

DESPATCH

EAST AFR PROT
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JAN 10

Governor. No.
675

1909

EXPORT OF PELLS AND STATUE 1707

... in any form supports the claim of the Society for the Preservation of the Wild Fauna of the Empire be obtained.

Yes
36548

To of fauna, com 9 Feb.
of fauna number 25 May 10 22
14942

Copy to Gov

1728-24 & E. W. - 200827 -
25000-11-08

Next subsequent Paper

Yes
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Mr. Fidler I think that, on the whole, it would be best to grant the Society for the Preservation of the Fauna of the Empire as suggested at the end of their despatch. We can do this completely. W.S.N. Director the President, in answer to ... with ... I am ... suggest some scheme which ... to the ... & the ... to the Society as should ... they are ... the ... of ... different from that of the S.A.P., as they are only found in small numbers in the latter parts while a certain parts of Uganda they have great herds of

which has just been received

from the ...

It will be observed that

the only ... that ...

... should receive some addition

... in respect

of abolition of office

3 In the completion of the pension which appears on the ... missing allowance drawn by the applicant the value of ... has not been ... it is presumed

3 Their ... will, ... arranged

... letter of the ...

Last (20605 9) to ... (35785 9) missing allowances on these cases. to be ...

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of them which is responsible for the loss
of life among the natives & for great damage
to their crops - & that, in these cases
and here could not consent to the
minimum weight prescribed for birds &
the quail (11 lbs) being raised to
the S. A. P. minimum of 30 lbs &
in writing to the Society we might send
the papers to the Society, & if it is
found that the papers are
to be regarded as strictly confidential?

J. K.
27/11

Yes, act as proposed.
J. K.

Nairobi,

November 30th 1902.

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EAST AFRICA PROTECTORATE.

No. 675

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My Lord,

With reference to Your Lordship's despatch Confidential of August 5th and my despatch Confidential of October 9th, relating to the export of tusks and ivory, I have the honour to inform Your Lordship that I addressed the Acting Governor of Uganda on the matter and suggested that it might be advisable to prohibit the transit through Uganda of all tusks weighing less than 30 lbs., as I considered it desirable that such ivory should be stopped on the Congo and German frontiers, in order to prevent confiscation in this Protectorate after it had passed through Uganda.

2. The Acting Governor, however, is of opinion that it would be impossible to prohibit either the transit through, or importation into Uganda of ivory which comes up to the standard required for sale in the Protectorate, and that any prohibition would, no doubt, lead to representations by the Congo and German Governments that

Uganda

THE RIGHT HONOURABLE

THE EARL OF CREWE, K.G.,

SECRETARY OF STATE FOR THE COLONIES

DOWNING STREET,

LONDON, S.W.

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Uganda was unjustifiably setting up a standard for adjoining territories which was higher than that of Uganda, and that such representations would be most difficult to meet.

3. In this contention I am bound to agree with the Acting Governor. I consider, however, that it is a matter for regret that the Game Ordinances of the adjoining British Protectorates enacted in 1907 for East Africa on the one hand and Uganda on the other have differed in the matter of the minimum weight of ivory that could be legally possessed.

4. The question of raising the weight from 11 lbs. to 30 lbs. appears to have been carefully considered here, many sportsmen and all the senior officials having been consulted and agreeing that it was the only effective means of preserving female and immature bull elephants. This suggestion was supported in a Memorandum submitted to Your Lordship's predecessor by the Honorary Secretary of the Society for the Preservation of Wild Fauna of the Empire in despatch No.455 of August 2nd 1905. I may add that raising the weight to 30 lbs. was suggested as a step to the endless disputes that formerly occurred regarding the question as to whether a tusk was that of a female elephant or not; it being considered that 16 lbs. to 17 lbs. is a fair average weight for a female tusk.

5. It would perhaps be as well for me to give

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a brief history of the effect of the Game Ordinance on the ivory trade in this Protectorate.

The original Ordinance was enacted in 1900. At that time there were many Arab, Baluch and Swahili dealers in ivory scattered throughout the country, and except in regard to female and small tusks under 11 lbs. in weight little or no notice was taken of the clauses prohibiting the trade which continued as before. In the meantime these traders collected and buried large quantities of female and under-sized ivory in the hope that traffic would be reopened, and in this they were not disappointed.

Towards the end of 1902 these traders, but more particularly the Indian Merchants at Mombasa, alleged that there were large quantities of female and small ivory in the possession of natives, and on the representation of the Chief of Customs a Notice was published in the Official Gazette authorizing the purchase of female and small ivory by Government officers at 50% of its value up to the end of June 1903. The buried ivory was therefore dug up and brought in, and, no doubt, the natives encouraged to go on killing elephants regard-

less. Similar representations were made and a further extension being granted on the same terms until March 30th 1904. On December 1st of the same year the purchase was again allowed to continue until further orders, but at the reduced rate of 25% of its value, and it was not until the

revised

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revised Ordinance of 1906 was enacted that all trading in ivory was stopped, it being illegal to possess ivory other than that obtained under the provisions of the Ordinance, i.e. under a Sportsman's or Public Officer's licence.

6. During the whole of the period from 1900 to 1906 there can be little doubt that the natives were encouraged by the traders to kill elephants for the ivory, and that they did actually kill far more than they required for food.

7. About two years ago it was pointed out by the Provincial Commissioners that there was a considerable quantity of ivory in the possession of natives, and instructions were accordingly issued to buy it up direct from them at 50% of its value. The value, however, could not be ascertain^{ed} until the ivory was sent to Mombasa and sold by the Chief of Customs, and, as ivory sales only take place at intervals according to the state of the American and European markets, the natives were discouraged by being kept waiting for their money and believed that it had been confiscated. In consequence very little was brought in. Instructions were accordingly issued to pay the natives on the spot for all ivory brought in at a fixed rate of Rs. 4/- per lb. This is still being done, and I propose to continue it up to the end of March next. Up to date large quantities have been brought in. On this ivory the Government makes 100% or more profit when sold by

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the Chief of Customs. Ivory is, therefore, at present to all intents and purposes a Government monopoly, which is doubtless *prima facie* undesirable but the question appears to me a somewhat difficult one to deal with.

B. It is alleged by those interested in the trade that our present action encourages smuggling and also encourages natives to kill elephants for the ivory alone, and in excess of their actual requirements for food.

With regard to the former, smuggling is bound to take place so long as Germany, Italy and the Congo State remain apathetic regarding the export of tusks of 11 lbs. weight, which must have obviously involved the slaughter of female or immature male elephants.

At present the principal outlets from this country are into Abyssinia, Italian territory and Uganda. The amount of Ivory that finds its way through German territory cannot be very great, as most of it comes from the northern half of the Protectorate and I am informed that the export from German East Africa has decreased within the last year or two. With regard to the Abyssinian frontier we, of course, cannot do anything in the matter of preventing smuggling until we establish ourselves there and stop the Italian hunters from entering our territory. The above remarks apply equally to the Italian frontier: no action can be taken there until we occupy Serenli opposite Bardera or some

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post in the vicinity of Lugh.

The only other outlet is through Uganda. The reports of all District Officers at Baringo and Mumias show conclusively that all the ivory obtained South and East of the Turkwell River is bought up, and taken into Uganda by the traders, of whom there are large numbers scattered throughout the district of Kaviriri, East and North of Mount Kenia. These reports are corroborated by Colonel Brown, a sportsman, who visited the district a few months ago.

9. It is not clear to me under which clause of the Uganda Game Ordinance these traders are permitted to carry on their operations, as all the ivory they collect would appear to be obtained in contravention of that Ordinance, and I submit that it is difficult to justify, on the grounds of Revenue, the encouragement of the wholesale slaughter of elephants by unscrupulous aliens in a portion of the Protectorate even though it be unadministered.

10. As regards the allegation that our present practice of buying up ivory from the natives is encouraging them to destroy elephants, reports from the District Officers show that this is not correct, as fewer are now killed throughout the Protectorate than formerly. In the Kitui District alone, a considerable number are still slaughtered by the Wakamba in the uninhabited bush country to the East. These Wakamba kill for the sake of the ivory, and cannot plead that they do so for meat, there being large quantities of other kinds of game very much nearer at hand; and as they have been repeatedly

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repeatedly warned against the practice, they are now punished and all freshly acquired ivory in their possession is confiscated. Recently a consignment weighing 5,462 lbs. was brought in here of which 1,227 lbs. only had been purchased, the balance of 4,235 lbs. had been confiscated and the owners punished. This will, no doubt, act as a deterrent.

11. It now remains to consider the question as to whether the trade in ivory should be allowed or not. To throw it open without restrictions, except as regards the minimum weight of 50 lbs., would lead to the encouragement of natives by traders to kill indiscriminately. Female tusks and all under 30 lbs. would be collected and buried as formerly, until a favourable opportunity occurred for smuggling across the frontiers.

If we adopted a suggestion recently put before me that we should impose a royalty of Re.3.50 on female tusks and those under 50 lbs., and of Re.1/- on all tusks above that weight it would practically give Indians, Arabs, Baluchis, Somalis and Swahilis a monopoly of the trade as no European could compete with them. Smuggling would be encouraged rather than otherwise, as it would not be illegal to possess female and undersized tusks, which would therefore be openly carried to some convenient spot near the frontiers and taken across. To increase the royalty would not discourage killing and would certainly stimulate smuggling.

12. It has been suggested from time to time that traders

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traders might be licensed, and pay a substantial fee, say £150, and also deposit a considerable sum, but this too would lead to abuses and would undoubtedly encourage the killing of elephants by natives.

It therefore appears difficult if not quite impossible to devise a means for allowing the trade in any form, that would not at once lead to undue slaughter of elephants, and their extermination with

it is not possible to believe that in German East Africa and Italian Somaliland there are very few elephants remaining, and it is possible that the German and Italian Governments might be induced to adopt more stringent means to preserve the few that are left. Before, however, representations are made, it would appear desirable that we should ourselves adopt a consistent policy regarding the protection of elephants in Uganda and this Protectorate.

It is possible that Your Lordship might be disposed to obtain the opinion of the Society for the Protection of the Wild Fauna of the Empire on this question.

I have the honour to be
 obedient servant,

Res.
 GOVERNOR.

Course to be adopted with
regard to this matter.

2. As his society

There is little aware, his
position with regard to
slightest in regard to
which depend upon them
in the East. In the latter
particular they are not
found in comparative

Small numbers, which
whereas in certain parts
of the world there exist
large herds which are
responsible for loss of
life among the natives
and for great damage
to their crops. In
these cases such course

Could not admit as a
solution of the difficulty,
that the maximum height
of the
proposed in regard to
should be raised to the
maximum of the
the East.

3. I am to request
enclosed
that the papers enclosed
in this letter may be
regarded as strictly
Confidential

(Signed) G. V. FIDDES

PUBLIC RECORD OFFICE

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