

~~FIS/12/2~~

NAT/PEN/1 # 28

# SECRETARIAT

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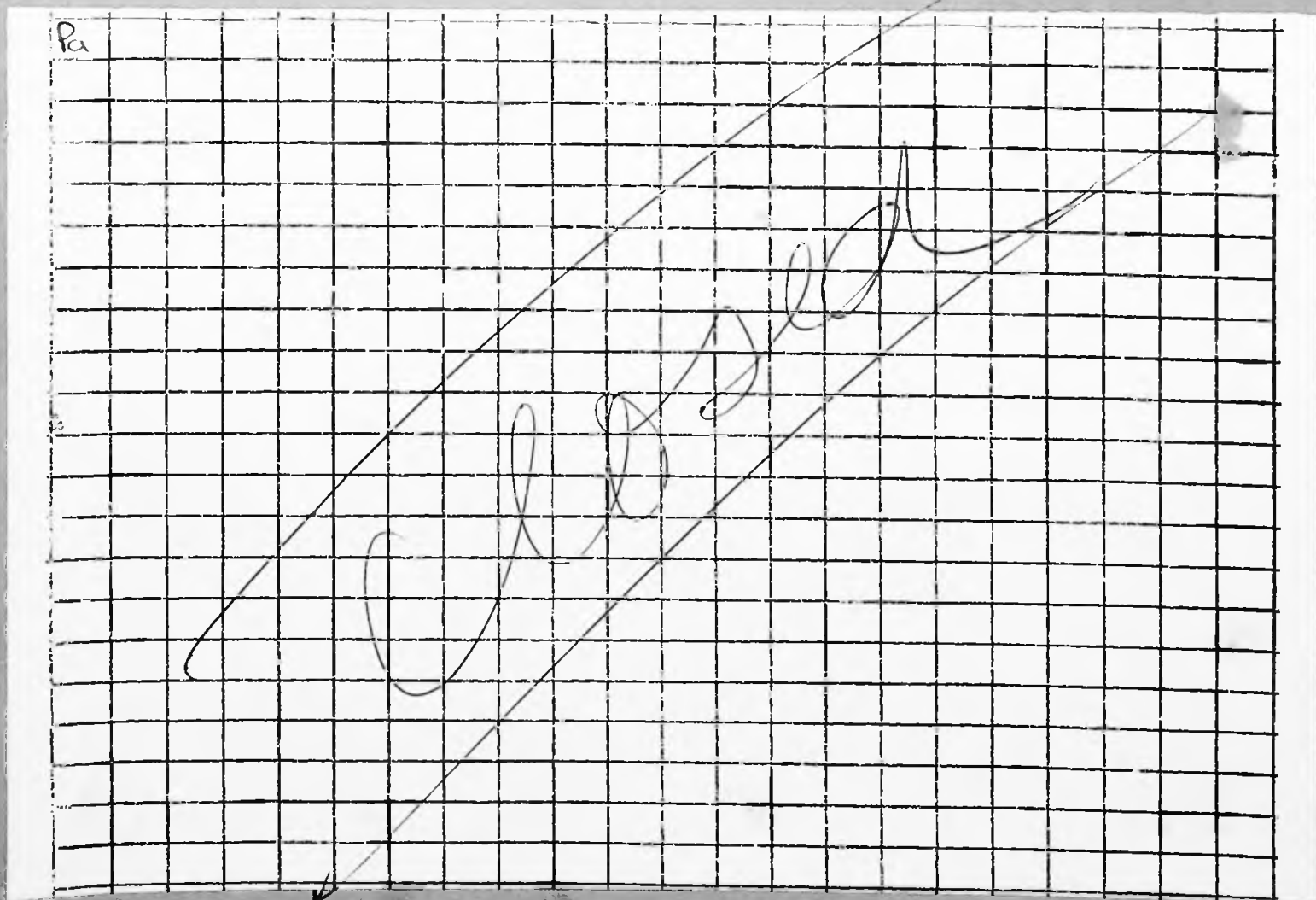
(Formerly)

~~FIS/12/2~~

DESTRUCTION OF PENGUINS.

**ARCHIVE**

CONNECTED FILES.





# DEAN BROTHERS LIMITED

CHAIRMAN: A. G. BARTON. DIRECTORS: H. C. HARDING, D. M. POLE-EVANS, D. BARTON.

TELEGRAMS: "MITERJACK PORT STANLEY"

PEBBLE ISLANDS.  
W. FALKLAND ISLANDS.

23rd September 1963.

L. Gleadell Esq.,  
The acting Colonial Secretary,  
Govt Secretariat,  
Stanley.

Dear Sir,

We have a very considerable Jackass Penguin population on this Island of Pebble. With the exception of about 3<sup>MIS</sup> <sub>A</sub>, they stretch the entire way along the North Coast and in a few isolated places on the South Coast. With their burrowing they cause a considerable amount of soil erosion, all the topsoil washes off leaving a bare clay and shale patch., as this happens they move further in, extending it.


You may say why did this not happen long before. Originally the Island, probably the Falklands, was surrounded by a large belt of Tussac grass, this was where the birds burrow and the large Roots held the soil together, as can be seen in Tussac Paddocks yet.

I would like permission to Kill, or remove, from one small area only, that is the West side of Elephant Bay South of the East Point of Victor Creek, as shown on the accompanying Sketch, all the Jackass Penguins therein. If this is done and, that area kept clear of Birds, it might be possible in the course of a few years to assess just how much damage they do.

I would emphasise that I only want to apply this, to this or, any other similar designated area and, only to the JACKASS penguins, not to the Gentoos or Rocky's, the Gentoos in particular being very beneficial to the land.

I am prepared to allow such observers as may be desired to visit here at mutually agreed intervals but not of course at Dean Bros expense.

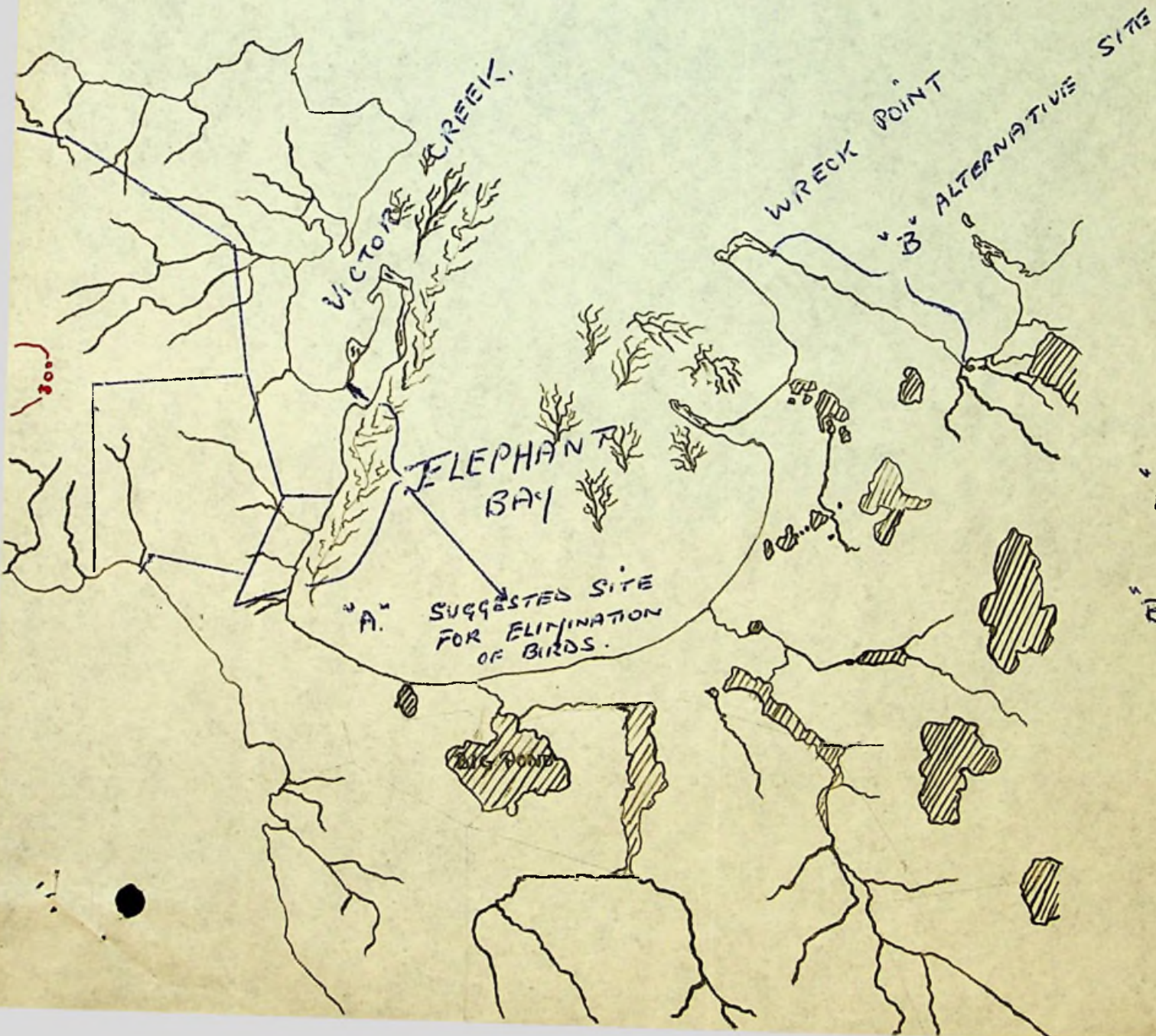
Yours faithfully

 (A.B. MONK)



2

SECTION OF PEBBLE ISLAND



"A" Site I would prefer.

"B" A GOOD ALTERNATIVE

3  
J.E.,

There are two precedents. 220/38 and 35/36 attached. In the first case Section 6 of the Ordinance of 1913 is quoted as the authority to permit killing, in the second case the Governor took on himself the responsibility for permitting penguins to be killed.

The first instance appears to be wrong on the authority to kill penguins that the birds are for export, i.e. museum specimens etc.

In the second instance one wonders whether the Governor did not exceed his authority.

It is my opinion that no authority exists for granting permission to kill and in any case I have little confidence in any scheme that hopes to exterminate jackrabbits. Their natural habitat is tundra which binds the earth together. Destroy the tundra and erosion sets in and the birds burrow somewhere else.

These penguins are a real problem and farmers should be assisted in every way possible. May I suggest consideration in law please with a view to introducing authority to destroy if this is considered feasible (which I think it is not).

L.G.  
8.10.63

A.C.S.

Please note for S.A.S.

L.G.  
12.10.63

4  
9.15.63  
B.W. Xes 1570 63

57

Extract from Executive Council Minutes of Meeting No. 4/63 held on  
the 20th, 21st & 22nd November, 1963

DESTRUCTION OF JACKASS PENGUINS

An application from the Manager of Pebble to destroy Jackass Penguins causing damage to farm land was carefully considered but members felt that the slaughter of these birds. would not be justified.

  
Clerk of the Executive Council

14 December,

63.

Sir,

I am directed to refer to your letter of 23rd September, 1963, and to inform you that permission to slaughter Jackass Penguins cannot be given.

I am,

Sir,

Your obedient servant,

*L. C. Glendell*

(Sgd.) H. L. Bound

Acting Colonial Secretary.~~for~~

The Manager,  
Dean Brothers Limited,  
PEBBLE ISLAND.

ICG/IL.

*d.c.*





Public Island  
West Falkland Is.

19<sup>th</sup> Dec. 1963

The Hon Sol Secretary  
Govt Secretariat  
Stanley.

File + back please

Dear Sir

Bob,

6 2306 brief reference your note dated the 14<sup>th</sup> Inst. I note you say "I am directed" etc etc. Do I take it that the only person who can direct, namely His Excellency the Governor has directed you? In all events I consider you owe me more information as to why permission should not be granted. I do not accept the statement that it cannot be granted.

Meanwhile I will instruct discontinue the inquiries there, from returning to that particular vicinity.

Attd B 20/12/63

I enclose I refer you to Wild  
 Animal and Bird Protection Ordinance  
 Chapter 17, Section 5 of Part 1  
 covers this particular case adequately.

I therefore

expect you to give me reasons  
 why I cannot proceed as I originally  
 wanted a permission to do so.

This is not

simply a request to slaughter a few  
 Birds, it is a small scale experiment  
 to check soil erosion on the coast and  
 as such in the community is entitled  
 to serious consideration not a  
 curt and uniform refusal.

Yours faithfully,

Reply at 9

(A.B. /mk)



Manager.



7 January, 64.

Dear Sir,

7 Thank you for your letter of the 19th of December, 1963.

2. My predecessor in office was directed by the Governor in Executive Council to turn down your application to destroy penguins.

3. I can assure you that the Executive Council gave full consideration to your application, and indeed the relevant minute of the Executive Council stresses that your application was carefully considered. In respect of your comment on Section 5 of the Wild Animals and Birds Protection Ordinance the Governor is advised by his Executive Council and you (as a member of the last Legislative Council) must surely agree that any arbitrary use of this section would do nothing to strengthen Government.

4. Perhaps you would like to discuss the matter when we meet.

Yours faithfully,

(Sgd) W. H. Thompson

COLONIAL SECRETARY

B. Monk, Esq., J.P.,  
BBLEY ISLAND.

T/PH



Spencer R/T D. 42 10

New Island.  
West Falklands.  
23 Feb 1964.

Dear Sir,

I hope you and your wife are settling down in our Islands and still finding the weather to your liking.

The reason for this letter, I am having a terrible invasion of Gentoo Penguins, every year I am spending hundreds of pounds on trying to improve my grass land, now the Penguins have come in thousands and laying every thing to waste in front of them.

I would very much like you to come out for at least 3 to 4 days just as soon as you can to see for your self the havoc these Penguins are causing, and may be we can talk things over.

If you will be kind enough to come any time will suit me. And if you wish to bring your wife she will be most welcome.

I would be most grateful of an early reply

I am sir yours  
obedient.

JJ Davis

Pa  
6.3.64.

# DEAN BROTHERS LIMITED

CHAIRMAN: A. G. BARTON. DIRECTORS: H. C. HARDING, D. M. POLE - EVANS, D. BARTON.

GRAMS: "MITERJACK PORT STANLEY"

PEBBLE ISLANDS.  
W. FALKLAND ISLANDS.

10th August 1964

W.H.Thomson Escre.,  
Officer in Charge of The Government,  
Secretariat,  
Stanley.

*W.H. Thomson*  
*file*

Dear Sir,

## Jackass Penguins

With reference your letter dated 7th Jan 1964 No2306; a letter from me dated 23rd September 1963 to L Gleadell while he was Acting Colonial Secretary; and a conversation we had recently in your Office with emphasis on that part which dealt with ~~Jack-Ass~~ Penguins. I would like to renew my Application for permission to Kill or remove all the Jack-Ass Penguins on one clearly designated site. I cannot state my reasons better than I did to Mr L.Gleadell in the letter referred to above.

I have however included herewith another map, as the Area I originally wanted to clear, marked on the enclosed as Area 2 is not quite so suitable as the Area marked as Area 1 on the map. This because it is close to the settlement and in anycase I will be fencing and trying to improve that part of the Camp which includes Area 1 as marked in Red.

Thus to sum up I now apply for permission to Kill or remove all the Jack-Ass Penguins found during October/November/December on the Area of land marked on the enclosed map in red and designated Area 1.

Your talk on the Radio about the Falklands and the United Nations was I think well appreciated here.

Yours faithfully

*A.S. Monk*  
PEBBLE ISLAND

*Reply at 12*



SECTION OF PEBBLE ISLAND

$\frac{1}{4}$ "  $1$ "  $\frac{3}{4}$ "  $\frac{1}{2}$ "  $\frac{1}{4}$ "

3 MILES

TRUE  
NORTH



117

22nd August, 1964.

Dear Mr. Monk,

Although our new legislation has not yet gone through, it has been approved by Executive Council, and I see no reason why your "Area 1" should not be a "trial scheme" of Jackass Penguin control for agricultural betterment.

If Legislative Council refuse to pass the new Bill on October the 20th I can give you a call over the radio and tell you so: in the meantime you may go ahead on Area one as marked on your map.

For the record you might like to let me know how it works.

Yours sincerely,

Willoughby Thompson.

W. W. THOMPSON.

Bu 22 '64

B. A. H. Monk,  
TABLE ISLAND.

W/T.



# DEAN BROTHERS LIMITED

CHAIRMAN: A. G. BARTON. DIRECTORS: H. C. HARDING, D. M. POLE - EVANS, D. BARTON.

TELEGRAMS: "MITERJACK PORT STANLEY"

PEBBLE ISLANDS.  
W. FALKLAND ISLANDS.

23<sup>rd</sup> Sept 1964.

The Editor

W. H. Thompson  
Officer Administering the  
Government  
Secretariat  
Stanley, F.I.

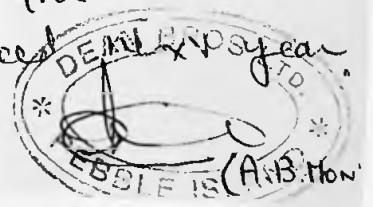
Your reference 2306

12

Dear Sir,

In reply of a letter dated 22<sup>nd</sup> August concerning Jackson Penguin Control, I thank you for the provisional permission to proceed. However as the Rotovator with which I wanted to cultivate this area has been delayed with the A. E. S I shall not be able to do anything this year as by the time A. E. S arrives the birds will have occupied the area!

However unless I hear from you to the contrary I will presume I may proceed next year.  
Yours faithfully,  
Respectfully



2306.

24th September, 64.

Dear Sir,

13

Thank you for your letter of the 23rd September concerning Penguins. I confirm you may proceed as agreed next year.

Yours faithfully,

(Sgd.) W.H. THOMPSON

ACTING GOVERNOR

The Manager,  
PEBBLE ISLAND

WHT/IM

BU 25.2.65 (12)  
~~BU 25.2.65 (12)~~  
(12)

BU 25.2.65 (12)

BU 15.12.66 (12)

15  
R. B. Napier.  
West Point Island,  
Falkland Islands.

22nd. February 1965.

Colonial Secretary,  
Stanley.



51  
25.2.65

Dear Sir,

I have been informed by a number of people that Government has granted to the owner of New Island, a permit to kill Gentoo Penguins. I was, as are other people most concerned about this.

Gentoo Penguins are known to be a valuable asset to the pasture, and any erosion that may have occurred is almost certainly due to the fact that the pasture is being over grazed. For confirmation of this see 'The Grasslands Of The Falkland Islands', by Dr. W. Davies.

I can, however, hardly believe that Government would grant permits to kill Gentoo Penguins. If permits have been granted, I hope that they will be immediately cancelled.

I would be grateful if you would let me know your views on this, as if permits to kill Penguins have been granted, I intend to write to all members of Legislative Council protesting against this killing.

Yours sincerely,

*R B Napier*

*Reply at 16*

Ack'd  
23/2/65

4 March, 1965.

Dear Mr. Napier,

15

Thank you for your letter about Gentoo penguins on New Island. I can assure you that Government has not agreed to any killing of Gentoo nor has it been asked to do so.

Yours faithfully,

(W. H. THOMPSON)  
COLONIAL SECRETARY

Mr. R. Napier,  
WEST POINT ISLAND

WHT/IM.

BU 17/10/2.65  
(12)

Reply at 17



R.B. Napier  
West Point Island  
18th March 1965.

Colonial Secretary,  
Stanley.

Dear Sir.

<sup>16</sup> Thank you for your letter of 4th ~~March~~ 1965, in which you said that Government had not agreed to any killing of Gentoo penguins.

Yours faithfully,

*R. B. Napier*

Bu 10/2/65 (12)



18

CONFIDENTIAL

Ref: 2306

23rd July, 1965.

MEMORANDUM NO. 39/65 FOR EXECUTIVE COUNCIL.

Control of Gentoo and Jackass Penguins on New Island.

Mr. J. Davis of New Island has made application under the Wild Animals and Birds Protection Ordinance, 1964 to kill a limited number of Jackass and Gentoo Penguins which he states are causing serious damage to his property.

Section 5 (2) (a) of the Ordinance states that a person shall not be found guilty of an offence by reason of killing birds if he can satisfy the court that his action was necessary for the purpose of preventing serious damage to domestic animals, crops and any other form of property.

Mr. Davis has made previous applications of a like nature but under the law then existing it was not possible for him to be granted indulgence in this matter.

Honourable Members are asked to advise that Mr. Davis should be given permission to shoot a limited number of Jackass and Gentoo Penguins for the purposes of an experiment on control.

*W. H. Thompson*

COLONIAL SECRETARY

*Bu 21  
19 8.65*

tb

*Issued.  
24.7.65*

CONFIDENTIAL

Extract from Minutes of Meeting No. 6/65 of Executive Council held on the  
24th and 25th August, 1965.

2306

9. NEW ISLAND -- CONTROL OF PENGUINS. (Memo 39/65)

The Colonial Secretary informed Council of an application from Mr. J. Davis of New Island to destroy penguins.

In view of the wording of Section 5 (2) (a) of the Wild Animals and Birds Protection Ordinance, Council advised that the Colonial Secretary should discuss the matter with Mr. Davis.

*P. R. M. L. L. L.*  
*Ag* Clerk of the Executive Council.

Note. Mr Davis has  
promised to discuss  
next time he is in. S.

BU 7.12.65

BU 7.3.66.

BU 7.5.66.

BU 7.7.66.

Pa