

EAST AFR. PROT.  
38653

39653  
REC'D  
REG'D 15 AUG 16

Govr's Deputy  
Bowring 415.  
1916  
6th July.  
Last previous Paper.  
MI  
15376

WINES IN CONNECTION WITH CARGO MANIFESTS.  
Submits observations on points raised; under circumstances is not prepared to recommend that any refunds of these fines should be made.

Admny Customs - Cas - 26 Aug 16  
Copy  
BT  
BT reminded 20 Sept 1916  
P 2-11 Steam Co. - 25 Oct 16  
Copy of above to Gov 767 - 26 Oct 16. 47 152748 d.

Mr. Bowring

The Sw. appears to have strong views on this matter.

I think we raised some

{Admny  
15% of Bond  
Customs

copies of 15376, Sep. to Sw. as last paper on this 10/29 (ref. 11031) & ask whether they consider that the refund of fines imposed in the past will be refused.

57 19/16

W.A. 19. 816 atack

Next subsequent Paper.  
41964

Romo

EAST AFRICA PROTECTORATE.

No. 4154

GOVERNMENT HOUSE,

NAIROBI.

BRITISH EAST AFRICA.

*Handwritten signature/initials*

July 6th, 1916.

38633  
REC<sup>d</sup>  
RES. 15 JUL 16

Sir,

*Adm  
11631  
MA  
15576*

I have the honour to acknowledge the receipt of your despatches No.230 of the 27th of March and No.275 of the 12th of April on the subject of fines imposed by the Chief of Customs in connection with cargo manifests of ships calling at Mombasa.

2. The representatives of the shipping Companies have apparently pleaded that inaccuracies in manifests for East African ports are almost entirely due to the conditions at home created by the war. This is not the case. Long before the outbreak of hostilities the attention of the shipping Companies was drawn to the careless and inaccurate manner in which manifests were prepared and passed to the Customs Department, and it was pointed out that no effort was as a rule made to rectify mistakes

THE RIGHT HONOURABLE

ANDREW BONAR LAW, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S. W.

mistakes until after repeated applications. It was therefore only after several warnings that the law was put in force.

11631  
3. Cases have occurred since the commencement of the war in which mails have arrived which left England several days after the departure of a cargo steamer, without however bringing the completed manifests, and the concluding argument in paragraph 1 of the note of the Conference held on the 14th of March therefore loses much of its force.

4. With regard to (1) on page 2 of the note, I have to state most emphatically that the fact that all goods unloaded at Mombasa have to pass through the Customs affords no guarantee whatever that goods carried by ships will not pass into Enemy hands. If goods are manifested for Mombasa, but are not landed and no explanation of the shortlanding is forthcoming at the earliest possible opportunity it is impossible to say what has become of them. In this connection I enclose a copy of a letter addressed by the Chief of Customs to the Naval Commander-in-Chief.

5. I have only to say with regard to (2) of the same page that the singularly incomplete manifests which the shipping Companies continue

to produce appear to show that the risk of their ships being searched appears to be an insufficient deterrent.

6. With regard to the letter from the Commissioners of Customs No. 178155 of February 20th, enclosed in your despatch No. 230 of the 27th of March, I have to point out that with a general tariff such as is provided in East Africa practically all goods are liable to duty, the amount involved in many cases being considerable, and that in the case of spirits the duty imposed is 6<sup>s</sup>/8<sup>d</sup> per gallon.

7. With regard to the letter from the Board of Trade dated February 3rd, enclosed in the same despatch, I desire to say that whereas the law provides for a penalty of £100 for failure to produce correct manifests, the fines imposed by the Chief of Customs have only ranged from £5 to £25 and I submit cannot therefore be described as heavy.

8. Under the circumstances I am not prepared to recommend that any refunds of these fines should be made.

I have the honour to be,  
Sir,  
Your humble, obedient servant,

*[Signature]*  
GOVERNOR'S Deputy

## INCLOSURE

In Despatch No. 415 of July 6th, 1916

12th April 1916

38653

REC<sup>d</sup>  
REC<sup>d</sup> 15 APR 16

Sir,

With reference to your letter No. 058/13 of the 26th March last I have the honour to report for the information of the Commander-in-Chief that I have detained ex S.S. "Clan Sutherland" now at Mozambique:-

20 cases whisky

2 cases advertisements

marked A.J.S. consigned to Mozambique "to order" - shipped by Peter Dawson Ltd., from Glasgow.

2. These packages are being sent to Zanzibar to be placed in the Prize Court as of suspected enemy destination.

3. In connection with this vessel and others I desire to place the following facts before the Commander-in-Chief:-

- (a) Large quantities of goods are continually being consigned "to order" to all ports.
- (b) In some cases large quantities of cargo are found, when the ship arrives here, to be unsupported by Bill of Lading or Manifest showing how the

The Secretary to the  
Commander-in-Chief,  
H.M.S. "Vengeance",

goods

goods are consigned. In the case of the "Castilian" no Manifests or Bills of Lading were brought by the ship.

(a) Shipowners and their Agents make it a regular practice to land cargo or to "overcarry" it regardless of Manifests.

(d) Fines have been imposed at this port on Ship Agents for failure to put in correct manifests, but telegraphic instructions have recently been received from the Secretary of State for the Colonies that Steamship Agents are to be allowed four months in which to amend Manifests up to 10% of the total packages. This means that in a cargo of 15000 packages 1500 packages can remain unaccounted for for 4 months.

(e) It is thus evident that it is possible for any Master should he desire to do so to manifest cargo "to order" for any one British port, "overcarry" it and land it at any other neutral port from which it may get into enemy hands. Possibly the patriotism of Shipowners and Shippers is a sufficient guarantee that no such undesirable business is transacted, or other steps may have been taken to guard against it.

(f) In view of the foregoing however it is evident that at this port the documents carried by steamships cannot be regarded as evidence of destination and that, in many cases it will not be possible to ascertain whether goods are consigned to order to Portuguese East Africa as desired by the Admiralty, nor as necessarily follows, except after exhaustive search of the cargo carried which will entail serious delay to ships, to ascertain whether any of it is contraband or conditional contraband.

A copy of this letter is being forwarded to H. H. the  
Governor.

I have the honour to be,

Sir,

Your Obedient Servant,

Chief of Customs  
& Detaining Officer,

Gov. EAP

38653

C.D. 76  
R. 27 AUG  
D. 25

76274 (17)  
41864  
174247

DRAFT

The Secretary,  
Admiralty.

The Asst. Secretary,  
Marine Department,  
Board of Trade

The Secretary,  
Customs House

22/8/16

Butler, 23 f.s.

Officer of Customs, 31 March 1916 (15576)

Gov. EAP 275, 12 April 1916 ( )

do. 415, 6 July (2862)

26 Aug 1916

Sir,

With ref. to the letter from the  
Capt of the 27th of March last,

I am to transmit to you, the Law  
of the L.C. of the Admiralty,  
before 1) the Board of Trade,  
2) the Board of Customs & Excise,

copies of the cover also in the margin,

on the subject of fines imposed by the

Chief of Customs, EAP, in connection

with cargo manifests of ships  
calling at Mombasa.

2. The Board of Trade will  
be glad to hear whether



- 1) the LC agree
- 2+3) the Board agree

that the refund of fines imposed  
in the past should be refused.