the facts looked up with reference to the two points mentioned and they are as follows:

(1) No auctions of ~~any~~ property have been held in the Tanganyika Territory, ~~since the~~ auctions be held until three months after the sales have been advertised in "The Times". No advertisement has yet appeared. Under the arrangement for the auctions embodied in Proclamation No. 1003 of 1917 (of which I enclose ~~for your information~~) there are ~~no restrictions~~ whatever on Indian or any other bidders, except that former enemy aliens or persons acting for them are not to be allowed to bid.

~~Mr. Montagu's informant might perhaps be asked to explain his statement.~~

As regards Kenya, it was decided in 1917 to exclude Asiatics from

from bidding at sales of enemy movable property situated in areas intended for European occupation in the same manner as they are excluded from sales of Crown land in such areas. ~~Otherwise, so far as I am aware, there is no restriction whatever on Indians.~~

As a matter of fact, the matter was not settled until the 1918 Rules were issued. It is not clear whether the same time or period...

(2) As to your second point, the Public Health Ordinance about which you enquired in your official letter of the 18th June has been outstanding for over six years, and we have only just received the Bill (of which I enclose a copy). The "Segregation of Races Bill" never had existence except in the mind of the Eastern Africa Indian National Congress. The resolution of that Congress referred to a bill, and we read your letter, and I think we were justified in doing so, as referring to a Bill not to rules already existing. ~~It is~~ stated in our reply was perfectly correct, and I fear that your strictures leave me entirely unwrung. Had you referred to existing rules, we should have been on the track of the 1918 Rules, of which I enclose a copy (see page 772 of Gazette 12.8.18). I also enclose a copy of the Gazette of 13.10.21, from which you will see that a European area has been defined for Mombasa under the 1918 Rules; quite properly and in accordance with the instructions given by the Secretary of State as to segregation generally. The effect, however, so long as

See page 275

sales

Dear & loved

8/11/21

It is ~~very~~ ^{very} nice to
first to know
steps for the
family and
shall return

It would have been
if I had for the
and suggested that
we were at two purposes
if. Any experience

no way when we get our
England. ...
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