

Subjects  
and their residents

with very few exceptions

have been removed to

India and interned

there. 2. Marshall

every residents have

not been removed from

the P.E.P. and they

have either been interned

or placed in prison.

3. As above measures

were taken for

military reasons and

so far as law, Roman law

is aware there is

nothing in the Berlin Act

of 1915 which forbids

such action being taken

either by the Berlin or

the Belgian Govt. I am

EAST AFR. PROT

463

C.O.  
44274

RECD 27 SEP 15

44274

Foreign Office

1915

24 Sept.

Last previous Paper.

20  
39848

Copy Foreign Office

Next subsequent Paper.

for  
21/3/20

Ostrich Order 1907

Notes that to obviate regarding the amending Order of 1915 would appear in the abstract to apply mutatis mutandis to the 1907 Order.

Mr. Ridley

Mr. Anderson

In view of 39848 it seems clear that the S. of F. cannot amount to the enactment of the Amend<sup>d</sup> Ord<sup>d</sup> 1915 - - in view of 44274, it is a question whether the original Ord<sup>d</sup> shall not be repealed; although as it has now been in force for 8 years without protest or valid interests, and no doubt would under it, the best course will probably be to let it stand.

You will see from para 3 to the Attorney for the Queen in the 44273 that the original date of 10/10/07 in respect thereto is in

sufficient to afford any protection  
to the local producer; & if it were  
possible to raise the duty above the  
level, we could protect the local  
producer & at the same time avoid  
the difficulties raised by the Berlin  
Act 1885. But under the general Act  
of the Brussels Conf. 1889-90 the  
import dutys in the conventional Rules  
of the Congo cannot be raised above  
15% ad val. There remains the  
situation unaffected by the D.O. in  
39848 of assisting the industry  
by grants &c &c but I should be  
dead against this. It wd be  
impossible to draw the one away  
from the other industries & an industry  
which requires boldness of the kind  
does not inspire confidence.

Send copy of Sft. & F.O. or 35145,  
of 39848 & of 44274 in a copy  
up to the Fr<sup>t</sup>, entry in  
the sense of my minute & asking  
for A. Balford to be shown to

H. J. R.

at once

29/9/15

U 30 9/15 M

29/9/15

In any further communication  
on the subject, please quote  
No. 126146/15.

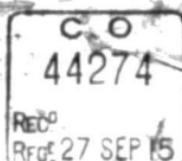
and address—  
The Under-Secretary of State,  
Foreign Office,  
London.

464

FOREIGN OFFICE

September 24th, 1915.

Sir:-



70

With reference to your letter, 39848/1915, of  
the 4th instant, enquiring whether Secretary Sir E.  
Grey had any observations to offer on the provisions  
of the East Africa Protectorate Ostrich Ordinance 1907  
in the light of Article V of the General Act of  
Berlin, 1885, I am directed by him to state that the  
Ordinance of 1907 was not submitted to this Department  
for the observations of the Secretary of State at the  
time of its publication, and that in the circumstances  
it would appear to be a work of supererogation for him  
now to offer any observations upon this Ordinance  
eight years after it has been in force.

I am, however, to refer to my letter 107735/15  
of the 28th ultimo, and to state that the observations  
made therein regarding the Amending Ordinance of 1915  
would

Under Secretary of State,  
Colonial Office.

(12.146/15)

465

would appear in the abstract to apply, mutatis mutan-  
to the ordinance of 1907.

I am,

Sir,

Your most obedient,

humble Servant,

Maurice de Munoz

To 44274/1915 Earl

466

5 October 1915.

[Gen.]  
[35745]

DRAFT

Earl

Confidential.

To Sir H.C. Belfield.

MINUTE.

Mr. Harper 11/10/15.

Mr. Ballyonly 1.10.15. f.

Mr.

Mr.

Sir G. Field.

Sir H. Jule.

Sir J. Anderson.

Mr. Steel, Mastland.

Mr. Parker John.

Ans 2/13  
D/P 3/11

With reference to your letter  
to 279 of the 30<sup>th</sup> July I  
have the honour to transmit  
to you for your info.  
the enc. copy of comm.  
with the F.O. on the subject  
of the District Amendment  
Ordinance 1915.

2. In view of the  
opinion expressed in the  
letter from the F.O. it seems  
clear that no court can set  
aside part of the amendment  
of the Amendment Ord. 1907,  
and it is a question whether  
the original Ord. of 1907  
should not be repealed.  
In view however of the  
fact that the earlier order  
has now been a free practice  
order without protest and

5 Aug (35745)  
28 Aug (34868)  
31 Sept (44274)