

EAST AFR. PROT.

N<sup>o</sup> 3 / 324

31327

(Subject.)

African Liquor Traffic Convention

Are we bound by Brussels Convention to increase of  
[import duty on] spirits. This will affect new Customs order.  
Cannot trace instruction from J. Frisship on point.

Antecedents (Minutes)

Mr. Balfour

One present duty is 2/6  
per gallon at 50 degrees of the  
Gay Lussac Alcoholometer - 9 minims  
is divided proportionally for  
any degree about 50. State it  
is shd. as in the N. African Colonies  
increase the duty to 4/6 per  
gallon. (It will not be necessary  
to amend the Customs Order as  
the duty is fixed in the Customs  
Order by ref<sup>er</sup> to the Liquor  
Order 1902 as any Order made  
at) 7/11 3/4 We

received interest upon 4% in East  
Africa. All that we have to  
do is to see that the duty  
is not less than 100 francs per  
hectolitre. I do not know what  
is the equivalent in the East  
African currency.

But where is the Board  
of Trade Journal to which Col  
Sudler refers? and where are  
the papers (other than 4/27/24  
West African) relating to the  
Danzon Conference? I do not  
understand how we come to  
have given no instructions to  
East Africa. Are there any  
other territories of ours on  
that side of Africa to which  
the Convention applies?

W.H. Lott Jr

East Afr. Dept.

Antarctic

7/2/24

I am on the papers & question, but I  
do not think the maximum rate (which  
is equivalent to Rs 2.730 per gallon) concerns  
our territories on the East side of Africa.

The rate applies throughout the zone  
where there is no total prohibition of the  
liquor traffic under Article 5 of the Convention.

As per  
papers  
7/2/24

recidivist import upon 4/5 in East Africa. All that we have to do is to see that the duty is not less than 100 francs per head of live. I do not know what is the equivalent in the East African currency.

But what is the Board of Trade journal to advise Col. Selous refers? and where are the papers (other than 43924 West Africa) relating to the Bonfils Conference? I do not understand how we come to have given no instructions to East Africa. Are there any other territories of ours on that side of Africa to which the Convention applies?

M.H. Sept 24

East Afr. Dept.

Antiquities

To: Selous

I answer the papers in question, but I do not think the minimum rate (which is equivalent to Rs 2.730 per gallon) concerns our territories on the East side of Africa.

The rate applies throughout the zone. There is no total prohibition on the liquor traffic under Article 6 of the General

Handwritten note on the right margin: "I think the papers referred to are long with"

Handwritten note on the right margin: "present for"

Article XX defines the zone to be the whole of Africa between  $30^{\circ}N$  &  $32^{\circ}S$ , while Article XCI ~~provides~~ provides for prohibition regions to be formally notified by the Powers concerned.

It seems to follow that where the sale or importation for sale to natives is forbidden under Article XCI the recent convention does not operate & we are not bound to raise the duty on spirits imported for the non-native population.

In the Protectorate on the Eastern side of Africa there are local laws prohibiting such sale or importation, but this does not appear to be sufficient under the general Act, & accordingly, in regard of the 70 ~~as to which~~ <sup>the same</sup> (such notification had been made) after a fortnight I have now got the following facts:

The first notification was of

Zanzibar - island & mainland

with its adjacent territory up to  $6^{\circ}$  longitude by aaland

long. Protectorate north of  $7^{\circ}N$ .

In Nov. 1892 a note was sent as to the I. B. S. A. Coy's territories of which no copy can be traced. No doubt it related to the notification promised on p. 11 of Heitland vol. XX as to importation for the non-native population.

In 1902 a note was sent to Sir C. Phipps explaining the changes in the list of prohibited regions which administrative changes will

space:  
Art. XCI  
provides  
for  
the  
sale  
of  
spirits  
to  
natives  
in  
the  
zone  
of  
prohibition  
regions.

1892  
Art. XX  
1892

had mentioned the matter to Mr. 289  
Butler but I did not learn from  
him that it was not officially to be  
prohibited.

W. S. J.  
I agree. When I wrote on  
Sept 14 I did not know  
that the sale of alcoholic  
liquors to natives was  
prohibited in the East Prov.  
Territory.

W. S. J.  
at once

~~to be~~

~~to be~~

No part of the Territory is north of 22°  
S. lat. so it is therefore outside the de-  
fined zone. I understand that the  
sale of liquor to natives is prohibited  
throughout the East Prov. Territory and  
the Convention is therefore not applicable  
to either.

W. S. J.  
The sale & even the delivery of liquors  
to natives is forbidden throughout  
the Companies' territories in pursuance of the  
directions to that effect in the Charter.

Art. 2 of the Rhoenian  
Protectorate follows the case in  
making an exception in favour of  
liquor administered for medicinal  
purposes.

The question is whether the Rhoenian  
Art. 2 of the Prot. Dist. should  
be adapted to preserve power under  
§ XCI of the Prussian constitution of 1850  
if that has not already been done.  
Probably it has: see § 10. an. 6. this.

It may be convenient to have  
reference to the actual enactments for the  
sale of liquor:-

- S. Rhodania Sale of liquor to  
Native Indians Reg. 1878 - 94
- N. Rhodania. Prussia 1871, 1901 § 16.
- N. P. Rhodania Sale of liquor to  
Native Americans Reg. 7 of 1901 § 3.
- Prot. Dist. Prussia 7 April '92. § 11  
(a letter to take)
- Prussia Art. 6 of 1904. § 14

See memo  
FO on the  
point all  
19/12

18/11/11  
H. S.  
1/12

Notification of Liquor Prohibition Zones in Africa. - Rhodesia, Bechuanaland, and British Central Africa.

With regard to the notification of liquor prohibition zones in Africa, Article 81 of the Brussels Act of 1890 indicates the procedure to be followed, and Article 85 runs as follows. -

"The Powers shall communicate to each other, through the Office at Brussels, and according to the terms of Chapter V, information relating to the traffic in alcoholic liquors within their respective territories".

12. "Communicate to each other" means publication through the Brussels Bureau's Documents etc., then Rhodesia and Bechuanaland may be considered to have been so notified to the Signatory Powers.

Bechuanaland. Proclamation of Sir E.P. Loch, 4th. April, 1902. Articles 11 and 12, pages 229-280 of "Documents" A3.

and Rhodesia. Notice, 14th. June 1905. page 196 of "Documents" A3.

British Central Africa was notified formally by His Majesty's Minister at Brussels to the Belgian Foreign Minister, 20th. June 1902, and a similar communication was addressed to the other Signatory Powers. (State Papers Volume 23, page 786.)

Foreign Office

October 19, 1907.

*George Badger*

C. O.  
31327

2-07

Telegram: The Governor of the East Africa Protectorate to the  
Secretary of State for the Colonies.

(Received, Colonial Office, 2.17 p.m. 31st August, 1907)

No. 161. Are we bound by Brussels Convention 3rd  
November last year to increase of spirits see page 76  
Board of Trade Journal 10th January this year. This  
would affect new Customs Ordinance. Cannot trace  
instruction from your Lordship on point.

Sadler.



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*Capt*  
*2nd Lt*

*Dear Sir*  
*Received of you*  
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*£100/-*  
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*London E.C. 4*

*Yours faithfully*  
*J. M. Smith*

REPLIES SHOULD BE ORDERED via East. C.

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Incl

21 September  
Finalize

DRAFT. Zel

Referring to your letter  
of the 18th

Sadler

Number

131 Convention

MINUTE.

- Mr. [Name] 21/9
- Mr. [Name] 21/9
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Mr. [Name]
- Sir F. [Name]
- Mr. [Name]
- The Earl of [Name]

sent with  
1.50 per  
2/9

does not affect B.C.A.C.  
at arm's length, although  
which is within the  
scotless [Name]  
region of total

prohibition of sale to  
[Name]  
[Name] provided for  
under Article 20 of 91  
General Act of 1890

Elgin

Recalculate