

(17)

OFFICE OF THE GOVERNOR-GENERAL
OF SOUTH AFRICA.

No. 5 / 40.

OFFICE OR INDIVIDUAL

From
S. of S.
(Conf)
1912
11 July

SUBJECT.

Protection & preservation of Whales: transmits
correspondence regarding a proposed
international conference to consider.

PREVIOUS PAPERS

5/34.

MINUTES.

? Refer.

~~H.H.S.~~
1/8/12.

H.H.S. 2/8/12.

deW
2/8/12.

? Reminder.

~~H.H.S.~~
3/9/12.

H.H.S. 3/9/12.

? Another reminder.

~~H.H.S.~~
17/9/12.

H.H.S. 17/9/12

18/9/12. Secy. Prov. states information is being
obtained from Natal & Cape Provincial
authorities

See H.H.S. 19/9/12

SUBSEQUENT PAPERS

S
+ 8

? A 3rd Reminder.

~~H.H.S.~~
1/11/12.

Wait till 1/12 H.H.S. 15/10/12

No.

5 / 40

limited to, say, five years at most, or preferably to three years, and it will of course be a matter for consideration how far local conditions in regard to the supply of whales justify the grant of any further facilities at all.

3. I have also to request that you will furnish me with information in regard to the whaling industry carried on from the Union whether in its territorial waters and the adjacent seas or in distant places, including particulars with regard to the number of whaling steamers, floating factories and shore factories the number and nature of licences and leases and the nationality of their holders, with references to the law and regulations affecting the industry.

I have the honour to be,

My Lord,

Your Lordship's most obedient
humble servant,

L. Harcourt

PROOF.
18281.

No.

FALKLAND ISLANDS.

WHALING LICENCES ISSUED FOR THE 1912-1913 WHALING SEASON.

South Shetlands and Graham's Land.

Company	Floating Factory Whalers	Fee.
1. Chr. Salvesen & Co,	Neko "Hanka" "Hirpa"	£100.
2. "Odd" Co.	Sobraon 3. "Horta" "OddII" "Ole Wegger."	100. 100.
3. "Nor" Co.	Bombay 3. "Hval" "Neb" "Gvas"	100. 100
4. Andorsen & Neumann	Hvalen 3. "Klo" "Norddeble" "Selvik"	100. 100
5. "Southern"	Svend Foyn 3. "Flamme" "Frigg" "Frey"	100 100
6. Soc. Ballenera de Magallanes	Gobernador Bories 3. "Norroena III"	100
7. "Laboremus" Co.	Roald Amundsen "Almirante Goni" "Almirante Valenzuela"	100 100
8. "Norge" Co.	Solstreif 3. "Almirante Uribe" "Kanon" "Granat"	100 100
9. "Ornen" Co.	Orn 3. "Harpun" "Eik" "Bok"	100 100
10. "Hektor" Co.	Ronald 3. "Havrn" "Port Stanley" "Bransfield" "T.H. Danl"	100 100 100

SOUTH ORKNEYS.

1. "Retnval" Co.	Falkland "Palmer" "Powell"	100
2. "Haugesund" Co.	One Two	100
3. "Thule" Co.	Thule Two	100
4. "Hektor" Co.	Ronald "Port Stanley" "Bransfield".	100
5. (I. Bride, Sandefjord)	One Two	100

SANDWICH ISLANDS.

1. "Thule" Co.	One Two	100
2. "Albatros" Co.	One Two	100
3. (A. Nilsen, Sande- fjord)	Southern Cross "Cetus" "Piscis"	100
4. "Normanna" Co.	Normanna "Normann I" "Normann II"	100
5. "Kosmos" Co.	One Two	100
6. (Lars Christensen Sandefjord)	One Two	100

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5. "Southern"	Svend Foyn 3. "Flamme" "Frigg" "Frey"	100 100
6. Soc. Ballenera de Magallanes	Gobernador Bories 3. "Norroena III"	100
7. "Laboremus" Co.	Roald Amundsen "Almirante Goni" "Almirante Valenzuela"	100 100
8. "Norge" Co.	Solstreif 3. "Almirante Uribe" "Kanon" "Granat"	100 100
9. "Ornen" Co.	Orn 3. "Harpun" "Eik" "Bok"	100 100
10. "Hektor" Co.	Ronald 3. "Hauken" "Grib" "Havrn" "Port Stanley" "Bransfield" "T.M. Danl"	100 100 100

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5. (1. Bride, Sandefjord)	One Two	100

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5. "Kosmos" Co.,	One Two	100
6. (Lars Christensen Sandefjord)	One Two	100

THE International Fur-Seal Conference met at 5 o'clock at the Department of State, all the delegates being present except Mr. Nagel.

At the suggestion of Mr. Anderson, Mr. Bryce was requested to preside over the conference in the absence of Mr. Nagel.

Mr. Bryce announced, on behalf of the British delegation, that Mr. Esmond Ovey had been appointed secretary on the part of Great Britain in the place of Mr. George Young, whose other engagements made it impossible for him to remain longer in Washington.

The following memorandum, embodying the recommendations of the committee of experts relative to a proposed international game law, was submitted to the conference:—

"Memorandum.

"At informal conferences held the 29th and the 31st May, 1911, the following tentative recommendations relative to the protection of marine animals and plumage

birds were agreed upon for submittal to ~~the~~ ^{his} representatives of the respective Governments. Those in attendance at the conference were Baron Nolde, M. Brajnikov, Dr. Kitahara, Mr. Macoun, and Dr. Smith:—

"*Walrus*.—The prohibition of the killing or hunting of walrus in the extra-territorial waters of Behring Sea between the 1st May and the 15th October for a term of years; the natives to be allowed to kill walrus for their own use, but not for sale or barter.

"*Sea Lion*.—No protection of the sea lion in open waters of the North Pacific appears to be demanded at present, and consideration of this animal is therefore passed over.

"*Elephant Seal*.—The hunting of the sea elephant should be prohibited absolutely, and the importation of sea-elephant products into the respective countries should be forbidden.

"*Whales*.—1. The hunting or killing of the right whale and the bow-head whale should be prohibited for a term of ten years, beginning in 1913 or 1914, both on the high seas and in territorial waters.

"2. No floating factories should be allowed in the whale fishery.

"*Plumage Birds*.—1. Each country to respect the bird preserves or reservations already established or that may hereafter be established by any other country party to the conference, and to prohibit its subjects from visiting such preserves or reservations except under proper authority.

"2. Each country to prohibit, so far as practicable, traffic in plumage birds killed in violation of the laws of any other country party to this conference.

"3. The birds particularly affected by the agreement are the following, and such other species as may be found to breed on said preserves, and notice of which may from time to time be given by one country to the other countries party to the agreement:—

"Albatrosses (*Diomedea*).

"White terns (*Gygis*).

"Sooty terns (*Sterna fuliginosa*).

"Gulls (*Larus*).

4. "Definition: Plumage birds are those which from the beauty or peculiarity of their plumage are desirable for commercial purposes."

It was agreed that the foregoing memorandum should be inserted in the protocol of the conference, and should be referred to each Government for further consideration and for such action as should be deemed appropriate.

After a general discussion as to the most suitable manner of carrying out the provisions of article 7 of the proposed convention relating to the maintenance of a guard or patrol for the enforcement of the prohibition against pelagic sealing, an understanding was reached that it would be necessary for the parties to the convention to confer with each other from time to time with a view to determining the areas which each would undertake to patrol.

The convention having been agreed upon in final form and being ready for signature, the conference adjourned, subject to the call of the president, the several delegations agreeing to meet for the purpose of signing the convention as soon as the British delegation should be authorised to sign by its Government.

July 3, 1911.

objection, to send a copy of this correspondence to the Museum for the observations of the trustees.

7. A copy of the correspondence has been sent to the Board of Trade for consideration and Mr. Harcourt concurs in the reply which Sir E. Grey proposes to send to the Board's letter of the 10th of May to the Foreign Office.

8. Steps are being taken to consult the Self-governing Dominions.

I am, etc.,

(Sd.) (Signed) H. J. READ.
for the Under Secretary of State.

UNDER SECRETARY OF STATE
FOREIGN OFFICE.



gradually although no valid claim to compensation could be made.

4. In reply to Sir Edward Gray's question as to exactly what foreign powers are interested in the whaling industry and the approximate extent of their interests, complete lists of holders of licences and leases in the dependencies of the Falkland Islands are enclosed. It will be seen that by far the largest proportion of the firms are Norwegian, while there are three British firms, one Argentine, and one Chilean. The extent of Norwegian interests in the whale fisheries of the world and the amount of the capital involved may be gathered from the publication "Oversigt over de vigtigste Norske Hvalfangerselskaber" (Account of the most important Norwegian Haling Companies) which accompanied Acting Consul Dick's letter No. 19 Commercial of the 23rd of March last. Mr Harcourt has no further information as to the interests of other foreign nations, and he would suggest that Sir E. Gray should invite His Majesty's representatives in the principal maritime states to report upon the point.

5. It is understood that Japan has of her own initiative adopted a policy of limitation of the number of whaling steamers and that the maximum number now permitted for the whole of Japan is thirty.

6. Mr Harcourt concurs in Sir E. Gray's remarks as to the relations which should exist between the British Museum and the contemplated Inter-Departmental Committee; and he proposes, if Sir E. Gray has no objection,

islands which are only visited by whaling expeditions. If lawful whaling is restricted there will be nothing to prevent poaching expeditions under foreign flags, as anything in the nature of police measures is impossible. There appears to be very little exact information as to the migrations of whales, but it is the common knowledge of whalers that certain annual migrations take place, and it is believed that larger migrations occur at longer intervals.

3. Mr Harcourt agrees with Sir Edward Grey that restriction of the issue of licences and the grant of leases for whaling purposes would not give rise to valid claims for compensation provided that there were no infraction of the existing agreements between His Majesty's Government and the whaling companies. But in this connection it may be recalled that many such agreements are for long terms and subject to few conditions and any attempt to terminate them would give rise to claims for compensations. In addition to long term agreements which could not be terminated without compensation, many companies carry on whaling operations on the strength of licences for short periods, and such capital has been embarked in the industry merely on the strength of these annual licences. Any sudden and material restriction of the rights customarily accorded by the licences, and still more any sudden refusal to renew such licences, would cause waste of the money and plant of British subjects and the subjects of friendly powers; and Mr Harcourt therefore thinks that it would be expedient to proceed gradually

5591/1912.

Downing Street,

10 July, 1912.

islands which are only visited by whalers. If lawful whaling is restricted there will be nothing to prevent poaching expeditions under foreign flags, as anything in the nature of police measures is Sir, There appears to be very little exact information.

I am directed by Mr Secretary Harcourt to acknowledge the receipt of your letters No. 16898 of the 2nd of May and No. 20027 of the 20th of May relative to the protection of whales.

2. With regard to the points raised in the letter of the 2nd of May, I am to state for the information of Secretary Sir Edward Grey that the control of the whaling industry which is already exercised by the Government of the Falkland Islands and in similar cases is based upon the fact that the industry cannot be carried on to any appreciable extent without the use of harbours, not only for shelter but also to obtain the large supplies of fresh water required for the utilisation of the whales caught. The need for an inter-national agreement depends upon the consideration that whales migrate over long distances, and that accordingly the industry carried on from one country at one time is liable to injury from excessive pursuit of whales carried on from another country at another time. To restrict operations carried on from British territory without securing some corresponding restrictions on foreign territory would give rise to complaints of unfair treatment. It must also be remembered that many of the whaling grounds are near uninhabited islands and therefore think that it would be expedient to gradually

SOUTH GEORGIA WHALING LEASES.

Leaseholders.	Date of Lease, &c. (all Leases for 21 years).	Provision as to Utilisation of whole Carcasses.	Place Leased.	Area Acres.	Rent.	Remarks.
Cia Argentina de Pesca.	8 Mar., '06	No provision for utilisation of whole carcass.*	Grytviken ...	500	£ 250	Allowed 4 whalers.
			Jason Harbour ...	30	100	
Sandefjord Whaling Co.	31 Dec., '09	Do.*	Stromness Harbour	500	250	Allowed a 3rd whaler on payment of an extra £100.
Tönsbergs Hvalfan-geri.	3 Feb., '10	Do.*	Husvik Harbour, Stromness Bay.	500	250	Do.
Messrs. Bryde & Dahl.	9 June, '10	Do.*	Godt Hull Harbour	114	250	Do.
Ocean Whaling Co.	7 Mar., '11	Whole carcass to be utilised.†	New Fortune Bay	500	250	Limited to 2 whalers.
Messrs. Chr. Salvesen & Co.	25 Oct., '09	Do.†	Allardyce Harbour, Cape Buller.	500	250	Do.
South Georgia Co....	22 Nov., '09	Do.†	Leith Harbour, Stromness Bay.	500	250	Do.
Southern Whaling and Sealing Co.	(? 1 Oct.), '11	—	Prince Olaf Harbour.	—	250	Do.

Each lease permits the employment of one floating factory and two steam whalers, except where otherwise stated in the last column.

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No.

FALKLAND ISLANDS.

WHALING LICENCES ISSUED FOR THE 1912-1913 WHALING SEASON.

SOUTH SHETLANDS AND GRAHAM'S LAND.

Company.	Floating Factory.	Whalers.	Fee.
1. Chr. Salvesen & Co. ...	Neko	"Hanka" "Hirpa."	£ 100
2. "Odd" Co.	Sobraon	3. "Horta" "Odd II." "Ole Wegger."	100 100
3. "Nor" Co.	Bombay	3. "Hval" "Neb" "Gvas."	100 100
4. Andorsen & Neumann ...	Hvalen	3. "Klo" "Norddeble" "Selvik."	100 100
5. "Southern"	Svend Foyn	3. "Flamme" "Frigg" "Frey."	100 100
6. Soc. Ballenera de Magallanes	Gobernador Bories ...	3. "Norroena III." "Almirante Goni" "Almirante Valenzuela."	100 100
7. "Laboremus" Co.	Roald Amundsen	3. "Almirante Uribe" "Kanon" "Granat."	100 100
8. "Norge" Co.	Solstreif	3. "Harpun" "Eik" "Bok."	100 100
9. "Ornen" Co.	Orn	3. ? "Hauken" "Grib."	100 100
10. "Hektor" Co.	Ronald	3. "Havørn" "Port Stanley" "Bransfield." "T. H. Dahl"	100 100 100

SOUTH ORKNEYS.

1. "Rethval" Co.	Falkland	"Palmer" "Powell."	100
2. "Haugesund" Co.	One	Two	100
3. "Thule" Co.	Thule	Two	100
4. "Hektor" Co.	Ronald	"Port Stanley" "Bransfield."	100
5. (I. Bride, Sandefjord) ...	One	Two	100

SANDWICH ISLANDS.

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2. "Albatros" Co.	One	Two	100
3. (A. Nilsen, Sandefjord) ...	Southern Cross	"Cetus" "Piscis."	100
4. "Normanna" Co.	Normanna	"Normann I." "Normann II."	100
5. "Kosmos" Co.	One	Two	100
6. (Lars Christensen, Sandefjord).	One	Two	100

clear how such restrictions could give rise to valid claims provided there were no infraction of the existing agreements between His Majesty's Government and the whaling companies, and would be glad of enlightenment on this point.

As regards the composition of the Committee, Sir E. Grey doubts whether the British Museum should be formally represented as it is not a Department of His Majesty's Government. The trustees should, however be invited by the Committee to send a representative to attend some of the meetings for the purpose of consultation.

It would, however, be essential that the Board of Trade should be represented and Sir E. Grey would suggest that that Department should also be consulted at the present stage of the proceedings.

I am, etc.,

(Sd.) Louis Mallet.

UNDER SECRETARY OF STATE
COLONIAL OFFICE.

No. 16963/12.

CONFIDENTIAL.

Not to be published without
previous authority of H.M.'s
Government.

Foreign Office,

2nd May, 1912.

Sir,

I am directed by Secretary Sir E. Grey to state that he has had under careful consideration your letter 1821 of the 20th ultimo, respecting the preservation of whales.

Sir E. Grey is of course in favour of doing all that can be done to preserve rare and valuable species from extermination and he concurs generally in Mr. Harcourt's suggestions.

It appears to him, however, that fuller information on the subject will have to be obtained before the proposed interdepartmental Committee can formulate proposals.

In the first place he would suggest that Mr. Harcourt might possibly wish to obtain the views of the Self-governing Dominions on the subject. Secondly, Sir E. Grey would be glad if he could be informed what foreign Powers, exactly are interested in the fishery and the approximate extent of their interest. Thirdly how far the industry can be carried on without recourse to land stations. It appears from your letter that in the waters chiefly concerned whalers have to use factories on land or floating factories moored in harbours. In that case much can be done, as Mr. Harcourt indicates, by restricting the issue of licences and the grant of leases without the necessity for an international agreement. Sir E. Grey is not
clear

Sperm Whales.

- Physeter macrocephalus*, Linn.
South Seas. *Wants special protection.*
Cogia breviceps, Blainville.
Southern and Indian Ocean.

Beaked, or Sharp-nosed Whales.

- Ziphius australis*, Burmeister.
South Atlantic.
Ziphius chathamensis, Hector.
Australian and New Zealand Seas; South Pacific.

Double-toothed Beaked Whales.

- Mesoplodon hectori*, Gray.
South Pacific-Ocean.
Mesoplodon layardi, Gray.
South Atlantic Ocean.
Mesoplodon grayi, Haast.
New Zealand Seas.
Mesoplodon densirostris, Blainville.

Rorquals.

- Balænoptera antarctica*, Gray.
Southern Seas.
Balænoptera bonærens, Bol.
South Atlantic and Cape Seas.
Balænoptera huttoni, Gray.
South Pacific.
Balænoptera edeni, Anderson.
Indian Ocean.
Balænoptera schlegelii, Flower.
Indian and South Pacific Oceans.
Balænoptera potochonica, Burmeister.
South Atlantic.
Balænoptera tschudii, Reich.
South Pacific.
Balænoptera grayi, MacCoy.
Australian Seas.
Balænoptera blythi, Anderson.
Indian Ocean.
Balænoptera indica, Blyth.
Indian Ocean and Red Sea.

Humpbacked Whales.

- Megaptera lalandii*, Gray.
South Atlantic.
Megaptera novæ zealandiæ, Gray.
South Pacific.
Megaptera cullamack (Chamissa).
Oceania.
Megaptera indica, Gervais.
Indian Ocean.
All Humpbacked Whales want special protection.

False Right Whales.

- Neobalæna marginata*, Gray.
South Pacific.

Right Whales.

- Balæna australis*, Desmoulines.
South Atlantic.

Blue Whales.

- Rachianectes glaucus*, Cope.
Central Pacific.

- Otaria velutina*, Philippi.
Gallapagos Sea Lion.
Gallapagos Islands, and Coasts of Peru and Northern Chili.
- Zalophus lobatus*, Gray.
Australian Sea Lion.
Southern Ocean, New Zealand and Southern Japan.
- Phocaretos hookeri*, Gray.
Hooker's Sea Lion.
Auckland Island. *Wants special protection; absolute prohibition of killing for 20 years.*
- Arctocephalus australis*, Zimmermann.
Southern Fur Seal.
Gallapagos Islands, Falkland Islands, Rio Janeiro to Cape Horn, and Chili to Straits of Magellan. *Wants special protection—15 years at least.*
- Arctocephalus gracilis*, Behring.
Brazilian Fur Seal.
South Brazilian coasts. *Special protection.*
- Arctocephalus gazella*, Peters.
Kerguelen Fur Seal.
Kerguelen Island. *Wants special protection.*
- Arctocephalus pusillus*, Schreben.
Little Fur Seal.
Cape Seas and Crozet Islands. *Wants special protection on Crozet Islands.*
- Arctocephalus forsteri*, Lesson.
Australian Fur Seal.
Australia, New Zealand and adjacent islands. *Wants special protection; total prohibition for 20 years.*
- Arctocephalus elegans*, Peters.
St. Paul Fur Seal.
St. Paul and Amsterdam Islands. *Wants special protection.*
- Mirounga proboscidea*, Perron.
Macquarie Islands Sea Elephant.
Macquarie Islands. *Wants special protection; total prohibition for 25 years at least.*
- Mirounga kerguelensis*, Peters.
Kerguelen Sea Elephant.
Kerguelen and Herd Islands. *Wants special protection; 10 years' prohibition.*
- Mirounga patagonica*, Gray.
Southern Sea Elephant.
Falkland Islands, South Shetlands, and Crozet Islands. *Wants special protection; 10 years' prohibition at least.*

WHALES.

- Black, or Pot Whales.*
Globicephalus melas, Traill.
Cape Seas and Falkland Islands.
Globicephalus macrorhynchus, Gray.
South Pacific Ocean.
- False Killers.*
Pseudorca crassidens, Owen.
South Seas.
- Killers.*
Orca capensis, Gray.
Cape Seas.
Orca pacifica, Gray.
South Pacific and New Zealand Seas.
Orca magellanica, Burm.
South Atlantic.

is in no danger of extermination there may be replied to by the fact that this species has been absolutely exterminated from Bass' Straits, while in the Macquarie, Crozet, Kerguelen, and Heard Islands, as well as on Tristan da Cunha, their numbers have been very greatly reduced. The history of the fur-seal traffic in the Northern Hemisphere (Bering Sea), as well as in South Africa, Australia, and New Zealand, shows that the unrestricted slaughter, for purposes of profit, of these marine mammals cannot be indulged in without serious detriment to the welfare of the species concerned.

7. The history of whaling points in the same direction. The Greenland whale, by far the most valuable species, has been reduced so greatly that the British pursuit of that species is nearly, if not quite, extinct. The North Atlantic right whale, which comes next in value, was at one time nearly exterminated by the Basque whalers; although it has somewhat recovered in recent years, probably in consequence of the cessation of the persecution to which it had been subjected. The humpback and several species of rorqual have been almost driven out of Norwegian waters, although they are being hunted—probably with far too much vigour—from whaling stations in the Shetlands and off the west coast of Ireland.

8. The Trustees cannot too strongly call attention to the grave danger of a repetition in southern waters of the process of extermination which has been so effective in other localities.

9. With regard to whales it may be suggested that a system of accurately recording the locality, date of capture, sex and species of every individual killed might do much to settle the important question whether the schools of humpback found off South Georgia have anything to do with those which are hunted in South Africa. In the case of some species of whales the females have been observed to herd separately during a part of the year. It should be ascertained whether this is the case with the humpbacks of South Georgia; and if it is so the hunting of females at this season might be prohibited with advantage. But whatever the result of these enquiries might be, it is probably essential to regulate in some way the number killed if the Antarctic whales are not to be decimated in number within the next few years. It ought to be in the interest even of those engaged in the trade to avoid anything like extermination.

10. With regard to the seals (and particularly the sea elephant) an attempt should be made to estimate the number of individuals in the islands, with the view of fixing the number allowed to be killed. In the case of polygamous species (fur-seals and (?) sea elephants), only the "bachelors" (young males) should be killed. The proper percentage could probably be ascertained by communicating with the United States Fish Commission at Washington. Attention might also be called to the wasteful practice of killing hair-seals and making no use of their skins.

11. I am to transmit to you copy of lists of the species of seals and whales wanting protection. The lists have been prepared by the Hon. Walter Rothschild, a member of the Board of Trustees, who has made a special study of these animals.

12. With regard to paragraph 7 of Mr. Fiddes' letter, I am to state that the Trustees would willingly co-operate with Mr. Secretary Harcourt in taking steps with a view to arriving at a general international agreement dealing with the matter.

I am to suggest, for Mr. Harcourt's consideration, that it might be desirable to consult the Secretary of State for Foreign Affairs, forwarding him a copy of this letter, in order to ascertain his opinion as regards the advisability of an international conference being held in London or elsewhere.

The matter is one of primary importance to a maritime nation like Great Britain.

I am, &c.,

L. FLETCHER.

Enclosure in No. .

LISTS OF SEALS AND WHALES REQUIRING PROTECTION: PREPARED BY
THE HON. WALTER ROTHSCHILD.

SEALS, SEA LIONS, SEA ELEPHANTS.

Otaria byronia, Blainville—*Otaria jubata*, ante.

Southern Sea Lion.

Patagonia, Falkland Islands, Tierra del Fuego.

PROOF

34921

No. .

BRITISH MUSEUM (NATURAL HISTORY) to COLONIAL OFFICE.

(Received October 30, 1911.)

[Answered by No. .]

(Confidential.)

British Museum (Natural History), Cromwell Road, London, S.W.,
27th October, 1911.

SIR,

1. ADVERTING to the question of the protection of whales and sea elephants in southern seas, the Trustees of the British Museum have given careful consideration to Mr. Fiddes's letter, No. 14488/1911, of the 3rd June last,* and to the statements and statistics given in the correspondence which accompanied that letter.

2. I am to submit the following observations for Mr. Secretary Harcourt's information.

It is impossible to read the correspondence without very serious misgivings.

The figures quoted in the reports signed "J. Innes Wilson, Magistrate," enclosed with the report dated 17 December, 1910,† from Mr. W. L. Allardyce, Governor of the Falkland Islands, entirely bear out the general accuracy of Mr. J. A. Mörch's statements which were communicated to the Colonial Office in a letter from this Department, dated 3rd May last.‡

It appears from these figures that during a period of twelve months (October 1, 1909, to September 30, 1910), the shore and floating stations at South Georgia obtained 3,516 specimens, representing five of the largest species of whales, and that no less than 3,391 of these were humpbacks. The total value of the products is given as £251,077. The Report, 1908, of the Natal Fisheries Department alludes (p. 4) to the establishment of a whaling station in Natal, and to the capture of 106 whales during a period of four or five months.

3. This Museum has had more recent evidence showing that the number of South African whaling stations is increasing, and that a large proportion of the individuals killed are humpbacks. It is by no means improbable that the schools of humpbacks which visit the South African coast during a certain part of the year may be identical with those which are found off South Georgia at other times. It is thus greatly to be feared that the persecution of the humpback is being carried on at two very different localities, and that the species may be quite unable to resist so vigorous and determined an attack.

4. There seems to be no indication whatever that there is any disposition on the part of those locally concerned to exercise a reasonable amount of foresight and caution.

5. The local reports contain many references to the profitable nature of the enterprise. Mr. Allardyce states (17 December, 1910), that the whaling industry in South Georgia is "highly remunerative," and that its prospects are "most encouraging." In Enclosure No. 2, dated 30 November, 1910, sent with the same despatch, Mr. J. Innes Wilson speaks of South Georgia as the whalers' El Dorado, and alludes to the prospect of surpassing the record results of the preceding year. In his despatch, dated 17 March, 1911,§ Mr. Allardyce refers to the "largest take on record" (paragraph 2), which has been obtained by the Norge Company, and to the "proportionate excitement and pleasure at the above highly satisfactory pecuniary results" (paragraph 3). On the next page of the same despatch there occurs, however, what is probably the highly significant statement that although whales are still extremely plentiful they are going further south. It seems to be supposed that the existence of good harbours in Belgica Strait and Graham's Land is a sufficient provision for the future, in the event of the whales forsaking the South Shetlands, &c.

6. The experience of other localities justifies the belief that what has happened in other parts of the world is likely to take place in South Georgia and its neighbourhood unless prompt steps are taken to regulate the pursuit of whales and seals. The assertion made by Mr. T. D. V. Best (22 November, 1910), that the sea elephant

* No.

† Enclosure in No. 2216.

‡ No. 14488.

§ No. 12243.

granting any further whaling facilities except under
license for a short period.

16. The co-operation of the Norwegian Government
and of the South American Governments would also
ultimately be of much importance, if not absolutely
essential.

I am, etc.,

(Sd.) H.V. JUNT.

These Acts appear to deal with a whaling industry carried on with shore factories only. They provide for the issue of licences limiting the number of whaling steamers that may be employed and amongst their other provisions those prohibiting the capture of whales otherwise than with a harpoon with line attached, and establishing a close season, should be particularly noticed.

13. Mr Harcourt is not at present prepared to commit himself to any definite view as to the lines upon which it may be best to proceed; but he is inclined to think that the most promising proposal is to endeavour to secure by international agreement the limitation of the number of the vessels which may be employed to hunt or take whales and the regulation of the disposal of the products with a view to minimizing waste.

14. If Sir Edward Grey concurs generally as to the desirability of international action, Mr. Harcourt would suggest that a small committee should be formed to formulate more definite proposals, that the Foreign Office, the Scotch and Irish Offices, the Colonial Office, and the British Museum, should be represented upon it, and that it should take the advice of persons experienced in the whaling industry.

15. Before steps could be taken to call an International Conference it would be necessary to secure the co-operation of the Self-governing Dominions, and, in the meantime, Mr Harcourt would suggest that a copy of the correspondence should be sent to them and that they should be invited to assist by refraining from
granting

the erection of a shore factory is impracticable owing to the nature of the land or the climate, or is not commercially justified by the supply of whales in the neighbourhood. There are also, as has been mentioned, numerous firms who have the right to employ a floating factory for a term of years.

For both of these reasons, the total immediate prohibition of floating factories is impracticable, but it would be possible, as opportunities occur on the expiration of licences or leases, both to reduce their numbers, and to subject them to regulations intended to minimize waste.

11. With regard to the prohibition of the hunting of particular species, an example may be found in section 3 (b) of the Whale Fisheries (Scotland) Act 1907, which prohibits the killing of herring-bog whales. But under the conditions which prevail in some of the Colonies there are serious difficulties in the way of enforcing such a prohibition. Certain firms have already been granted whaling rights for a term of years free from any stipulation as to the kind of whales caught. Apart from these firms, the prohibition could not be enforced without stationing a Government representative at every land factory and on every floating factory, and the cost of this would in many cases exceed the licence fee and would therefore involve a considerable increase of this fee.

12. Mr Harcourt's attention has also been drawn to the general provisions of the Whale Fisheries (Scotland) Act 1907 and the Whale Fisheries (Ireland) Act 1906.

These

9. The proposals made by the experts attached to the Fur Seal Conference were for the prohibition of the use of floating factories and the prohibition of the hunting of particular species. The British Museum appear to contemplate the latter measure, and also desire that steps should be taken to collect information regarding the whales caught, with a view to increasing present knowledge of the natural history of the whale and in particular to settling the important question whether the schools of humpback found off South Georgia have anything to do with those found in South African waters. It is also a matter for consideration whether it is not desirable to seek to limit by international agreement the number of vessels permitted to engage in the industry and more particularly the number permitted actually to kill whales, by means of a system of licences similar to those now in force in the Falkland Islands and elsewhere.

10. The objection to the use of floating factories is no doubt based on the waste which their use has involved. Most of such factories are equipped only with open vats to deal with the blubber of the whale, the flesh and bones being thrown away. But floating factories which are fitted with pressure boilers or digesters to deal with the flesh are now becoming common, and it appears that experiments are in progress with a view to adapting floating factories also for the conversion of the bone into guano.

The floating factory affords the only means of carrying on the whaling industry in districts where the

7. In regard to the general question of the protection of whales, Mr Harcourt has had before him the above particulars as to the whaling industry in the Falklands and their dependencies, the experts' recommendations contained in Protocol No. 11 of the International Fur Seal Conference 1911 which were enclosed in your letter under reply, and a letter from the British Museum of which a copy is now enclosed, and in which it is urged that there is grave danger of the repetition in southern waters of a process of extermination which has proved effectual in other localities, and that it is desirable that the matter should be dealt with by means of a general international agreement.

8. Mr Harcourt has much sympathy with the object of this proposal, and with a view to limit the pursuit of whales in the Falkland Islands and their dependencies without the delay inseparable from international action, he has decided that no more leases or licences, other than ordinary renewals of annual licences, shall be issued for their waters, and has instructed the Governor to give effect to this decision.

At the same time he desires to call attention to the magnitude of the vested interests of the whaling companies operating in the Falkland Islands, and their Dependencies. The existence of these vested interests and the possibility of heavy claims for compensation in connection with them render it necessary for His Majesty's Government to consider very carefully the bearing of any restrictive measures on the existing engagements of the Colonial Government before committing themselves to any particular solution of the question.

entitled to receive such a licence during the continuance of its contract for an inter-insular mail service, five years from 1910.

The Governor has been asked to report the exact number of vessels operating under licences, but in the meantime the figures can be given approximately as 19 floating factories and some 50 whaling steamers. These figures of course do not include steamers employed merely in the exporting of products and importing of stores.

In the season 1910-11, 3,000 whales were caught from the South Shetlands and Graham's Land. The catch at the other places concerned, namely the Falkland Islands themselves and the South Sandwich and South Orkney Islands, has not been reported but is probably considerably less.

It may be added that a large proportion of the Companies operating are Norwegian, and that, owing to the special skill in the industry possessed by Norwegians, the British Companies operating find it necessary to employ considerable numbers of men of that nationality.

6. Mr Harcourt is not at present in possession of any detailed information regarding the whaling which takes place from the self-governing Dominions, but some whaling is no doubt carried on from all of them, and there is a considerable whaling industry in South Africa, with bases at Durban and Walvisch Bay.

7.
The detailed information before me regarding whaling in any particular section of the question.

Applications have been made for whaling facilities in St. Helena and the East Africa Protectorate, but no active operations have been undertaken. The whaling which was formerly carried on from some of the West Indian Islands has shrunk to negligible proportions.

4. Whaling is conducted from South Georgia by eight companies which hold leases of land sites for whaling purposes for terms of 21 years running from dates ranging from 1907 to 1911. Each of these leases carries the right to employ one floating factory and from two to four steam whalers. The later leases contain an obligation to utilise the whole carcase of the whale, which, in the present state of development of floating factories, is usually found to involve the erection of a shore factory to treat the bones, and to treat the flesh also unless the floating factory is provided with pressure boilers or digesters.

These companies caught in the season 1910-11 6529 whales, of which 6197 were humpback, 168 fin, 85 blue, and 75 right whales. The gross value of the products was about £600,000.

5. One lease has been granted in the South Shetlands on terms similar to those of the South Georgia leases, but the industry in the dependencies other than South Georgia, and in the Falkland Islands themselves, is almost entirely conducted under a system of annual licences authorising the employment of a floating factory and two or three steam whalers. One company is allowed five whalers under a single licence and is entitled

1821/1912.

Downing Street,
20th April, 1912.
Sir,

With reference to the second paragraph of your letter No. 28984-11 of the 14th of August last, I am directed by Mr Secretary Harcourt to request that you will inform Secretary Sir Edward Grey that he has had under his consideration the general question of the protection of whales with a view to the preservation of the whaling industry.

2. That industry is pursued for the most part separately from the hunting of the other animals referred to in the enclosures to your letter, and it appears to Mr Harcourt that it may conveniently be made the subject of a distinct correspondence.

3. So far as the Crown Colonies are concerned, at present the great bulk of the industry is carried on in certain dependencies of the Falkland Islands, namely, South Georgia and the South Shetland Islands. A lease of Prince Edward and Marion Islands in the South Indian Ocean which enables the lessee to use the islands as a whaling station has been granted for nineteen years from 1st August 1910, and Heard Islands have been leased for the same purpose for three years from 1st July, 1910.

Applications

THE UNDER SECRETARY OF STATE
FOREIGN OFFICE.

submitted

CONFIDENTIAL.



P. M. 93/8/12.



Prime Minister's Office.
Pretoria.

18th September, 1912.

THE PRIVATE SECRETARY TO
HIS EXCELLENCY THE GOVERNOR-GENERAL.

Sir,

With reference to your letter No. 5/40 of the 17th September on the subject of the protection and preservation of whales, I have the honour to inform you that the matter is being dealt with but it has been found necessary to obtain certain information from the Provincial authorities in Natal and the Cape. Immediately on receipt of this information a reply will be sent to His Excellency's minute of the 3rd August.

I have the honour to be,

Sir,

Your obedient Servant,

R. D. Gordon
for SECRETARY TO THE PRIME MINISTER.

CONFIDENTIAL.

No 5/40.



Copy

GOVERNOR-GENERAL'S OFFICE,

Pretoria.

9. December, 1912.

FOURTH REMINDER.



SIR,

I am directed by the Governor-General to state that no answer has been received to ~~His Excellency's~~ Lord de Villiers' Minute of the date and on the subject noted below, and to request that the attention of Ministers may be drawn to the correspondence.

You will remember that by your letter No P.M. 93/8/2 of the 18th September you advised me that certain information was being obtained from the Provincial Authorities of the Cape and Natal,

I have the honour to be,

and that immediately upon its receipt an answer would be sent.

Sir,

Your obedient Servant.

(Sd/-) H. J. STANLEY.

PRIVATE SECRETARY.

The Secretary

to the Prime Minister.

3260-9/5/12-200

Date.	Subject.
3rd August. Confidential. No. 5/40.	The protection and preservation of whales. -----