

July regarding the firm
of Mass Klein.

2. With regard to the suggestion
in the Home Office letter that
the African houses of the
firm in question should be
closed I am to refer
to your letter, No. 80388/5,
of the 7th of July, and
connected correspondence.

HENRY LAMBERT,
Secretary of State.

REGISTERED PROT
39848

G O
39848
Per 30/15

Foreign
1915
28th August
Last previous Paper
410/5
35145

POSTERIOR ARRIVALS OFFICE 1915

Submits observations regarding interference
with importation of ostrich feathers would appear
to be contrary to Art. I of Berlin Act 1890 and
also restriction of licences to seal feathers
to "approved ostrich farmers" would be contrary
to Art. V of the same act.

Amad - 4 Sept 1915
Copy for Profano 5 Oct 15

[70
3183/5]

Mr Secretary Mr Lucie Smith
The above
reference is made to
1915 and the H. O. should
have considered the 1915 Act
with its restriction of Art. I, meaning
400,000 of ostrich feathers to
European countries should be
to the detriment of other countries
8/9/15

M. 7/9/15. A. Louis P. 15

Next subsequent Paper
7
41274

C. O.
39848
Rec^d
Post 30 AM
Colonial Office

411

To any further communication
in the subject, please write
107735/15.

August 28th, 1915.

Sir,

I am directed by Secretary Sir Edward Grey to acknowledge the receipt of your letter, 35145/1915, of the 5th instant, forwarding a copy of a despatch from the Acting Governor of the East Africa Protectorate, covering a copy of the Ostrich Amendment Ordinance 1915, together with a memorandum thereon by the Attorney General of the Protectorate.

With regard to the observations of the Attorney General in the tenth paragraph of his memorandum, I am to observe that, in so far as this Ordinance purports to interfere with the importation of ostrich feathers into the Protectorate, or of their sale on the same terms and with the same facilities as are accorded in the case of the importation and sale of other commodities, it would appear to be contrary to Article I of the General Act of Berlin, 1885. In Sir E. Grey's opinion

Under Secretary of State,
Colonial Office.

opinion restrictions cannot properly be put on the sale of imported feathers for the purpose of encouraging the production of locally grown feathers. Sir E. Grey would suggest, for Mr. Secretary Bonar Law's consideration, that the most satisfactory method in these circumstances of developing the infant industry of local ostrich farming would be found in directly assisting it with grants in aid and other measures of a like nature.

As regards the question of licences to sell feathers, Sir E. Grey recognizes that it might justly be argued that no one whether a foreigner or a national should sell feathers, whether imported or locally produced, without a licence, but he cannot understand how the grant of such licences could properly be restricted to "approved ostrich farmers". Such action would appear to him contrary to the actual language, as well as to the spirit, of Article V of the General Act of Berlin, expressed in the following terms:- "Toute Puissance qui exerce ou exercera des droits de souveraineté dans les territoires susvisés ne pourra y concéder ni monopoles ni privilèges

privilège d'aucune espèce en matière commerciale.

Les étrangers y jouiront indistinctement... du même traitement et des mêmes droits que les nationaux.

The restriction of licences to approved ostrich farmers would, in Sir E. Grey's opinion, be tantamount first to the creation of a privileged class, who would alone be eligible for the grant of licences, and further to the limitation of the issue of such licences to such persons from that class as were selected and approved by the Protectorate Authorities.

Further if no one but an approved ostrich farmer were licensed to sell ostrich feathers in the East Africa Protectorate, then it would seem that no one but an approved ostrich farmer could import feathers into the Protectorate, since if an importer could not sell his feathers when imported, it would be no advantage to him to import them.

I am, Sir,

Your most obedient,
humble servant,

Maurice de Bunsen

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ES

4 Sept 1915

DRAFT.

The U.S. of S.
Foreign Office

MINUTE.

Mr. Harpor 3/9/1915-

Mr. Bottomley 3.9.15 f.

Mr.

Mr.

Sir G. Pildes.

Sir H. Just.

Sir J. Anderson.

~~Lord Islington.~~

~~Mr. Harcourt.~~

Answered Mr

Sir

am directed by Mr Secretary
to acknowledge the

receipt of your letter of the

28th of August 1915, and to

~~inform you that~~ relating

to the ES Act

Amendment Ord^r 1915,

and to request you to

inform Sir Edward

Grey that he would be

glad to receive any

opinion which he may have

to offer on the ^{provision of the} ES Act

Ord^r 1907 in the

6/16