

EAST AFR. PROT
20640

20640
6/1/14

In Balfield 455

1914

7 May

Last previous Paper.

Brussels Act
Distillation of Alcohol

Reports apply for permission to distil alcohol from vegetable products for purposes of motor fuel. Submits views, & inquires whether FO are still of opinion that local distillation is prohibited under Art. 90 & if so whether Act can be modified to allow distillation of alcohol for purposes of European population.

~~Mr. J. Ferguson~~
Mr. G. Fisher

Copy of the General Act 1884-90 & of the Amending Convention 30/1/06 herewith - also copy of the despatch referred to in para. 2 of Mr. Balfield's despatch.

Copy to the FO for Storm's & suggest that they should ascertain how this question has been dealt with in the Fr. & German colonies within the Legation Traffic Zone? methylated spirits & perfumes (see para. 7) seem to be admitted as they are mentioned in Art. 3 of Legation Ord. of 1909 (Art. 4 of 1890/09) H. J. R.

The sale of methylated spirits & perfumes seems to be allowed (ss. 2 (2) & (3) & 3 of the 1909 order)

Copy to Com. 29/1/14
Mr. 305 - Cigarette Duties - 4 May '15 1905

Next subsequent Paper.

80/24023

20640
 GOVERNMENT HOUSE,
 NAIROBI,
 BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

No. 455.

May 7th, 1914.

Sir,

I have the honour to refer to the Liquor Ordinance enacted on 12th November 1903 containing provisions under which the Commissioner could issue licences for the manufacture of distilled liquor.

X 2. In 1871 a despatch numbered 241 and dated 28th May a draft Ordinance was sent out by the Foreign Office repealing such provisions, the despatch stating that under the Brussels Act article of the signatory powers had no option but to enforce strictly the total prohibition of local distillation whether by Europeans or natives.

3. The East Africa Liquor Ordinance 1903 was therefore enacted.

4. An application has now been received asking for permission to distil alcohol from vegetable

THE RIGHT HONOURABLE

HENRI MARCOURT, M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

vegetable products for the purpose of motor fuel.

5. It has been suggested by my Attorney General that the words "equally prohibited" in Article 20²⁹¹ of the Brussels Act can be taken as meaning that the manufacture of distilled liquor should be prohibited to the same extent as the importation of distilled liquor is prohibited under the terms of the Article, namely prohibited subject to a proviso in favour of spirits distilled with Government sanction and intended solely for the consumption of the non-native population.

6. In view of the growing importance of the subject of motor fuel to this Protectorate I shall be glad if the present views of the Foreign Office could be obtained on the proper construction of Article 20 of the Brussels Act and, in the event of the Secretary of State for Foreign Affairs being of the same opinion as his predecessor in 1903, I would suggest the possibility of obtaining some modification of the Brussels Act to allow the distillation of alcohol for the purposes of the European population.

7. If it be thought undesirable to demand

the

the power to distil for all such purposes
then the request might be limited to the manu-
facture of methylated spirit and perfumes with
suitable safeguards against traffic in such
spirit with natives.

I have the honour to be,

Sir,

Your humble, obedient servant,

A. C. W. B. B. B.

GOVERNOR.

AFRICA PROTECTORATE

FOREIGN OFFICE,

May 28th, 1903.

Sir,

Your attention has been called to the provisions of Article 91 of the Brussels Act, and I am advised that as regards territories which have been declared to be within the zone of prohibition of spirituous liquor, the signatory powers have no option but to enforce strictly the total prohibition of local distillation whether by Europeans or by natives. For the purpose of giving effect to this view the accompanying draft ordinance has been prepared by which sections 9 - 12 of the East Africa Liquor Ordinance 1902 are repealed.

As under the provisions of those sections licences may already have been granted, the draft ordinance provides for the continuance of such licences until their expiration in the course of the year.

You should arrange for the early enactment of the ordinance in the terms approved and in the usual manner, and you should give immediate directions to the effect that no fresh licences to distil are to be issued.

A similar instruction has been addressed to Colonel H. Sadler, and Mr. Cave has been directed to request the Zanzibar government to amend their liquor regulations in the same sense.

I have, etc.,

(Sd) LANSDOWNE.

STONER

R. C. FELTOL, K.C.M.G., C.B.

&c. &c. &c.

Gov. 20640/1914 East.

20 JUN 1914

20 June 1914

Sir,

233

I am now to transmit to you, for the consideration of Secy Sir Edw. Grey, the accompanying copy of a despatch from the Govt. of the East suggesting the modification of the Brussels Act to admit of the distillation of alcohol in the Provts for the purposes of the European population.

2. Mr. Harcourt would be glad to receive any observations which Sir Edw. Grey may have to offer in the matter, and ~~the~~ would also

DRAFT.

Shill. of S-D

Ans'd 24023

MINUTE.

Mr. Harper 18/6/14

Mr. Montague 18/6/14

Sir G. Fiddes.

Sir H. Just.

Sir J. Anderson.

Lord Emmott.

Mr. Harcourt.

Copy for 305 cars Amm's 17500.5

455-7 May

Gov. 20640/1914 East.

20 JUN 1914

20 June 1914

Sir, 233

I am to transmit to you, for the consideration of Secy Sir Edw. Grey, the accompanying copy of a despatch from the Govt. of the East suggesting the modification of the Brussels Act to admit of the distillation of alcohol in the P.W. for the purposes of the European population.

2. Mr. Harcourt would be glad to receive any observations which Sir E. Grey may have to offer in the matter, and would also

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J.D.

Hand 24023

MINUTE.

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- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

Copy for 305 cans 4 May 15 1750.5

455-7 May

(over)

suggest that, if he sees
no objection, enquiries
might be made as to
how the question has
been dealt with in
the French & German
Colonies within the
Liquor Traffic Zone.

2

(Signed) H. J. READ,

for the Director, Secretary of State