

C.S.

Legal
(Misc)

~~1928.~~

No. 700/29

Ag. Magistrate

SUBJECT.

1929

1st May.

Previous Paper.

Road Traffic
advisability of legislation
in regard to.

MINUTES.

1-4

Minute from Ag. Magistrate 1/5/29

J.E.

Submitted

2. Red is characteristic of the correspondence invariably received from the Manager of the Est Williams.
3. In the circumstances I am inclined to think with the Magistrate that legislation on the subject is necessary. If J.E. concurs I will draft a short bill adapting the sections of the Motor Car Act 1896 which appear essential locally.

Subsequent Paper.

J.E.
Ag. C.S. 6.5.29.

H.C.S

Plene.

(6/27) M.

11.2.29

13.26.29

Minute from Magistrate 11/10/29

Draft letter to Mr. Rowe 11/10/29

Letter to Mr. Rowe 11/10/29

" from — " — 11/10/29

(5) (6)

(7)

(8)

9

Hon. Mr. Craigie - Halkett.

I should be much obliged if you would advise as to reply which should be made. 13.28.29

Hon. Mr. Sec.

I consider it will be sufficient if the Ch. Constable acknowledges Mr. Rowe's letter, no other reply appears called for.

2. Mr. Rowe has again been warned and no further action here is called for.

H. Craigie Halkett

29. 11. 29

Submitted for approval of Hon.

Mr. Craigie - Halkett's recommendation.

H.C.S
1.11.29

H.C.S

Approval. Legislation and better to be enacted when convenient to regulate the speed to 10 miles an hour in Stanley. Anything over that in my opinion is dangerous with its narrow & many streets & numerous children. What does magistrate think? 11.2.29

Hon. M. L. Craigie - Halkett.

Referred.

G.R.B.

Ay. C.S.

2. XI. 29.

Hon. Sol. Sec.

/ concurs.

M. Craigie Halkett
4. XI. 29

H. J.
B

31. XI. 29.

12. XI. 29.

Extract from minutes of meeting of Executive Council held on the 22nd of November, 1929.

It was agreed that the matter of enacting legislation should be proceeded with.

G. D. Muir.

Clerk of the Executive Council.

G.S.

Draft bill settled.

Jul

Hon. C.S.

This only refers to 10. 2. 30.
Stanley but we don't
want people sending along the
new road. Can I or improve
on the alteration I suggest?
J.H.

Spoke H.S.

Draft to be final.

Jul
11/2

(10/20)
2

Draft Bill to Regulate speed of
Motor traffic in Stanley

10.

Hon. Treasurer, *WCH* 19.2.30
Hon. P. M. S. *J.M.* 19.2.30.

Circulated for consideration
at next meeting of Executive
Council

A. J. Turner
Clerk, Executive Council,
19/2/30.

Extract from minutes of meeting of Executive
Council held on the 21st of February, 1930.

The Council recommended that the Bill should
be proceeded with.

A. J. Turner

Clerk of the Executive Council.

A Bill to regulate the Speed of Motor Traffic
in the Town of Stanley. II.

Extract from Minutes of Meeting of Legislative
Council held on the 29th of April, 1930.

The Bill was then read a third time and
passed.

A. J. Turner

Clerk of the Legislative Council.

L.C.S. usual formal depth
please to 3/4

Despatch to S. of S. no. 93 of 3/5/30 12-13.
Minutes to Registrar-General, 3/5/30. 14.

PA. 6/5/30
A. J.

Sojults ch.
no 7/8

15. A. of S. despatch No. 53 of 12th June, 1930.

16. Govt. Notice No. 53 of 11/8/30.

PN
13.8.30

17-19. Minute from Hon. R. N. of 24/6/32.

G. E. Submitted for approval.

It might be as well if

under 7 last-paragraph were

described.

Jub

28.6.32

Hon C.S.

Approved

I agree that no. 7
might be described

J.G.

28.6.32

The D.P.O.

Accordingly, please.

J. M. M.

29.6.32.

Hon. Genl. Sec.

Submitted herewith description
of Rule 7 and signals.

20

The lorry drivers have been
given a copy today.

C. Roberts.

30-6-32.

Supt. of - Ed.

Please see vol 19 at

arrange for "safety first" instruction

to be given at the P.S. School.

J. M. M. C.

1.7.32.

Hon. Col. Sec.

Seen. Arrangements made accordingly.

A. B. Moore

Sub. of Educ.

7 July 1932

Hon. J. P. O.

Please note.

J. Miller

— 4

9. 7. 32.

Hon. Col. Sec.

Noted.

E. Roberts.

11-7-32.

P. H. J.

12. 7. 32.

FALKLAND ISLANDS.

C.S. No.....



Departmental Number.

From.....Acting Magistrate.....

.....V111 Legal.....

Date.....1st May 1929.....

To.....Hon.....Colonial Secretary

Reference Numbers.

I have the honour to submit the attached letters which have passed between the Acting Magistrate and Mr. E. G. Rowe. It may be considered advisable to consider the question of legislation on the subject of road traffic.

A handwritten signature in dark ink, appearing to read "A. B. ...".

Acting Magistrate

Magistrate's Office,
Stanley.

26th April 1922

Sir,

It has been reported to the Police that on the 24th April last you were driving a motor car to the danger or annoyance of the public.

I would point out the necessity for careful driving. You may know, or be confident that you know, that you have complete control over the car and that you can cope with any possible contingency, but you must consider the other users of the road who even when no accident happens are liable to be perturbed by the fear of one.

I am, Sir,

Your obedient servant,



Acting Magistrate

E.G. Rowe, Esq.,
Waverley House,
Stanley.

①

Port Stanley.

27th April 1929.

Your Honour,

I have received the enclosed and regret that, with all due respect, I must return same, as I cannot accept a warning of this nature without a specific charge.

I may drive fast, but never either to the danger or annoyance of the public.

To the best of my knowledge there is no Ordinance here regarding a speed limit.

There is neither an Ordinance nor any understanding regarding the Rule of the Road.

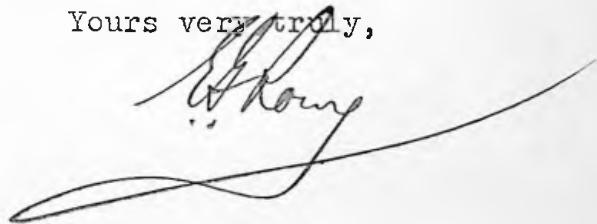
meet

I often meet mere small boys in charge of carts and horses, and for the general benefit slow down and often stop. These boys often pull their carts over to the wrong side of the road, as understood generally in British Territory.

When walking I often meet loiterers spread all over pavement, who have evidently never been informed what a pavement is for.

I never rush corners with the car, yet I see and hear corners being rushed every day by lorries, but it is not my business either to report it or comment on same.

Yours very truly,



To His Honour
The Police Court Magistrate
Port Stanley.

①

Magistrate's Office,
Stanley.

27th April 1929

Sir,

I have to acknowledge the receipt of your letter of today's date in which you acknowledge the receipt of my letter of the 26th April. You have had the warning; whether you keep or return the piece of paper on which it was written is immaterial - except on a point of courtesy, in which, though endeavouring to practise it, this office does not advise.

If unnecessary injury or annoyance were inflicted, whether by an act which is specifically mentioned in an Ordinance of the Colony or whether by an act which is not specifically so mentioned, the person responsible would find that means are available for dispensing justice in the matter.

I am, Sir,

Your obedient servant,

A. R. Hoare

Acting Magistrate

E. G. Rowe, Esq.,
Waverley House,
Stanley.

22. X. 24. ⁶

Dear M^r Brown.

It is not customary here or in England for a Magistrate to enter into correspondence with the public relative to breaches of the law. The Magistrate may make any remarks from the Bench after some definite charge has been lodged by the Police. The Chief Constable may warn people and if his warning is disregarded he may obtain a Summons. I consider any further warning to M^r Rowe should come from the Chief Constable and I have put up a draft letter for him to send. In my opinion (3) should not have been sent by the Magistrate as the reply

three (2) shows contempt.

Jrs.
W. Wain Hamer

8

Police Office,

Stanley. -

26th October, 1921

Sir,

It has been brought to my notice that on a recent date you were driving a Motor Car in the Town of Stanley at such a speed as to be a danger to the public, and in this connection I have to refer to the warning given you on the 26th of April last.

2. I have again to warn you and in doing so would draw your attention to the fact that any person having charge of a Vehicle who by wanton or furious driving causes any bodily harm to any person, is guilty of a misdemeanour, and on conviction thereof is liable to be imprisoned for any term not exceeding two years, with or without hard labour.

I am,

Sir,

Your obedient servant,

S H Hooley

Acting Chief Constable.

E. G. Rowe, Esq.,
Stanley.

Port Stanley,
28th October 1929.

The Chief Constable
Port Stanley.

Sir,

I am in receipt of your letter dated 26th inst, which states:-

" that on a recent date you were driving a Motor Car in the Town of Stanley at such a speed as to be a danger to the public. "

I dislike this vauge accusation intensely. It would be of much interest to me to know who is your informant, and the exact time and date prior to the 26th inst. that I have driven a car "at such a speed as to be a danger to the public"

Unless these facts are revealed to me your warning has no merits whatsoever.

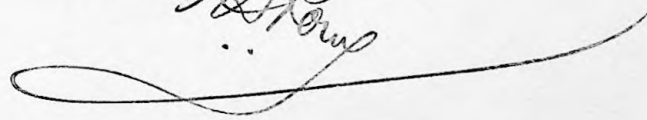
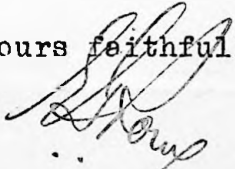
To the best of my knowledge no local Ordinance has yet been passed fixing any speed limit in Stanley for Motor vehicles, yet when public are about I drive at about 20 miles per hour, and slow immediatly when any children are about.

When there is no foot or vehicular traffic in the roads I increase speed as convenient, but at all times have the car under perfect control, both as to steering and braking.

The second paragraph of your letter is a veiled accusation that I may be in the habit of driving "wantonly and furiously" - and if such is the intention of your communication, I must again protest against such terms as applied to my driving, which is perfectly normal and conscientious.

Y ours faithfully,

~~xxxxxx~~



no answer is required



2-29
"

yes, but what about a child on a cycle making off from a cross road!

GOVERNMENT HOUSE,
STANLEY.

3rd May, 1930.

FALKLAND ISLANDS.

No. 93.

My Lord,

I have the honour to transmit for the signification of His Majesty's pleasure two authenticated and ten printed copies of an Ordinance entitled "An Ordinance to regulate the Speed of Motor Traffic in the Colony", which was introduced into and passed by the Legislative Council on the 29th of April, 1930.

I have the honour to be,

My Lord,

Your Lordship's most
obedient humble servant,

ARNOLD HODSON.

THE RIGHT HONOURABLE
LORD PASSFIELD OF PASSFIELD CORNER, P.C.,
SECRETARY OF STATE FOR THE COLONIES.

(L.S.)



FALKLAND ISLANDS.

Ordinance No. 3 of 1930.

I ASSENT,

Arnold Hodson.

Governor.

29th April, 1930.

An Ordinance

To regulate the Speed of Motor Traffic in the Colony.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council, thereof as follows:-

1. In this Ordinance

Definition.

'MOTOR CAR' includes motor cycle and every description of vehicle propelled by means of mechanism contained within itself, other than any vehicle constructed for use on specially prepared ways such as railways or tramways.

2. No person shall drive or cause or permit to be driven any motor car at such a speed or in such a manner as to be a danger to the public health or safety.

Speed Limit.

3. Any person who contravenes any provision of this Ordinance shall be guilty of an offence under this Ordinance and shall be liable on conviction to a fine not exceeding £50 or to imprisonment with or without hard labour for a period not exceeding six months or to both such penalties: provided that nothing in this section shall be deemed to render any person convicted of any offence under this section free from liability in respect of any hurt or damage he may have caused.

Offences and Penalties.

Short Title.

4. This Ordinance may be cited as the "Motor Car (Speed Limit) Ordinance, 1930".

Passed by the Legislative Council this 29th day of April, 1930.

A. I. Fleuret.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 29th day of April, 1930.

J. M. Ellis.

Colonial Secretary.

No. 200/29.

MINUTE.

(It is requested that, in any reference to this minute the above Number and the date may be quoted).

3rd May, 19 30.

From

To The Registrar-General,

THE COLONIAL SECRETARY,

STANLEY.

Stanley, Falkland Islands.

I am directed by the Governor to attach herewith a copy of Ordinance No. 3 of 1930 for insertion in the files of the Registrar-General.

JS

Colonial Secretary.

MINUTE.

27th June, 1932

To

From Director of Public Works,

THE COLONIAL SECRETARY,

Stanley.

Stanley, Falkland Islands.

I beg to submit for information and record two copies of instructions and regulations for Government motor drivers. I have this day lectured the drivers and given each one copy of these instructions.. I would submit that one copy be given to the Police for their information and guidance.

I would also venture to suggest that with the increasing motor traffic in Stanley it would be advantageous if the children in school could have instruction in "Safety first" principles.

G. Roberts.

Director of Public Works.

June
1/3 ✓
(by the J.P.O.)

SAFETY FIRST.

INSTRUCTIONS AND REGULATIONS FOR MOTOR DRIVERS.

1. Always keep on guard against the errors of others.
2. Always regulate your speed according to all the circumstances.
3. Always exercise extra caution at road junctions and other openings on to the roads.
4. Always keep well to the proper side of the road which is the left side.
5. Always make sure it is safe before overtaking.
6. Always sound the horn at doubtful places.
7. Always give hand-signals correctly, clearly and in ample time.
8. Always be certain you are physically fit before driving.
9. Always maintain your vehicle in efficient mechanical condition paying special attention to the brakes.
10. Always when descending a steep hill be in low gear and keep the speed within reasonable limits.
11. Always rely on sight and not only on sounding the horn.
12. Always where the view at cross-roads or openings is restricted speed should be reduced and the horn sounded, travel slow ^{ly} enough to stop dead.
13. Never allow people to ride on the footboard.
14. Never cut a corner on the wrong side of the road.
15. The purpose of the horn is to give a warning, not a threat.
16. The fact of blowing the horn does not mean that you may go round a corner, or by an opening, make sure the road is clear first.
17. Do not under estimate the distance within which you can pull up in an emergency.
18. Remember that attention, alertness, and anticipation are essential for safe driving.
19. Always keep your head and act coolly.
20. Always remember THAT THE SAFETY OF THE PUBLIC COMES FIRST.

21. Keep on guard against the errors of others specially watch CHILDREN

running into road after toy or playmate, or out of school, shop, gateway, or playground, or running behind vehicles.

Remember that

Unless children are facing, or turn towards you, it never safe to assume that they are aware of your presence, especially if they are running.

22. ANIMALS

Special care and consideration is needed when passing loose animals, and led or ridden horses. Every reasonable effort should be made to avoid meandering dogs, cats, fowls, ducks, etc; but human life must have prior consideration.

G. Roberts,

Director of Public Works.

27th June 1932.

SAFETY FIRST.

Rule 7.

Hand Signals.

No 1. I am going to SLOW DOWN, or STOP, or TURN to my LEFT.

(Extend the right arm with the palm of the hand turned downwards, and move the arm slowly up and down, keeping the wrist loose.)

No 2. I am going to TURN to my RIGHT.

(Extend the right arm and hand with the palm turned to the front, and hold them rigid in a horizontal position straight out from the off side of the vehicle.)

No 3. You may OVERTAKE me on my RIGHT.

(Extend the right arm and hand below the level of the shoulder and move them backwards and forwards.)

NOTE. No 2 Signal should be used not only before turning off to the right, but also before swerving or pulling out from the pavement after stopping, or to avoid an obstruction. It is equivalent to a warning, :-
"It is DANGEROUS to OVERTAKE me on my RIGHT.