

E

ORDINANCES

1853 - 1876

8

1

An Ordinance
to extend to the Colony certain Acts of
Parliament.

In the Year One Thousand Eight Hundred
and Fifty three

No. One

Analysis

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2 - Indictment to include Information	2
3 - Punishments of whipping not to be inflicted without the approval of the Governor, nor solitary confinement not to exceed 14 days at a time	2
4 - Ordinance to commence on 1 st February 1853	2

By His Excellency George Denie Esquire Governor and Commander in chief of the Falkland Islands and the Dependencies thereof with the advice and consent of the Legislative Council thereof; Be it enacted.

Acts of Parliament
extended to the
Colony

1. That the following Acts of Parliament shall be applied in the Administration of Justice in the Falkland Islands and the Dependencies thereof so far as the same can be applied.

13. Vic

2
13 Vic: cap. 21. An Act for shortening the language used in Acts of Parliament.

13 & 14 Vic: cap. 37. An Act for the further extension of Summary Jurisdiction in cases of Larceny.

14 Vic: cap. 11. An Act for the better protection of persons under the care and control of others as apprentices or servants and to enable the Guardians and Overseers of the Poor to institute and conduct prosecutions in certain cases.

14 & 15 Vic: cap. 19. An Act for the better prevention of Offences.

14 & 15 Vic: ~~lxx~~ cap. 99. An Act to amend the Law of Evidence.

14 & 15 Vic: cap. 100. An Act for further improving the Administration of Criminal Justice.

2. That in the construction of each of the said acts, the word Indictment shall be construed to include Information and Inquisition as well as Indictment

3. That where any Court, Justice or Justices of the Peace by any of the said Acts or any law now or hereafter in force in this Colony may sentence order or direct the punishment of whipping or solitary confinement no such first mentioned punishment shall be inflicted unless the Governor for the time being shall certify under his signature his approval thereof by an endorsement on the back of the Warrant commanding its infliction, and no person shall be kept in solitary confinement for any period exceeding fourteen days at a time with intervals of not less duration (any law to the contrary notwithstanding)

4. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience Be it therefore enacted. That this Ordinance shall take effect and come into operation on the first day of February in the Year of Our Lord One Thousand Eight Hundred and Fifty three

Indictment to include Information

The punishment of whipping not to be inflicted without the approval of the Governor

Solitary confinement not to exceed 14 days at a time

Ordinance to commence on the 1st day of February next

Passed the legislative Council
on the 17th January 1853

Approved
John Kerne
J.W.

3

An Ordinance
for the Naturalisation of certain persons in
the Falkland Islands

In the Year One Thousand Eight Hundred
and Fifty three

No Two

Analysis

Page

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2. Ordinance to commence when Her Majesty's
pleasure is known

By H. E. the Governor &c &c
Be it enacted;

Persons named in
Schedule to be naturalised

1. - That each of the persons named in the Schedule hereto annexed shall be, to all intents and purposes whatsoever in the Falkland Islands and their Dependencies deemed and taken to be and to have been from the first day of January One Thousand Eight Hundred and Forty one natural born Subjects of Her Majesty, as if such persons had been born within the realm of England.

Ordinance to com-
mence when Her Majis-
ty's pleasure is known

2. That this Ordinance shall take effect and come into operation upon the day of the date and publication of any Proclamation to be made and published by the Governor for the time being, which shall make known and signify to the inhabitants of the Falkland Islands and their Dependencies

etc

-cies Her Majesty's final assent and approbation hereof.

Schedule

Antonina Rosa native of South America
Jørgen Christian Sæther native of Hamburg
Thomas Rolon native of South America

Pased the legislative council
on the 17th of January 1853

Ex d with W.R.
16/2/18 - [Signature]

*Land
Conveying Ordinance*

In the Year One Thousand Eight Hundred
and Fifty Three

No. Three

Analysis

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ton Island &c

13. Ordinance to commence on the 1st February 1853 9

By H. S. George Rennie Esquire

&c

&c

Be it enacted

1. That a Grant in either of the forms in Schedule I annexed shall be valid and effectual to grant and convey land and to bar and release the dower of a married woman a party thereto; Provided that every disposition by a married woman by any such Grant shall be made conformably to the dispositions relative to married women by an Act passed in the third and fourth years of the reign of his late Majesty King William the Fourth, Intituled "An Act for the abolition of Tithes and recoveries and for the substitution of more simple modes of Appearance." Or that a married woman a party to any such Grant shall within one month after executing the same if executed within this colony, in the presence of the Chairman of the Magistrates Court, or the Chief Judge of the superior Court in the colony for the time being, if executed in England, Scotland or Ireland, or any other part of Her Majesty's dominions in the presence of any Judge of any Court of Law or Mayor of any City or Corporation, or before the person having the chief command of any Island or Place where she may be, if executed in any foreign territory in the presence of any accredited Representative of the Country of the married woman or in the presence of the person in chief command of the country, territory, colony, place, city or town corporate or city or town being in the nature of a Corporation having a public chief Officer where she may be, upon being examined separately and apart from her husband acknowledge that she understand the nature of such Grant when she executed the same and that she executed the same freely and voluntarily without any violence,

Form of Grant

to be acknowledged
by married women

In this Colony

In any part of the
British Dominions

that is to say

treat or combustion on the part of her husband or of any other person and any of the Officers aforesaid upon being required so to do, shall and may take such examination, and after explaining the nature of the grant and such acknowledgement as aforesaid being made shall place a certificate upon the grant in the form in the Schedule hereto annexed which certificate purporting to be signed by any such Officer, shall be conclusive evidence of the contents thereof without proof of the handwriting or office of the Functionary or Seal (if any) used by him before whom it purports to be signed unless it shall be proved that the same is a forgery.

Attestation

Proviso where char-
tered company or
corporation

2. That every such grant shall be signed by the parties and attested by two witnesses whose place of abode and business shall be stated: - Provided that where a chartered company or corporation is a party to any such grant such company or corporation may execute the grant in the same manner as any other deed can be executed by ^{any} such company or corporation.

Delivery, indenting
receipt

3. That sealing except as aforesaid, and indenting and delivery shall not be necessary and a receipt in the grant shall be valid and every such grant shall have the effect of an indenture although not actually indented, and shall to all intents and purposes be and be deemed and taken to be a deed.

4. That Section 2 of an "Act to facilitate the conveyance of Real Property" passed in the 84 of Vic: Cap: 111 shall be deemed and taken to be a part of this Ordinance and to apply to each and every grant made in pursuance hereof and shall be construed as if the same had been contained in this Ordinance.

Covenants implied

5. That in every such grant for valuable consideration there shall be implied, so far as the same can be implied, each and every of the covenants contained in column II of the second Schedule of the said "Act to facilitate the conveyance of real property" by each conveying party severally for himself, his heirs executors and Administrators to the extent of the interest departed with by him with and to the covenants his heirs and assigns.

Against her husband

6. That in any case where any of the covenants aforesaid

aid, would be implied by or in any woman, if unmarried, the same shall be implied by or in her husband if she shall be married.

7. - That any covenant implied by virtue of this Ordinance shall have the same force and effect and be enforced in the same manner, as if it had been set out at length in the grant. Remedy on implied covenant

8. - That any covenant implied in any such grant may be modified by express declaration and whenever any party shall use negatively in any such grant any of the form of words contained in column I of the second Schedule of the said "Act to facilitate the conveyance of real property" and distinguished by any number therein, such grant shall be taken to have the same effect and be construed as if such party had expressly negatived in such grant the form of words contained in column II of the same Schedule and distinguished by the same number as is annexed to the form of words used by such party, but it shall not be necessary in any such grant to insert any such number. Implied covenants may be negatived

9. - That any grant or part of a grant which shall fail to take effect by virtue of this Ordinance, shall never be taken and construed to be a deed and indenture and to be valid and effectual, and shall bind the parties thereto so far as the rules of law and equity will permit. Grant failing to take effect by this Ordinance to be valid as a deed and indenture

10. That the Schedules annexed and the directions and forms therein contained shall be deemed and taken to be parts of this Ordinance, and the Schedules and the directions and forms contained in the said recited Act of Parliament shall be deemed and taken to be parts of this Ordinance, save and except that in the second Schedule the words "hereunder written" in form 6 of the second column, and the words "enumerated hereunder" in form 6 of the first column shall be taken to be omitted and the forms in the first column shall be altered negatively and for the purposes of this Ordinance the said last mentioned Schedule shall be read as so altered.

11. That the scale of fees contained in Schedule 3 may be charged and received to the use of the officers and persons. Fees

persons therein mentioned, and no higher fees shall be recoverable in law.

Not to affect the
Ordinance for the
Registration of Land
&c

12. That nothing in this Ordinance contained shall be deemed to be taken to affect or alter the Ordinance intituled "An Ordinance for the Registration of Land, Births and Deaths".

Ordinance to
commence on the
1st February 1853

13. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, Be it enacted, that this Ordinance shall take effect and come into operation on the first day of February One Thousand Eight Hundred and Fifty three

Schedules

Schedule I Sec:1

A: and C. D his
wife

B: and she the said
C. D. doth release

D: Referring if possible
to the number or subnumber
in the Registrars books
and maps and defining
the situation, boundaries
and measurement

The parts A and B to be inserted
only where slower is to be barred

This grant made the day of one
Thousand Eight Hundred and in pursuance
of the "Conveying Ordinance" Between A. B. & - A
of the one part and E. F. of the other part. Witnesseth
that in consideration of pounds paid by
the said E. F. (Grantee or Grantees) to the said
A. B. (the receipt whereof is hereby acknowledged) he
or they the said A. B. doth or do grant B unto the
said E. F. (Grantee or Grantees) his or their heirs
and assigns for ever all that parcel of land in the
Falkland Islands situate &c D
(here insert covenants if any)

In witness whereof the parties have hereunto set
their hands

A. B. (signature)
E. F. (signature)

As a chartered company or corporation (L.L.)
Signed by the above named A. B.
and E. F. in the presence of No

E. G. F. - Merchant
G. H. F. - Grocer

Schedule II see: I

I hereby certify that the above named C. D. appeared before me this day of and was examined separately and apart from her husband and that I explained to her the nature of this Grant and she acknowledged that she understood the nature of it when she executed the same and that she executed the same freely and voluntarily without any violence, threat or compulsion on the part of her husband, or of any other person

certificate of
acknowledgement to
bar dower to be
placed on the deed
only where dower is
to be barred

(Signed) A.B. et this
day of June

If in this colony

Chairman of the Magistrates Court
E. F.

If not in this colony

Office or dignity of the person before whom
the acknowledgement is made

Schedule III Sec. II

	£	S	D
To the Surveyor General or other competent Surveyor			
2 Registrar for the time being			
For a description of a subdivision of a former Grant -		5	0
For placing a diagram on the Instrument - - -		5	0
To Solicitor or other person for engrossing a Grant on parchment or paper - - - - -	1	10	0
For filling up parchment printed form of Grant		10	0
For placing a certificate of acknowledgement to bar bower on any Grant not printed - - - - -		5	0
For attending the Functionary to obtain a certificate of acknowledgement on any grant - - - - -		5	0
To the Functionary upon the examination, upon each Grant whether the certificate be refused or granted - - -		6	0

Passed the legislative Council
on the 29th of January 1853.

*An Ordinance
to appoint a Shipping Master to perform the
duties committed to Officers of Customs by the
Mercantile Marine Act and Merchant Seamen's Act*

*In the Year One Thousand Eight Hundred
and Fifty Three*

No Four.

Analysis

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By H. S. George Minnie Esquire Governor

or

or

Recitals

Whereas by the Mercantile Marine Act of 1850 it is enacted that the respective legislative authorities in Her Majesty's colonies may by any Act, Order or other appropriate means appoint any functionary to perform any of the duties and exercise any of the powers within their respective jurisdictions which are by the said Act or in the General Merchant Seamen's Act committed to Officers of Customs and whereas there is not as yet any Officer of Customs resident in the Colony. Be it therefore enacted

enacted

1. That it shall be lawful for the Governor from time to time to appoint any person he may think fit who shall be called the Shipping Master and from time to time to revoke any such appointment and the person so appointed shall and may perform any and every of the duties and exercise any and every of the powers within the Falkland Islands and the Dependencies thereof which by the General Merchant Seamen's Act or the Mercantile Marine Act of 1850 are committed to and might be performed by any Officer of Customs if resident in the Falkland Islands and each and every of the provisions in the said acts shall be applied (so far as the same can be applied) to the Shipping Master for the time being and to the duties or powers hereby committed to him, the same in every respect as they apply or would apply to any Officer of Customs if resident in the Falkland Islands or to the duties or powers committed to him.

2. That when any Officer of Customs shall arrive and discharge the duties of his office at any port of the Falkland Islands, the appointment of the Shipping Master for the time being shall cease and determine and it shall not be lawful to appoint any other Shipping Master so long as an Officer of Customs shall reside in the colony and discharge the duties of his office.

3. That all money received under this Ordinance shall be accounted for and paid over monthly to the Officer appointed by the Governor to receive the same, for the use of Her Majesty, her heirs and successors for the public uses of the Settlement and the support of the Government Trust.

4. Whereas the delay incident to a previous communication with Her Majesty to know the Royal Pleasure hereupon would be productive of inconvenience, Be it therefore enacted, that this Ordinance shall take effect and come into operation on the tenth day of February ^{in the year of our Lord} One thousand eight hundred and fifty three.

Governor may appoint a person and revoke appointment

Provisions

Upon the arrival of an Officer of Customs any appointment to determine

Money paid to Colonial Treasury

Ordinance to commence on 10th February 1853

Passed the Legislative Council
on the 3rd of February 1853

Auctioneer's Ordinance

In the Year One Thousand Eight Hundred and
Fifty three

No Five

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By H. E. George Leslie Esquire Governor

sc

Vr

1- That it shall be lawful for the Governor or such person as the Governor shall from time to time appoint at discretion to grant to any person or company a license in the form annexed to carry on the business of an auctioneer on his or their own account or by his or their agent as the case may be upon the payment to the Governor or other person as aforesaid of 20£ which shall be in force for the period of twelve months from the day of its date: Provided that persons in partnership carrying on business by one Agent as Auctioneer shall not be obliged to take out more than one license in one year and it shall be lawful for the Governor or other person as aforesaid from time to time at discretion to transfer any such license or a transfer thereof to any other Agent to sell on account of the same person or company for the residue of the term by an endorsement to that effect on the back of such license or transfer

Power to grant licenses

Partners

Licenses may be transferred

2. That any person who carries on the business of an auctioneer or who acts in such capacity at any sale and any person who sells or offers for sale any goods or chattels, lands, tenements or hereditaments or any interest therein at any sale where any person or persons become the purchaser of the same by competition and being the highest bidder either by being the single bidder or increasing upon the biddings made by others or decreasing on sums named by the Auctioneer a person acting as Auctioneer or other person at such sale or by any other mode of sale by competition shall be deemed to carry on the business of an auctioneer, and if any person shall carry on the business of an auctioneer without having a license or a transfer (except as hereinafter mentioned) he shall pay for any such offence a fine of One Hundred Pounds

Who to be deemed
an Auctioneer

3- That there shall be levied and paid upon the proceeds of any sale by auction of fermented or spirituous liquors a duty at the rate of 5£ per cent

Auction Duty

and

and of any sale of any other goods or chattels or any lands, tenements, hereditaments or interest therein (with the exceptions hereinabove mentioned) a duty at the rate of £2.10 per cent, which duty immediately upon the knocking down the hammer or other closing of the bidding shall be a charge upon the Auctioneer and shall be paid by him and may be retained by him out of the proceeds of any such sale or recovered by him by action at law from the person by whom he shall have been employed; and any agreement or condition of sale that the purchaser shall pay the duty shall be void: Provided always that no auction duty shall be payable on the sale of implements used on grazing, or agricultural farms or on horticulture or on biscuit flour, wheat, maize, pulse, grain, seeds or plants of any kind, or on cattle, sheep, horses or any description of live animal.

Exemptions
no duty if a lot
bought in and the
reserved price publicly
stated

4- That if before any lot shall be put up for sale at any such auction the Auctioneer shall publicly declare the reserved price and the lot shall be bought in at or under such price and the Auctioneer at the fall of the hammer shall publicly state that the lot was bought in, the Governor on the facts and turnings of the transaction being proved to his satisfaction shall make in allowance to the Auctioneer of the duty in such case on the paying of his accounts.

*Catalogue and
conditions of sale to
be sent to the Governor*

5- That if any licensed Auctioneer shall not send to the Governor a catalogue or shall not cause to be placed a true and correct copy of such catalogue on the Government Gazette Boards at the Store yard and Market House respectively of any sale by auction intended to be held by him in Stanley at least 24 hours previous to the commencement of such sale and if elsewhere 24 hours additional notice for every 20 miles distance or if such catalogue shall not fully state the conditions or place or hour of sale or contents of each lot as near as can be stated for any such offence he shall pay a fine of £50.

Account of sales

6- That if any licensed Auctioneer shall not within 7 days or such further time as the Governor at discretion shall grant after any such sale by auction render to the Governor or other person as aforesaid a full and true account in writing of

the price at which every article or lot shall have been sold by such Auctioneer at such sale together with a statement of the time and place of such sale and shall not duly pay all sums of money which may be payable by him in respect of such auction duty as hereinbefore mentioned, he shall for any such offence pay a fine of One Hundred Pounds and upon a second conviction of any such offence be for ever after disqualified to hold any license under the provisions of this Ordinance.

7- That if any licensed Auctioneer shall hold any auction on board of any vessel without the permission of the Governor in writing unless the vessel shall be attached to a wharf or on shore and into and from which the public shall have free access by a jolly or a gangway from on shore he shall pay a fine of One Hundred Pounds.

8- That any auction duty as aforesaid shall and may be sued for and recovered in the name of any person appointed by the Governor by warrant in the form B by action of debt, plaint or information in any Court in this Colony having jurisdiction to the amount sought to be recovered or by information before two or more Justices.

9- That none of the aforesaid fines shall be sued for except on the information of some person appointed by the Governor by warrant under his signature in the form C.

10- That nothing herein contained shall extend to any sale by order of the Governor or of any Officer of customs or to any sale of any vessel or the apparel or stores or cargo of any vessel which may be taken and condemned as a prize and sold for the benefit of the captors or to any sale by the judicial order of any Justice or Court or to any sale under a distress for rent or to any sale of fresh fruit, or fish, or poultry by the owner or to the person selling as Auctioneer in any such excepted case without a license.

11- That no Justice holding a license under this Ordinance shall act as a Justice under any of the provisions of this Ordinance.

Auctioneer selling
on board of a vessel

Notices, how recovered

Fines, how recovered

Excepted cases

No licensed person to
act as a Justice

12. Whereas

Ordinance to commence
on 1st August 1853

17

12- Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, Be it therefore enacted, That this Ordinance shall take effect and come into operation on the first day of August One Thousand Eight Hundred and Fifty three.

Schedules

A (Section 1)

Form of license

Person or Company of (Residence) is or are hereby licensed to carry on the business of an Auctioneer on his own account (or by his or their Agent on his or their account) from the day of next for the term of one year
the said having this day paid the sum of £20

Dated

(Signed)

Governor

B (Section 2)

Form of appointment to recover Duties

I do hereby appoint you to sue for certain duties which it has been represented to me are due to the Crown by of under the provisions of the Auctioneers Ordinance.

(Signed)

Governor

C (Section 3)

Form of appointment to recover penalties

I do hereby appoint you to prefer an Information or Informations against for the recovery of a certain fine which it has been represented to me that he is liable to under the provisions of the Auctioneers Ordinance

(Signed) Governor

Pased the Legislative Council
on the 23rd of July 1853

Dog License Ordinance

In the Year One Thousand Eight Hundred
and Fifty Three

No Six

Analysis

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By H. S. George Esquire Governor 1
4c 4c

Recital

Penalty for keeping a dog without having obtained a license

Whereas the numbers of dogs in Stanley are a public nuisance and it is expedient to restrain their increase. Be it enacted:-

1 - That if any person in Stanley shall keep any dog above the age of three months without having obtained a license for the same he shall pay a fine of Two Pounds, one half of which shall be paid to the Informer for his own use, and upon the hearing of any Information against any person for keeping a dog without having obtained a license. the dog shall be taken to be unlicensed and above the age of three months unless the contrary is proved by the Defendant.

2 - That the Stipendiary Magistrate shall upon the payment of Eight Shillings for a dog and Twelve Shillings for

for a bitch grant to the keeper thereof a license in the form in the Schedule hereunto annexed, which shall be in force for twelve months from the date thereof and shall not be transferable, and the Stipendiary Magistrate shall cause to be kept a Register of every such license.

3 - That it shall be lawful for any Justice to issue a warrant to any constable directing him to kill any dog unlicensed dog to be in Stanley above the age of three months for which a license killed shall not have been obtained, and the constable to whom such warrant shall be directed shall forthwith kill or cause to be killed any such dog: Provided nevertheless that the owner of such dog shall not be thereby exonerated from the penalty he may have incurred for keeping an unlicensed dog.

4 - That this Ordinance shall come into operation on the first day of September next; and the ordinance intituled "Dog license Ordinance" of 1850 shall from and after that day be repealed except as to licenses issued under the provisions of the said Ordinance since the first day of September 1852, each of which shall be and continue in force for one year from ^{the day} its date anything to the contrary in the said Ordinance or license contained notwithstanding.

Ordinance to commence
on 1st September 1853

Schedule

License to	for	dog
Name of Dog	Type & description of Dog	Date of license

This license will expire on the _____ day of _____
and is not transferable.

(Signed)

Stipendiary Magistrate

Copied the Legislative Council
on the 1st of August 1853

Wm. J. H. [Signature]

Alien Ordinance

*In the Year One Thousand Eight Hundred
and Fifty three*

No Seven

Analysis

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By H. S. George Robbie Esquire Governor

Dr. A.

Penalty on Aliens
landing

1. That if any Alien shall land or reside in the Falkland Islands without the permission of the Governor (unless he shall

shall have been imported by some person holding authority from the Governor to introduce Aliens) he shall pay a fine not exceeding Fifty Pounds.

2- That if the Master or other person in command of any vessel shall permit any Alien to land from his vessel in the Falkland Islands without having such permission as aforesaid, or if any person shall import into, persuade or aid any such Alien to land or reside in the Falkland Islands he shall pay a fine not exceeding Twenty Pounds.

3- That the Master or other person in command of any vessel which shall arrive in the Falkland Islands shall upon being requested so to do by the Governor, declare in writing to the Governor whether there is any Alien on board his vessel and whether any Alien hath to his knowledge landed therefrom and shall specify the number of Aliens if any who have landed and their names, rank, occupation and description, and if the Master or other person as aforesaid shall refuse or neglect to make such declaration, or shall wilfully make a false declaration he shall pay a fine of Fifty Pounds.

4- That it shall be lawful for the Governor before giving any Alien his consent to land or reside in the Falkland Islands, to require such Alien or any person importing him, to enter into a recognizance in the form B which any Justice of the Peace is hereby empowered to take upon receiving an authority from the Governor in the form A annexed with or without such securities and in such amount and on such conditions as the Governor may therein direct.

5- That whenever the Governor shall deem it expedient that any such recognizance be enforced for any breach thereof the penalty shall be recovered in a summary way upon information before any Justice in like manner as any fine may be recovered: Provided that no such recognizance shall be enforced except upon the information of some person appointed by the Governor under his signature in the form D annexed.

6- That none of the aforesaid fines shall be used except on the information of some person appointed by the Governor by warrant under his signature in the form C.

7. That

Penalty on persons
importing Aliens

Masters of vessels arriving
to declare what Aliens
are on board or have
landed.

Mode of enforcing
Recognizance

Governor to appoint
a Prosecutor

237

Aliens to register themselves
within a month

7 - That each Alien resident in the Falkland Islands, unless he shall have been imported by some person holding authority from the Governor as aforesaid shall within one month after his landing, cause his name, occupation, country and the place from whence he shall have last come, and his residence in the Falkland Islands to be registered in a book to be kept for that purpose by the Extraordinary Magistrate or shall pay a fine not exceeding Five Pounds.

Person importing Aliens
to cause them to be
registered

8 - That each person having permission from the Governor to import Aliens into the Falkland Islands shall within the month of - the landing of any Alien under such permission cause such Alien to be registered as aforesaid or shall pay a fine not exceeding Twenty Pounds.

Ordinance to commence
on 1st September 1853

9 - Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, Be it therefore enacted, that this Ordinance shall take effect and come into operation on the first day of September One Thousand Eight Hundred and Fifty three, and the Ordinance intituled Alien Ordinance No 3 - 1851 shall from and after that day be repealed

Schedules

A (section 4)

Form of authority to Her
Majesty to take recognizance

I ~~Falkland~~ Governor and Commander-in-Chief
of the Falkland Islands and the Dependencies thereof do
hereby authorize you ~~Chandler~~ to allow Mr. ~~Poole~~ to
enter into a Recognizance to Her Majesty before you in the
sum of ~~£50 pounds~~ (and if in
the sum of ~~£50~~ and ~~£50~~ in the
to be omitted if unnecessary sum of ~~£50~~ his services) upon the following conditions:

B (section 4)

Sum of Recognizance
1 Guineas

Falkland
Islands

Be it remembered
That on the

day of October in
the

1857

the year of

and R C Parkes of Stanley person-

ally came before the undersigned one of Her Majesty's Justices of
the Peace for the said Islands and acknowledged to owe to our
Sovereign Lady the Queen, the sum of 5/- per weekand the said _____ and the
sum of _____ each on the conditions endorsed:—Taken and acknowledged before me the day
and year first above-mentioned
(signed)

The conditions are such that if the said R Parkes do
keep the promises made by him and endorsed on this recognizance,
then the said recognizance to be void, or else to stand in full force
and effect.

To provide the means of conveyance for _____ to the usual conditions and
port from whence he will come at any time within one year agreements to be endorsed
from the date hereof on back of recognizance.

Secondly (In the event of sickness, destitution or other
cause) the said R Parkes to provide relief, and also such amount
as may be necessary for support and maintenance.—

If the said _____ shall die before the expiration
day of one year and shall not leave sufficient means to
pay all costs and expenses attending his funeral, to pay
the same.

At Stanley this day of Oct the 1857

Signature of Surety

Signature of person imposting

(section 6)

Governor and Commander in chief of the Falkland Islands and the Dependencies therof do hereby appoint Esquire, to sue on behalf of Her Majesty for a certain fine which it has been represented to me that

is liable to for having —
(here)

Form of appointment
to recover penalties

25

(here state the offence) contrary to the form of the Alien Indemnance

Given under my hand at Stanley
this day of

(signed)

Governor n

D (section 5)

Form of appointment
to recover amount on
recognizance

I Governor and Commander in chief of the Falkland Islands and their Dependencies do hereby appoint
 A to sue for the sum of
from of due to Her Majesty upon
a breach of the conditions of a recognizance dated the
day of

Given under my hand at
This day of

(signed) Governor
 n n

Subsd the Legislative Council
1st August 1853

Recd with WR
16/2/54 - J.W.H.

27

Pilot and Harbour Ordinance

In the Year One Thousand Eight Hundred and
Fifty Three

No Eight

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By H. E. George Rennie Esquire Governor

sc

sc

1. That the Governor may from time to time license in the form A hereto annexed a Pilot or Harbour Master for any Harbour within the Falkland Islands, and make such regulations respecting the amount and payment of pilotage the class of vessels which shall be bound to take a pilot and respecting all other matters connected therewith; and may revoke any such license.
2. That the Governor may from time to time make regulations respecting the anchoring and mooring of vessels, the package landing, deposit and removal of gunpowder (sic and except on board any vessel of war) the safe keeping thereof, the watering, ballasting or discharging of ballast of or from vessels and all other matters relating to the safe and commodious navigation of any such Harbour, and the order and management of vessels resorting thereto.
3. That the Governor may from time to time make regulations requiring a declaration to be made by the Master of any vessel arriving at any of the said harbours, the deposit of the ship's papers and the return thereof to the Master a reasonable time before his departure, and a notice to be given by him of the time of his intended departure and prescribing the form, time and manner of making such declaration, deposit or return or giving such notice.
4. That any Master, seaman, passenger, pilot or other person who shall offend against the said regulations shall pay any fine not exceeding Fifty Pounds.
5. That if any unlicensed person shall act as Pilot on board of any ship entering or leaving the harbour of Stanley without previously informing the Master or other person in charge of such vessel that he is not a licensed pilot he shall be liable to a fine not exceeding Fifty Pounds.
6. That any pilot or unlicensed person as aforesaid in charge of any vessel who by willful breach of duty or neglect of duty or by reason of drunkenness, does any act tending to the conduct of Pilots or unlicensed persons endangering ship, life or limb to be a Misdemeanour.

tending to the immediate loss, destruction or serious damage of such vessel, or tending immediately to endanger the life or limb of any person on board of such vessel or who by wilful breach of duty or neglect of duty or by reason of drunkenness refuses or omits to do any lawful act proper and requisite to be done by him for preserving such vessel from loss, destruction or serious damage, or for preserving any person belonging to or on board of such vessel from danger to life or limb shall for each such offence be deemed guilty of a misdemeanour and shall be punishable with fine or imprisonment with or without hard labour or both as the Court may think fit, and the Court may, if it shall think fit, order payment of the costs and expenses of the prosecution.

Penalty for keeping on board or firing cannon loaded with ball or shot

7.- That the master or other officer commanding any vessel (except any vessel of war) who while such vessel shall be in Stanley Harbour shall keep or cause or permit to be fired any cannon on board such vessel shotted or loaded with ball shall pay a fine not exceeding Fifty Pounds.

Unlawful quantities of gunpowder

8.- That if any information shall be given upon oath to any Justice that there is reasonable cause to suspect that any unlawful quantity of gunpowder is on board any merchant vessel in Stanley Harbour it shall be lawful for such Justice by warrant under his hand to direct any constable at any time to enter and search any such vessel, and it shall be lawful for any constable to whom such warrant shall be directed (such constable having previously made known such his authority) either alone or with such assistance as he may deem necessary to enter any such vessel and search the same for unlawful quantities of gunpowder and to seize and remove to the proper place and detain all such unlawful quantities of gunpowder found on board any such vessel and the barrels or other packages in which such gunpowder shall be, and (if necessary) to use force to enable him to execute any such warrant.

Throwing ballast &c into the Harbour

9.- That if any person shall throw or cause to be thrown into Stanley Harbour any dead animal, ballast, damaged goods, rubbish or other material, he shall pay a fine not exceeding a Hundred Pounds.

limit of Stanley Harbour

10.- Be it enacted, That Stanley Harbour for the purposes

purposes of this Ordinance shall extend to any place lying to the westward hand within a line drawn from York Point to Arrow Point in Port William and below high water mark.

11. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, Be it therefore enacted, that this Ordinance shall take effect and come into operation on the first day of September One Thousand Eight Hundred and Fifty three, and the Ordinance intituled "Pilot and Harbour Ordinance" of 1851 shall from and after that day be repealed.

Ordinance to commence
on 1st September 1853

Schedules

A

Falkland Islands } I Governor and
To Wit } Commander-in-chief of the Falk-
land Islands and the Dependencies

whereof do hereby in pursuance of the powers in me vested by
an Ordinance intituled "Pilot and Harbour Ordinance"
license and appoint of to be a
Pilot and (or or) Harbour-master for the Port of
to have and to hold the said office or offices with
all the rights, profits and emoluments thereto appertaining.

In Witness whereof I have hereunto
set my hand and affixed the seal
of the Government at Government
House Stanley this
day of One Thousand
Eight Hundred and

Deposited the Legislative Council
on 1st August 1853

W. W. W.
1st Augt 1853

Spirit License Ordinance

In the Year One Thousand Eight-Hundred
and Fifty Three 1853

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By H. B. George Rennie Esquire Governor

or
or

Retail and Wholesale and Retail

1. That any person or company desirous of obtaining a Retail or a Wholesale and Retail license to sell on his or her

name

their own account or as agent for any person or company, may cause to be delivered to the stipendiary magistrate a notice in writing, in the form in Schedule A and the stipendiary magistrate shall cause notice thereof to be given to each Justice resident in Stanley, requiring him to attend at the Police Office upon any day he may then expectant and the majority of the Justices assembled at such meeting on any adjournment thereof may grant to such person or company or agent for any person or company, a Retail license upon the payment to them of Twenty Pounds in the form in Schedule BB or a Wholesale and Retail license on the payment to them of Thirty Pounds in the form in Schedule BB: Provided that if the Justices shall be equally divided the stipendiary magistrate shall have a casting vote; and also that it shall not be lawful to authorize the holder of any license as aforesaid to sell liquor at or have more than one Bar at the same time on the same premises.

Only one Bar allowed
on the same premises

What is a Retailing

2. That any sale of liquor at one time in any less quantity than two gallons shall be deemed and taken to be a selling by retail, and if it shall be proved upon the hearing of any information that two gallons or any quantity exceeding two gallons of any liquor or liquors shall be delivered or sent to be delivered on the same day to the same person it shall be evidence until the contrary be made to appear by the defendant that the same was sold by Wholesale.

3. That any person holding any license aforesaid or transfer thereof, or the manager of the business under either, who shall commit any of the following offences shall be liable to the punishment hereafter specified in each case (that is to say)

A. Any fine not exceeding Fifty Pounds

Who shall open or suffer to be opened his premises or any part thereof or sell or supply any liquor or suffer the same to be sold or supplied except between the hours of Eight in the morning and Ten at night on any working day or one and Three in the afternoon and Five and Eight in the Evening of any Sunday, Christmas Day or Good Friday or at any house or bar or under the management of any other person other than as specified in the license or to any drunken person or by retail on credit either directly or indirectly by

the

£50

*Moral reform
Society*

the pretended loan of money, sale of goods or otherwise, or shall take in payment anything except money, or shall take anything in pledge, or seize or take into his possession any goods as security for any liquor sold by retail or shall permit in or upon his house or premises, drunkenness, tippling, disorderly conduct, fighting, disturbance, or any unlawful game or gaming whatsoever or shall not maintain good order to the best of his ability.

B. Any Fine not exceeding Ten Pounds.

Who shall harbour, entertain or suffer to remain in or upon his licensed house or premises any constable during any part of the time appointed for his being on duty, unless for the purpose of quelling any disturbance or restoring order or other public duty.

£10 *Drunk*

Harbouring Constable.

C. Any Fine not exceeding Five Pounds.

Who shall supply any liquor to any boy or girl apparently under the age of Sixteen Years to be drunk on his premises; or who shall when required by any customer refuse to measure any liquor sold by him by retail (except in bottle or in quantities less than half a pint) by the gallon, quart, pint or half pint measure sized according to the Standard.

£5 *Drunk*
Under 16 years of age

Measures

4. That each person holding any license as aforesaid or transfer thereof shall cause to be placed over the front door of his or their licensed house a Board on which shall be painted his Christian and surname at full length in letters 3 inches at least in length in white upon a black ground or black upon a white ground, publicly visible and legible, together with the words "licensed to sell by Retail or "licensed to sell by Wholesale and Retail as the case may be" "Spirituos and Fermented Liquors" and shall keep up such name and words so painted as aforesaid during all the time he shall continue so licensed, and shall also have a good and sufficient lamp with at least two burners affixed over the front door of his licensed house and shall keep the same burning from sunset to sunrise and if in any respect he make default herein, he shall pay for any such offence a fine not exceeding Ten Pounds.

5. That if any man shall make or use in allow to be made or used any internal communication between any house

Mop,

shop, room or place of public resort not licensed for the sale of liquors and any house, shop, room or place licensed for the sale of liquors he shall pay a fine not exceeding Ten Pounds for each day that such communication shall be open.

Offences of persons frequenting Public-houses

6. That if any person in or upon any such licensed house or premises as aforesaid shall be guilty of drunkenness, trifling, disorderly conduct, fighting, or gambling, or shall create or attempt to create a disturbance or shall assault any such licensed person or manager or any person abiding him or shall use any abusive, profane or indecent language or shall resist or obstruct or incite any person to resist or obstruct any such licensed person or manager or any person abiding him when acting in obedience to this Ordinance or shall not obey such licensed person or manager when lawfully ordered by him in obedience to this Ordinance to do any act, he shall pay a fine not exceeding Twenty Pounds.

Governor & Justices may order licensed houses to be closed

7. That it shall be lawful for the Governor or any two Justices when any riot, tumult, breach of the peace or disorderly conduct shall happen or be expected to take place to order any person holding any license as aforesaid or transfer thereof to close his house at any time which the Governor or the Justices shall direct and if any such licensed person shall keep his house open during such time he shall pay a fine not exceeding One Hundred Pounds.

Magistrate & constable may enter and search

8. That it shall be lawful for any Justice or constable from time to time and at all times by day or by night upon request to enter into and search any house or premises licensed as aforesaid, and if any person shall cause any unnecessary delay in giving admision to such Justice or constable or to any Justice either alone or with any constable entering any unlicensed house as hereinafter mentioned, or any person duly executing a warrant to search any unlicensed house as hereinbefore mentioned, or shall obstruct or use any abusive language or conduct towards such Justice or constable duly searching in compliance with this Ordinance, such person shall pay a fine not exceeding Ten Pounds.

Change or alteration of Premises

9. That if any person holding any license as aforesaid or transfer thereof shall be desirous of removing from the Premises named in such license a transfer to any other premises, or of altering the Bar or external doors or premises so licensed or of appointing some other

other person to manage such business than the person specified in such license, the Stipendiary Magistrate may at discretion from time to time authorize such removal or alteration or any other person to manage such business by an endorsement on the original license in the form in Schedule C heretounto annexed.

10. That the Stipendiary Magistrate may grant a permit in the form in Schedule D to any person holding any license as aforesaid or transfer thereof authorizing such person to sell liquor upon any temporary occasion at any place and time he may deem reasonable.

Permit to sell upon temporary occasion

Wholesale

11. That it shall be lawful for the Stipendiary Magistrate to grant to any person or company a Wholesale license in the form in Schedule E to sell on his or their own account or as agent for any person or company, liquor in any quantity, not less than two gallons upon the payment to him of Twenty Pounds for each license (the duration of which shall be Twelve Months from the date thereof); and to the Master, passenger or supercargo of any vessel arriving in Stanley Harbour a Wholesale license upon the payment to him of Ten Pounds the duration of which shall be six months from its date.

Wholesale license

Master of vessel - Wholesale for 6 months

12 — That if any person holding a Wholesale license or transfer thereof shall sell or suffer to be sold on his premises any liquor by retail. Or if any person holding a retail license or transfer thereof shall directly or indirectly sell or suffer to be sold in or upon his house or premises at one time to one person says quantity of liquor or liquors amounting to or exceeding two gallons he shall for such offence pay a fine of Fifty Pounds and upon a second conviction, the Justice shall in addition to the fine declare his license or the transfer thereof to be, and the same shall thereupon be forfeited and void.

Penalty on person holding a Wholesale license selling by retail — On Retail selling by Wholesale

General

13. That each license under this Ordinance shall be

Duration of license

Partners

Adulterating liquor

Licensed person may purchase from unlicensed person

Transfer

Selling liquor without a license

Searching unlicensed houses

be in force for twelve or six months from its date as the case may be, and persons trading in partnership and in one house or premises only shall not be obliged to take out more than one license for one year.

14 - That if any person holding a license under this Ordinance or transfer thereof shall mix or suffer to be mixed with any liquor any unwholesome ingredient, or shall receive or have in his possession any unwholesome ingredient with intention to mix the same with any liquor, he shall for any such offence pay a fine not exceeding One Hundred Pounds and upon conviction the unwholesome liquor and ingredient shall be destroyed.

15 - That nothing in this Ordinance shall apply or be deemed to extend to any person holding a license under this Ordinance or transfer thereof buying any liquor from any person not holding a license under this Ordinance or transfer thereof or to the person selling to him such liquor anything herein contained to the contrary notwithstanding.

16 - That the Subsidiary Magistrate may at any time from time to time transfer any license or transfer thereof under this Ordinance to the appointee of the holder of such license or transfer and in case of the death of any person holding a license or transfer as aforesaid to the executors or administrators or their appointee by an endorsement on the license or transfer in the appropriate form in Schedule II.

17 - That if any person not being licensed or not having a permit or transfer as aforesaid shall directly or indirectly sell or Stanley any liquor or permit the same to be sold on or upon his premises; or if any person shall purchase, receive, or have in his possession any liquor knowing the same to have been sold contrary to the provisions of this Ordinance, he shall pay for any such offence a fine not exceeding Fifty Pounds.

18 - That upon reasonable cause of suspicion that any liquor is in or upon any house premises, vessel or boat, which has been illegally sold, or is there for the purpose of illegal sale, or that any person is there illegally purchasing liquor, it shall be lawful for any Justice alone, with any constable or constables to enter and search any such house premises, vessel or boat, or any part thereof at noon hour and it shall be lawful for any Justice to grant a warrant to

search

search any such house, premises, vessel or boat and such Justice either alone or with any constable or constables, or such person to whom such warrant may be addressed shall and may remove to the Police Office all such liquor, together with the casks or bottles and packages containing the same, as shall be found there and shall and may arrest any person found there illegally purchasing, or selling liquor; and the Justice before whom the case shall be heard shall in addition to any fine which he may impose declare such liquor together with the casks or bottles and packages containing the same to be and the same shall thereupon be forfeited to the use of Her Majesty unless the Defendant shall prove that such liquor was not illegally sold, or there for the purpose of illegal sale.

19. That if any person shall knowingly remove or convey any liquor for the purpose of being or that shall have been illegally sold, he shall pay a fine not exceeding Fifty Pounds: and it shall be lawful for any constable to stop any person conveying in any manner any liquor; and if such person shall not upon request satisfy the constable that such liquor has not been illegally removed or sold as aforesaid, to detain and convey such person and liquor together with the packages before any Justice and to seize and take into his possession the horse, cart, van, vessel or other conveyance used in removing the same; and if such person shall not upon the hearing of the Information prove to the satisfaction of the presiding Justice that such liquor had not been illegally removed or sold as aforesaid the Justice shall release the same with the packages to be and the same shall be forfeited to Her Majesty as well as the horse, cart, van, vessel or other conveyance of any used in removing the same.

20. That any license or transfer thereof or appointment of a manager to or of any person who has been or shall be convicted of felony or of selling or having sold liquor without a license shall be void.

21. That the words "stipendiary magistrate" shall in case of the illness, absence or incapacity of that officer be construed to include the person appointed by the Governor to discharge the duties of his office for the time being and the word "liquor" shall

constable may stop
any person removing
any liquor.

Who disqualifies

Construction

shall

- shall be construed to mean any "spirit, wine, liquors, &c, beer or porter."
- to licensed person to act as
a Justice
- Either of the offending
parties informing against
the other to be acquitted of
his fine
- 22 - That no Justice holding a license under this Ordinance
shall act as a Justice under any of the provisions of this Ordinance.
- 23 - That to the more effectual discovery of offenders. Be
it enacted that on the commission of any offence under this Ordinance
either of the offending parties who shall first discover and inform
against the other or others, shall upon conviction of the person or persons
against whom the information shall be given be discharged and
acquitted from any fine to which at the time of such information
given he may be liable for or by reason of any such offence commit-
ted by him.

Ordinance to commence
on 1st September 1853

Repeal except as to un-
expired licenses

- 24 - Whereas the delay incident to a previous communication
with Her Majesty to know Her Royal Pleasure hereupon would
be productive of inconvenience; Be it therefore enacted, that this
Ordinance shall take effect and come into operation on the First
day of October One Thousand Eight hundred and Fifty three
and the Ordinances intituled "Publican's licensing Ordinance"
the 7 - 1851 - and "Wholesale licensing Ordinance" the 8 - 1851
shall from and after that day be repealed, except so to one
unexpired license issued under the provisions of either of the said
ordinances each of which during the residue of the term shall
continue in force and be deemed to have been granted under
this Ordinance

Schedules

A (Section 1)

To the Esquidary Magistrate for the Falkland Islands

Form of application
for a Retail or a Whole-
sales & Retail License

I do hereby give notice that it is my inten-
tion to apply for a Retail license (the Wholesale and Retail license is
the case may be) to sell Spirits and Fermented Liquors on my
account (or as Agent for person or Company) in the premises situate at
here describe the premises proposed to be licensed, specifying the situation
the owner or person from whom rented, the present occupier and the person who
is to manage the business under the license (of which the following is
a delineation of the ground plan showing each room and the

startion

situation of the Bar and the several external doors belonging
to each house on the said premises.

This day of

Signature of person making
application or of one of the parties or the
Agent of the Company

B (Section 1)

Retail or Wholesale & Retail Licensee

Falkland Islands } Whereas A

To Wit S hath said to Us the sum

A We being the majority of the Justices
assembled at the Vice Office Stanley for the purpose of taking
into consideration application for a license to sell
(on his or their own account) by their Agent by retail
(or wholesale and retail) as the case may be Spirituous and
Fermented liquors.

Now we do hereby license the said to sell
Spirituous and Fermented liquors (by retail only) or (by whole-
sale and retail) as the case may be, on his own or their ac-
count or by A. B. their (or as) Agent for (state the person or
Company) as the case may be in the premises situate at and in
or upon the house or houses marked A. B. C. D &c as the case
may be and at the bar or the delineation of the said premises
upon his or their application for a license but not elsewhere or under
the management of any other person; And this license shall com-
mence from the day of its date and continue in force until
the day of then next ensuing.

Given under our hand

At Stanley

This day of

C

(Section 9)

Change or alteration
of premises

I hereby authorise to remove his (or their) business from the premises stated in the license to the premises situate at to continue his business under the within license upon the premises with (the bar) or (extending door) of premises) altered as follows:

(Shortly describe the alterations.)

In & T. B. to manage instead of G. G. as in the license specified

Signature of

Appendix Magistrate

Date

D

(Section 10)

Right to sell upon
Temporary occasion.

I hereby permit who holds a Retail (or a Wholesale and Retail) license to sell liquor at (state the place) on the day of between the hours of and

Given under my hand
This day of

Signature of
Appendix Magistrate

E

(Section 11)

Wholesale license

Holkham Blund.

To W.F.

5 Shillings. hath paid the sum of Pounds — Now I hereby license the said to sell on his or their own account or as agent for (two weeks) (or) Spirits and fermented Liquors by Wholesale only in any quantity not less than two gallons and this license shall commence from the day of the date hereof and continue in force until the day of the next ensuing.

Given under my hand at
This day of

F

I do hereby upon the application of transfer this
license or transfer to or (to Executors
or Administrators or their Appointee), as the case may be
for the residue of the term for which the same has now to
run.

Given under my hand

This day of

Dated the 15 of
January 1853

Signature of
Expediary Magistrate

W. H. with WR J. W. H.
23/2/54

Administration of Justice Ordinance

In the Year One Thousand Eight Hundred
and Fifty three

No Ten

Analysis

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By W. E. George Remond Esquire Governor
of the Falkland Islands

Magistrates Court

Jurisdiction of
Magistrates Court

Common law

Equitable

Ecclesiastical

Probates

1. That there shall be a Court called the Magistrates Court, which shall be a Court of Record and have jurisdiction in the Falkland Islands in all cases as fully as Her Majesty's Courts of Queen's Bench, Common Pleas and Exchequer or either of them or any Court of General Inquisition have or hath in England and shall be a Court of Pleas and Quarter and Gaol Delivery and Assize and Mis Prisons and shall be a Court of Equity and shall have power and authority to do all such acts as the Lord High Chancellor lawfully may within England and shall also have power to appoint and control guardians of infants and their estates as also keepers of the persons and estates of idiots, lunatics and such as being of unsound mind are unable to govern themselves and their estates; and shall have such power, authority and jurisdiction as to the administration of the effects of all persons dying possessed of personal property within the Falkland Islands in all such cases as fully as the Proximate Court of the Province of Canterbury has within that Province as to the administration of the effects of persons dying possessed of personal property within that said Province and shall have power and authority to grant Probates of the Last Wills and Testaments of all persons who shall

shall die and leave personal effects within the Falkland Islands; and to commit letters of administration of the goods, chattels, credits and all other effects whatever of the persons aforesaid who shall die intestate or who shall not have named an Executor resident within the Falkland Islands or where the Executor being duly cited shall not appear and sue forth such Probate - annexing the Will to the letters of administration when such persons shall have left a Will without naming any Executor or any person for Executor who being duly cited therunto will appear and sue forth a Probate thereof: - and to sequester the goods and chattels, credits and other effects whatsoever of such persons so dying and to demand, take and examine and allow and if occasion require to disallow and reject the accounts of them in such manner and form as the said Magistrates Court may think fit: Provided always that the said Court in such case as last aforesaid where letters of administration shall be committed with the Will annexed, for want of an Executor applying in due time to sue forth the Probate, reserve in such letters of administration power to revoke the same, and to grant Probate of the said Will to such Executor whenever he shall appear and sue forth the same: And the said Court shall grant and commit such letters of administration to any one or more of the lawful next of kin of such person so dying as aforesaid, and being then resident within the Jurisdiction of the said Court, and being of the age of twenty one years, and in case no such person shall then be residing within the Jurisdiction of the said Court or being duly cited shall not appear and pray the same, to such person (whether creditor or not) of the deceased person as the Court shall see fit:

Provided that in all cases where the Executor of any Will, being duly cited shall refuse or neglect to take out Probate, or where the next of kin shall be absent and the effects of the deceased shall appear to the said Court to be exposed and liable to waste, it shall be lawful for the said Court to authorize and empower any person the Court shall think fit to collect such effects and to hold a deposit or invest the same in such manner and place upon such security and subject to such orders and directions as shall be made, other as applicable in set forth cases, in specially:

Constitution of
Magistrates Court

Notice to other
Justices

any case in respect of the custody, control or disposal thereof. —

2. — That the said Court shall be held before a Chairman or in his absence before a Deputy Chairman and three or more Justices and whenever it is necessary that the Court shall be held, the Chairman shall fix the day of sitting and shall cause to be summoned in the form E annexed the Justices resident in Stanley in rotation beginning with the first three names on the commission and he shall summon three only to attend at each sitting, and shall also cause a notice in the form F to be served on every other Justice resident as aforesaid.

Criminal

Crimes to be tried
upon an Information
and by a Jury of six

Jury of twelve men
where capital offence

Verdict unanimous in
criminal cases

An Inquisition by six
Juries to have the same
effect as an Inquisition
by twelve

3. — That all crimes, misdemeanours or offences cognisable in the said Court shall be prosecuted by Information in the name of such Officer as the Governor shall from time to time appoint to prosecute (and the Governor may revoke any such appointment) or upon a Coroner's Inquisition; Provided that the person so appointed by the Governor shall not preside upon the bench upon the trial of any Information tried by him, and all issues of fact joined upon any Information or upon any Coroner's Inquisition or Inquest of Office shall be tried by a Jury of Six men as hereinbefore provided: except that where any Information or Coroner's Inquisition shall charge any person with an offence punishable with death, all issues of fact joined upon any such Information or Coroner's Inquisition shall be tried by a Jury of Twelve men as hereinbefore provided.

4. — That the Jury in every criminal case in the magistrates' Court and upon every Coroner's Inquest or Inquest of Office must unanimously concur in their verdict and no Verdict in any case shall have a Jury de medietate lingue. —

5. — That if a verdict of murder or accessory before the fact shall be found by a Jury upon any Information or Coroner's Inquisition against any person the Coroner holding the Inquest and the magistrates' Court, the Sheriff and his Deputy, or if there be no Sheriff, the First Constable and his Deputy duly appointed the Sheriff and

all other Officers shall have and be deemed to have had the same power respectively, for the commitment, trial and execution of the person so charged and convicted, as by law is prescribed in England by the Coroner or the Justices of Assize and Quarter and Trial Delivery, Sheriff and his Deputy, the Justice and other Officers with regard to the commitment, trial and execution of the sentence upon any person in England convicted of either of the said offences upon any Indictment or Coroners' Inquisition. —

Civil

6. — That all civil cases in the Magistrates Court shall be heard and determined ~~in a summary way~~, in a summary way at law as hereinafter provided; and all matters in equity and ecclesiastical shall be heard upon a petition and the parties and witnesses examined *viva voce* before the court: Provided that in any action at law either of the parties shall be entitled to a Jury as hereinafter provided. —

7. — And with respect to the process, practice and mode of proceeding in actions in the Magistrates Court, be it enacted as follows: —

A. That all the enactments and provisions of the Common Law Procedure Act of 1852 shall extend and apply to the Magistrates Court and actions and proceedings therein, so far as the same are consistent with this Ordinance; except the provisions with respect to the sealing of writs and such as relate to the test thereof in the name of a Judge, and to replications and subsequent pleadings, to the Jury, to the proceedings in case, to the proceeding where the Plaintiff neglects to bring on the cause to be tried and to the Mis Pris Record: Provided that all the powers under the said Act exercisable by any one Judge or by one or more of the Masters shall and may be exercised by the Chairman of the Magistrates Court. —

B. That no replication or subsequent pleading, joinder of issue or Mis Pris Record shall be necessary but each cause shall be taken to be ready for trial when the Chairman has settled the issues or when the Defendant has filed a plea.

Civil procedure to be Summary

Common Law Procedure
Act applied to the Magistrate's Court

No replication or
subsequent pleading

a demurrer, or when the parties have agreed to proceed without pleadings and have filed a consent on the following form:-

Magistrates Court

A. versus B.

May be tried without
pleadings Be the parties in this cause have agreed that the same shall
be tried without pleadings.

(Signed)

A. Plaintiff's signature

B. Defendants signature

Setting down the cause
for trial

and in any such case at the request of the Plaintiff, the Clerk of the Court shall take the necessary steps to summon a Jury or the Court, as the case may require, for the trial and shall cause a notice of the day appointed for the trial to be served upon the Defendant, and if the Plaintiff shall refuse to bring his cause on to be tried either the same shall have been ready for trial as aforesaid, the Defendant may give four days notice to the Plaintiff to bring the case on to be tried and if the Plaintiff shall not before the expiration of four days state the necessary steps to bring the case on for trial, or having done so shall not proceed on the trial, the Defendant may sign Judgment for his costs. Provided that the Court or Chairman shall have power to extend the time for proceeding to trial with or without limit.

Judgment by default
for not proceeding to trial

C. That upon the day appointed for the trial of any cause, the Clerk shall have in Court the summons, the appearance and each and every document in the cause upon which documents the cause shall be tried; and whether the issues shall have been settled by the Chairman or not; the Court may at discretion either before the Jury are sworn or at any period of the trial call the Plaintiff or Defendants whether of fact or law when the declaration and plea or demurrer of those be any, or from the examination of the parties upon oath, and in any such case may at discretion order the Clerk to enter in the Record Book the issue or issues of fact or law or matter in dispute and from time to time to alter or amend the entry upon the decision of which the verdict or Judgment as the case may be shall depend. On the Court at discretion may order the Plaintiff to state his case and then call his witnesses and afterwards the Defendant the like, and the trial proceed without any such examination or entry being made: And the Court may in case see make such order

Proceedings upon
the hearing

Issue may be collected
from examination of the
parties

Trial may be postponed

as to the postponement of trial, or method of eliciting the issues or both having reference to the question whether either party has been misled or prejudiced in the conduct of his case or otherwise in the matter as the Court shall think best calculated to promote substantial justice in the case: or the Court may direct or direct the Jury to find as the case may require the facts according to the evidence notwithstanding the issues dictated by the Chairman the declaration and plea or the issues entered by the Clerk as aforesaid, and such finding shall be entered by the Clerk in the Record Book; and if the Court shall think the parties have not been prejudiced in the conduct of their cause, the Court may give judgment upon the facts so specially found and entered according to the substantial merits of the case notwithstanding that the form of action had been misconceived or any other objection whatever in respect of the pleadings: Provided that in such case the question of costs and form of judgement shall be in the discretion of the Court, and that no Plaintiff who has sued in a wrong form of action shall be entitled to any other costs than such as he would have been entitled to in case he had sued in the proper form of action.

Special finding.

May be entered

Judgment upon special finding

Proviso as to costs where Plaintiff sued in wrong form.

8.- That it shall be lawful for the Chairman for the time being of the Magistrates Court with the approval of the Governor from time to time to make rules for applying any of the provisions of the said Act or of the rules to be made in pursuance thereof to the Magistrates Court with such modifications and alterations with reference to the constitution and peculiar circumstances of the Colony as they may think fit and reasonable and for modifying any of the provisions already applied to the said Court, and from time to time to rescind, amend or alter such rules.

Chairman with approval of Governor may make rules for applying the provisions of the said Act to the Magistrates Court

9.- That it shall be lawful for any person failing to obtain by any judgement, decree, order or sentence of the Magistrates Court in any civil case to appeal therefrom to the Governor in Council in case such judgement, decree or sentence shall be given or pronounced, for or in respect of any sum or matter above the amount of one Hundred

Appeal from Magistrates Court to Governor in Council in civil cases

Pounds

Pounds, or in case such judgment, decree, order or sentence shall involve directly or indirectly any claim, demand or question to a respecting property or any civil right amounting to the value of One Hundred Pounds within fourteen days next after the same shall have been pronounced, made or given: Provided that security shall be given by the party appellant to the satisfaction of the said Court for the prosecution of the appeal and for the due performance of such judgment or order as the Governor in Council shall think fit to make thereupon.

Security to be given for the prosecution of the appeal and the due performance of the judgment.

Mode of Appeal

10. — That the party shall appeal by petition to the Governor in Council and shall transmit together with such petition a true and exact copy of all evidence, proceedings, judgments, decrees and orders had or made in such cause appealed so far as the same have relation to the matters of appeal and the Governor in Council on hearing the petition and the evidence taken in the Magistrates Court, unless the Governor in Council shall think fit to go into further into the matter, shall make such order as Justice shall seem to require, and the Governor shall certify the same under his signature to the Chairman of the said Court: and the said Court shall conform to and execute or cause to be conformed to and executed such judgment and order as the Governor in Council shall think fit to make in the premises in such manner as an original judgment, decree, order or rule by the said Court should or might have been executed.

Police Court

Constitution of Police Court

11. — That there shall be a Court of Record, which shall be called the Police Court and to be held before a Chairman or in his absence before a Deputy Chairman alone or with one or more Justices, and whenever the Chairman shall deem it expedient he may, at discretion, summon one Justice and in any case of appeal or criminal trial as hereinafter provided he shall summon two Justices in the form it's annexed, beginning with the first Justice on the Commission and summoning the Justices resident in Stanley in rotation.

12. — That the said Police Court shall have cognizance of all civil cases where the amount or damage sought to be recovered

Civil Jurisdiction
under £ 50

shall

shall not exceed Fifty Pounds, which shall be heard and determined in a summary way: Provided that either party shall be entitled to a Jury as hereinafter provided: And except as herein altered the Statutes and Rules for the more easy recovery of small debts and demands in force in any County Court in England, the Insolvent Law and Protection Statutes in force in England as administered in the Insolvent Court Portugal that and the Bankrupt Law in England as administered in the Court of Bankruptcy in London shall be applied in the Administration of Justice in the said Police Court so far as they respectively can be applied. —

Civil County Court Act

13. — That either of the parties may by petition within ten days from any judgement or order of the Police Court, in case such judgement or order shall be given in respect of any sum or matter above the value or amount of Twenty Pounds, or shall involve directly or indirectly any claim, demand or question to or respecting property or any civil right amounting to the value of Twenty Pounds appeal to the Magistrates Court which Court on hearing the petition and evidence taken in the Police Court (unless the Court shall think fit to examine further into the matter) shall make such order as Justice shall seem to require.

Appeal from Police Court
above £ 20

14. — That the said Police Court holden before the Chairman and two or more Justices shall also have cognizance of all crimes and offences punishable in England by fine or imprisonment or both or imprisonment with hard labour or whipping or both, all which crimes and offences shall be heard, determined and punished upon information in a summary way without a Jury.

Criminal Jurisdiction
of Police Court

Both Courts

15. That the Chairman and Deputy Chairman of the Magistrates and Police Courts respectively shall from time to time be appointed to and removed from his office by the Governor and it shall be lawful for the Governor from time to time to appoint the Deputy Chairman of either of the said Courts to act in the stead of the Chairman either in any particular

Governor to appoint a
Chairman and Deputy
Chairman

case

the authority of the
Chairman of the Magis-
trates and Police Courts
respectively

Justice not attending
to be resummoned

Clerk of the Court

Appointment of Officers

Wts

case or generally as the Governor may deem it expedient. -

16. That the Chairman of the Magistrates Court and Police Court respectively shall have such and the like jurisdiction and authority in the Falkland Islands as any Judge of any Court in England, the jurisdiction whereof is vested in the Court whereof he is Chairman, lawfully hath and may exercise in England and as shall be necessary for carrying into effect the several jurisdictions powers and authorities hereby given to the Magistrates and Police Courts respectively. -

17. That when a Justice cannot be served on a Justice in his turn to attend the Magistrates or Police Court respectively by reason of his being absent or other cause, the Justice next in rotation shall be summoned in his stead, and also in any case where any Justice having been duly summoned shall not have attended in pursuance of such summons in either case the Justice who has not served in his turn shall be summoned to the next Court or any succeeding Court or officer if necessary until he shall have served in his turn, and if any Justice being duly summoned shall neglect or fail to attend in pursuance of such summons or shall withdraw himself without the permission of the Court the Court if there be a full Court or Chairman alone or with such Justice or Justices as attend, as the case may be, shall in a summary way unless some reasonable excuse be proved set upon the Justice so making default any fine not exceeding the sum of Ten Pounds. -

18. That there shall belong to the Magistrates and Police Courts respectively an Officer who shall be called the Clerk of the Court who in all cases whatsoever as fully and amply to all intents and purposes shall have and exercise in their respective Courts such and the like power and authority and discharge such and the like duties as are incident to and correspond with the duties performed by each and every Officer of and belonging to each and every Court in England, the jurisdiction of which is by this Ordinance extended to the Court of which he is the Officer; and there shall also belong to the said Courts respectively such other Officers as shall from time to time appear necessary to the Governor, and the Clerks of the said Courts and Officers respectively shall from time to time be appointed and removed by the Governor subject to the approval of His Majesty.

19. That all writs and process in either of such Courts

Courts shall be tested in the name of the Chairman or Deputy Chairman of the Court from which the same shall issue and shall in no case require to be sealed with any seal. —

20. That it shall be lawful for the Governor if he shall think proper from time to time to appoint a Sheriff either to act in any particular case or for any period His Excellency may deem expedient, and to revoke any such appointment; and the person who shall be so appointed Sheriff shall by himself or his sufficient deputies to be by him appointed and duly authorized under his hand and seal, or if there be no Sheriff appointed, the Chief Constable for the time being shall by himself or his sufficient deputies to be by him appointed and duly authorized under his hand and seal and approved by the Governor, execute, and such Sheriff or Chief Constable and their deputies are hereby respectively authorized to execute all writs, summonses, rules, warrants, orders, commands and processes of either of the said Courts, and to make return of the same together with the manner of the execution thereof to the said Courts respectively and to receive and detain in prison all such persons as shall be committed to the custody of such Sheriff or Chief Constable, as the case may be, by either of the said Courts or the respective Chairman thereof or any Justice and shall in all respects be subject and liable to such and the same laws as in England apply to any Sheriff or his deputies respectively in the discharge of the duties of his office, which laws shall be applied to the Sheriff appointed under this Ordinance and his deputies respectively or Chief Constable and his deputies respectively so far as the same can be applied.

21. That in the said Magistrates and Police Courts respectively all questions shall be decided by the majority of the Court and in any case where the votes shall be equal the Chairman shall have a second or casting vote and any Justice except the Chairman or Deputy Chairman as the case may be shall be liable to be challenged upon such and the same ground as may be lawfully alleged as a cause of challenge against any person impanelled as a Juror and such challenge shall be made in open Court and decided

Sheriff

Majority of Justices
to decide

by

Jury at the request of either party

by the Court if there be a full Court, or Chairman alone or with such Justice or Justices as attend as the case may be: Provided always that in any action at law any issue of fact may be tried except damages apportioned by a Jury as hereinafter provided at the request of either of the parties: Provided also that in the said Police Court no person shall be entitled to a Jury unless the sum or matter in dispute shall amount to Twenty Pounds or upwards exclusive directly or indirectly any claim, demand or question to or respecting property or any civil right amounting to the value of Twenty Pounds.

Jury in civil cases

22. That in any civil case in either of the said Courts the Jury shall consist of twelve persons and if after having remained six hours or upwards in deliberation all of them shall not agree as to the verdict to be given or amount of damages to be apportioned the decision of five sixths in number of them shall be entered as a verdict or apportionment for all; and if after having remained twelve hours or upwards in deliberation five sixths of them shall not concur in any such verdict or apportionment such Jury shall be discharged, and the cause shall or may be set down for trial or apportionment either at the same or any subsequent sittings as the Court may think fit to order.

General rule that the trial is to be the same as in England

23. That in every case of trial by a Jury, whether in a civil or criminal case under the provisions of this Ordinance where no other mode of proceeding is by this Ordinance specially provided, the Jurors and Jury and every apportionment or trial by them shall as far as may be practicable, be subject to the same rules of procedure as in England would be observed in a civil case in an action at law in the Court of Queen's Bench, or of a criminal case, upon the trial of an indictment before Justices of Gaol Delivery.

24. That it shall be lawful for the Chairman of the Mid Courts respectively, from time to time to make rules for regulating the time and place of holding the said Courts, and the practice, procedure, forms and pleadings upon all informations, suits and other proceedings therein in criminal as well as civil cases, the proceedings of the Sheriff, Chief Constable and other Officers, the admission of Barristers and solicitors, the fees and poundage to be paid to any Officer, costs of suit, and the taxing thereof

Rules, regulations, practice, procedure, forms and pleading

and

and all matters relating to the business of either of such Courts and such rules from time to time to alter or revoke: Provided that the same shall not be repugnant to any of the provisions herein contained: and provided also that no such rules shall be in force until the same shall have been approved by the Governor. —

25. That it shall be lawful in either of such Courts for the Plaintiff and Defendant at law or in equity at any time if they both agree so to do, to submit themselves to be examined without oath by the Chairman who may at his discretion do so and decide the issue whether a fact or law or matter in dispute between them which issue or matter in dispute shall be settled and agreed by the Chairman and upon the trial of which issue or matter in dispute so settled and agreed the judgement in the action or suit shall depend. —

26. — That no objection shall be allowed to prevail in a civil case either in arrest of judgment or after verdict in respect of the pleadings or the Jury in any case in the Magistrates or Police Courts if upon the whole Justice shall appear to the Court to have been done. —

27. That if any person having been duly summoned as a witness before any Court or Justice shall fail to attend when his name is called, such Court or Justice, as the case may be, shall in a summary way unless some reasonable excuse be proved set upon the person so making default any fine not exceeding ten pounds.

Chairman may settle issues

Persons summoned as witnesses to be fined in default of attendance

Transportation

28. — That when any person shall be convicted of any offence for which in England such person would be liable to be transported it shall be lawful to pass the same sentence in this Colony and every such sentence of transportation or order of transportation as hereinafter mentioned shall subject the offender to be conveyed and sent to such place beyond the sea as shall or may be duly appointed as the place to which offenders convicted in this Colony shall be transported: and in the mean time it shall be lawful for the Governor whenever he shall think fit, to order any such offender or any offender under any sentence of imprisonment

Sentences of transportation

Convicts to be sent to hard labour

and hard labour either with or without whipping or order of transportation as hereinafter mentioned, to be kept to hard labour either in the Gaol or out of the Gaol as he may think fit in any part of the Falkland Islands and under the custody or management of any person he may think proper and to give all necessary and proper orders for the removal or due working and safe custody of such offender for all or any part of the time for which such offender shall be under sentence and the time during which every such offender shall continue in or at any Gaol or place of confinement or be kept to hard labour as aforesaid shall be taken and reckoned in part discharge of the term of his sentence.

The Court to make
an order of transportation
where the Crown of Great
mercy in a capital case

29. That whenever Her Majesty or the Governor having been full authority shall be pleased to extend mercy to any offender convicted of any crime punishable with death on condition of transportation and such intention of mercy shall be signified by the Governor to the Court before whom such offender shall have been convicted such Court shall allow to such offender the benefit of a conditional pardon, and shall make an order for the immediate transportation of such offender accordingly and which order shall have the same force and effect as any sentence of transportation.

Constable
or other person
in charge

30. — That the constable or other person in charge of or employing or having the management of any offender working under any sentence or order as aforesaid shall have the same powers and authority over him as are incident to the office of Sheriff or Gaoler and if any such offender whilst under any such sentence or order shall be convicted before any Justice of discretion, idleness, profane swearing, indecent or abusive language or conduct insolence or absence without leave insubordination or other misconduct he shall be liable at the discretion of any such Justice for any such offence to be punished in a summary way either by imprisonment and hard labour for any term not exceeding thirty days or by extending the original sentence for any term not exceeding thirty days or by sentencing such offender if a male to be worked in irons for any period of his original sentence or any extension thereof or to be flogged with any number of lashes not exceeding fifty. Provided that no such punishment of whipping shall be inflicted unless the Governor shall certify under his signature his approval therof on the back of the warrant commanding its infliction either alone or in addition to any such punishment and every such offender under any such extended sentence shall be subject

and liable to be dealt with and punished under this section for any offence the same as if such offender had committed such offence under any original sentence; - and if any such offender shall be illegally at large within the Falkland Islands before the expiration of the term of his sentence he shall be guilty of felony and be liable to be transported beyond the sea for the term of seven years or imprisonment with or without hard labour for any less term the court may think fit. And in any information or indictment against any offender for any such offence it shall be sufficient to allege that the offender was illegally at large before the expiration of the term of his sentence without alleging any information, indictment trial or other matter: and the Clerk of the Court or Officer having the custody of the Records of the Court where the sentence shall have been recorded shall give a certificate in writing signed by him containing the effect and substance only (omitting the formal part) of the conviction and sentence of such offender which certificate shall be sufficient evidence of the conviction and sentence.

Illegally at
large

Information

Arrest for Debt

31. - That no mesne process shall be issued for the arrest of any person in any civil action except in the cases and upon such orders to be made as hereinafter provided. -

Regulating Mesne
Process

32. - That if the Plaintiff in any action or suit in which the Defendant is now liable to arrest, shall by affidavit of himself or some other person show to the satisfaction of the Chairman of either of the said Courts as the case may be that such Plaintiff hath a cause of action against the Defendant to the amount of Twenty Pounds or upwards, or hath sustained damage to that amount and such person shall also make oath that he believes and that in his opinion there is sufficient reason to believe that the Defendant or anyone or more of the Defendants is or are shortly about to depart from this Colony it shall be lawful for such Chairman by an order in writing to direct that such Defendant as last aforesaid be held to bail for such sum as such Chairman shall think fit not exceeding twice the amount of the debt or damages such order may be made and such Defendant arrested at any time

Arrest on proof of
intended departure

Sofia

before final judgement and thereupon it shall be lawful for such Plaintiff ^{written} at such time as shall be appointed in such order, but not afterwards to sue out a writ of capias against any such Defendant.

Chairman may
enquire as to grounds of
belief

33. - That it shall be lawful for the Chairman of either of the said Courts as the case may be to examine *ex parte* upon oath the person making such affidavit as to the grounds of such belief and to refuse to make such order if in the opinion of such Chairman such belief is unfounded.

Jury

Qualification
of Jury men

34. - That every man not being an alien between the ages of twenty one years and sixty years who shall reside in Stanley shall be qualified and liable to serve as a Juror therein, except all members of the Executive Council, the Clerk of the said Council, and all Ministers of religion practising Sanguis. Physicians or Surgeons, and any person who has at any time been convicted of felony.

Jury list

35. - That on or before the first day of March in every year the Stipendiary Magistrate shall prepare a list in alphabetical order of all men who shall be liable to serve on juries and shall cause a copy thereof to be affixed upon the door of the Vice Office and upon the Gazette Board and to such copy shall subjoin a notice that all objections thereto will be heard and determined by him at any time before the first of April then next. That the list for the present year shall continue to be used until the tenth day of April 1854 in every respect the same as if it had been prepared in pursuance of the Act.

Errors of Jury list
to be corrected

36. - That the Stipendiary Magistrate shall have the power from time to time to strike out of the said list the names of all persons who shall not be liable to serve as Jurors and also of such as are disabled by lunacy or unsoundness of mind, deafness, blindness and other cause or infirmity, and shall correct all errors therein.

List to be kept by
the Stipendiary Magistrate

37. - That a copy of the list as corrected from time to time and signed by the Stipendiary Magistrate shall be kept by the Stipendiary Magistrate, to be transmitted before the tenth day of April and from time to time as corrected to the Sheriff of those

be

be a Sheriff) and kept by him and such copy shall be called
the "Jury List" and shall be brought into use on the said Tenth
day of April and shall be continued to be used for one year then
next ensuing.

38.—That the Sheriff or Clerk of the Court or Chief Constable, Jurors summoned in
as the case may be shall summon the persons whose names shall appear on the Jury List in the order in which they shall be placed: Provided that when a summons cannot be served on a Juror in his turn by reason of his being absent or other cause the Juror next on the list shall be summoned in his stead, and also in case any other person having been duly summoned shall not attend in pursuance of such summons in either case the Juror who has not served in his turn shall be summoned upon the next Jury or any succeeding Jury and often if necessary until he shall have served in his turn; and provided also that at the commencement of every year the names shall be taken from the new list beginning with the name of the person who stands next to the person last summoned in the preceding list.—

39.—That it shall be lawful for the Chairman of the Magistrates and Police Courts respectively verbally to direct the proper Officer to summon the Jurors for disposing of the business pending in either of such Courts as the case may be and to give directions as to the time and place for which such Jurors shall be summoned and as to all such other matters as to such Chairman shall seem requisite, and to direct that the Jurors be summoned for the trial of all issues, whether civil or criminal or both which may come on for trial at the same sittings and the Jurors shall be summoned accordingly.

40. That the Sheriff or Clerk of the Court, when a Jury is required shall issue summonses in the form A or Chief Constable when a Coroners Inquest is required, shall issue summonses in the appropriate form in Schedule B hereto subjoined requiring the attendance of twelve men for Juries of Six and twenty four men for Juries of Twelve, and every summons except in the case of a Coroners Inquest shall be personally served upon or left at the usual place of abode of the person summoned three clear days before the day appointed for the sitting of the Court: Provided that

that upon a Juror's Inquest the summons may be made returnable immediately or at such time and place as the Juror shall specially order in each case. —

Juror to be fined in default of attendance

41. — That if any person having been duly summoned shall fail to attend as a Juror when his name is called, or after appearance shall withdraw himself without the permission of the Court, the Court shall in a summary way either on the same or at any future day to be appointed by the Court as to the Court shall seem most expedient, notice being in such last mentioned case given to the party of the Court shall see fit of the time and place so appointed, unless some reasonable excuse be proved set upon the person so making default such fine not exceeding the sum of Ten Pounds so to the Court shall seem meet: Provided that in any case in which it shall be made to appear by affidavit or otherwise that any Juror summoned as aforesaid as herein after provided is or was unable to attend a Court for any reasonable cause to be excused from attendance, it shall be lawful for the Court to excuse such Juror from attendance upon any particular trial or on any day as to such Court shall seem meet. —

Panel

Compensation to Jurors

42. — That the Sheriff or Clerk or Constable in a coroner's Inquest as the case may be shall cause to be delivered to the Court at the sitting of the Court a panel containing the names of the persons so summoned.

43. — That each Juror summoned to attend upon any Jury in any civil case under this Ordinance shall receive from the Clerk of the Court the sum of Three Shillings for every day during which he shall be in attendance upon the Court in addition to such summons whether he shall have actually served upon a Jury or not and the Plaintiff (or party applying for a Jury as herein directed) shall pay to the Clerk of the Court the sum of One Pound Sixteen Shillings for the Jury at the time of the application for a Jury which shall be allowed as costs in the cause to the prevailing party unless the Court shall otherwise order.

Names of Jurors to be drawn from a box

44. — That at the opening of the Court in any case of trial by Jury as well in civil cases as in Criminal or in a coroner's Inquest the name of each Juror who shall attend written upon a separate piece of card shall by the Officer of

the

The Court shall be put into a box in open Court and the Officer shall in open Court, draw out the said cards until a sufficient number of Jurors shall appear, and in case of a sufficient number of Jurors not being in attendance, the Court or Coroner may at discretion order the Sheriff or Chief Constable as the case may be to complete the number from amongst the bystanders and the Officer of the Court shall place the name of each person chosen (unless excused as herein before provided) upon a card which he shall put into the box and such person shall attend as a Juror or in default the Court may set upon him any fine not exceeding ten pounds as to the Court shall seem meet to be levied as in any other case of default by a Juror or the Court may commit him for contempt for any term not exceeding Thirty days.

45.- That in any case of a Jury of six each party shall be allowed three peremptory challenges and no more.

46.- That in any case of a Jury of twelve each party shall be allowed six peremptory challenges and no more.

Challenger,
Jury of six
Challenger,
Jury of twelve

Laws

47.- That all Laws and Statutes which were in force within the realm of England on the 1st day of January 1850 shall be applied in the Administration of Justice in the Falkland Islands so far as the same can be applied; Provided that if in any matter there appears to be a conflict of laws between any provision of an Act of Parliament and any provision of this or any Ordinance the case shall be governed by the provision of the Ordinance.-

48.- That where any Act of Parliament provides that any fine, penalty, forfeiture or sum of money or any portion thereof shall be paid to the Overseas of the Poor, to the Treasurer of a County, or to any other local purpose or to any body corporate or to Her Majesty or to any person or persons whomsoever, other than to any party aggrieved, or to any Informer, in each and every such case such Act notwithstanding shall be in force within the Falkland Islands and the whole fine, penalty, forfeiture or sum of money shall be paid over monthly to the

Laws in force
in England
on 1st January
1850 to be in force

Acts of Parliament which
in England direct any fine
to be paid to any local
purpose

65

the Officer appointed by the Governor to receive the same for the use of Her Majesty for the public uses of the Settlement.

Appeal from one Justice

49. — That in any case of a summary conviction by and before any Justice under the provision of any Act of Parliament made in England there is an appeal to any Court of Quarter Sessions, it shall be lawful in a like case in this Colony for the party to appeal to the Magistrates' Court, which Court shall hear and determine the matter in a summary way upon the evidence adduced before the convicting Justice unless the Court shall think proper to examine further into the matter and shall make such order thereon with or without costs to either party as shall be just.

Mode of enforcing fines
on Magistrates, Juries
and Witnesses

50. — That in any case where a fine shall be imposed on any person for non-attendance as a Magistrate, Jury or Witness the Clerk of the Court or of the Justice as the case may be shall within twenty-four hours from the imposition of such fine make up the amount paid, and a notice to such person informing him of the imposition of such fine and that if not paid within five days from the date of such notice a warrant of distress will be issued to levy the same and if the fine be not paid within five days, the Clerk (unless where the same shall have been committed by the Governor) shall issue a warrant of distress to levy the amount and it shall be lawful for the Officer by whom such warrant shall be issued to use the like form of warrant of distress as any Justice and also to direct by such warrant that in default of distress for the sum therein directed to be levied the person against whose goods such warrant shall be issued shall be committed to Gaol for the like period for which any person might be imprisoned in any like case in default of distress by a Justice.

Appendinary Magistrate
to have power of two Justices

51. — That the Appendinary Magistrate shall have all such powers as may by law be exercised by any two Justices in England.

Monies paid to the
Crown

52. — That all monies, duties, fines, fees, forfeitures or penalties or portions of either received under this or any Ordinance containing no special provision to the contrary shall be accounted for and paid over monthly to the Officer appointed by the Governor to receive the same to the use of Her Majesty, for the public uses of the Settlement.

Settlement and the support of the Government thereof: Provided that so much of any such fine or penalty as the Court or convicting Justice shall determine not exceeding in any case one fourth shall be paid to the Informer or person upon whose discovery or information the same shall be recovered.

53.—That where any Court or Justice may sentence order or direct any person to be imprisoned or to be imprisoned and kept to hard labour, such Court or Justice as the case may be, may also direct that such person be kept in solitary confinement for any portion of the term not exceeding fourteen days at a time, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement: Provided that when any single Justice shall direct that the imprisonment or any portion of it shall be solitary, the total period of solitary imprisonment shall not be more than 14 days. —

Solitary confinement may be substituted for imprisonment by any Court or Justice

Gaols

54. That the building now used as a public Gaol in Stanley shall be a House of Correction as well as a Public Gaol and it shall be lawful for the Governor from time to time by Proclamation to establish any other building as and to be a Public Gaol and House of Correction and it shall be lawful for the Governor from time to time to make rules for the Government of any such Gaol, and for the classification, discipline and treatment of offenders imprisoned therein and for the duties to be performed by the Officers of the same.

Gaols and Houses of Correction

55.—That it shall be lawful for the Governor from time to time to appoint for any such Gaol a Gaoler and such other Officers as may be necessary and at pleasure to remove all or any of them; and if any such Gaoler or Officer shall convey or attempt to convey or cause to be conveyed into or out of or knowingly allow to be conveyed into or out of any such Gaol or to or from any prisoner any thing

Governor may appoint a Gaoler

Misconduct of Officers

thing whatsoever not allowed by the rules of the Gaol or shall be guilty of any other misconduct contrary to the said rules he shall pay a fine not exceeding Fifty Pounds. —

Justice may visit the
Gaol

and may report
Abuse

carrying anything to or
from a Gaol

Assaults

Weapons

Verbal or other communi-
cation

56. That it shall be lawful for any Justice at such time or times and so often as he may think fit to enter into and examine any such Gaol or any part thereof and to visit and inspect the apartment or place in which any prisoner shall be confined and there to see such person and to hear and receive any representation from him as to his treatment in such Gaol and to enquire and examine into the same and if he shall discover any abuse such Justice is hereby required to report the same in writing to the Governor and so often as a report of any abuse shall be made by any Justice, the abuse so reported shall be taken into consideration by the Governor with a view if necessary of rectifying such abuse as soon as the nature of the case will allow.

57. — That if any person shall convey or attempt to convey or cause to be conveyed in or out of any such Gaol anything whatever without the sanction of the Gaoler, or to or from any prisoner working as herein before provided without the sanction of the person in charge. Or if any person shall assault or resist any Officer of any such Gaol or person in charge of prisoners in the execution of his duty or shall aid or incite any person to assault or resist any such Officer or person so in the discharge of his duty; or shall by ~~any~~ means whatever aid or assist any prisoner to escape or in attempting to escape from any such Gaol or from the custody of any such person whether an escape be actually made or not he shall pay a fine not exceeding Fifty Pounds: Or if any person without the consent of the Gaoler or person in charge of any prisoner as aforesaid or constable in whose custody any prisoner shall be as the case may be shall hold or attempt to hold any communication ~~whatsoever~~ with any prisoner in such custody in charge he shall pay a fine not exceeding Five Pounds.

General

The Governor may ap-
point a Notary Public until
the arrival of a Notary
Public from England

58. — That it shall be lawful for the Governor from time to time at his discretion to appoint any person whom His Excellency may think fit by warrant in the form in Schedule D heretounto annexed

annexed, and to revoke any such appointment, to be a Notary Public who shall have the same authority and receive such and the like fees for his own use in every respect as a Notary Public duly appointed by the Law of England. Provided that if any duly appointed Notary Public shall reside in Stanley, any appointment of a Notary Public under this Ordinance shall thereupon determine and it shall not be lawful to appoint any other Notary Public under this Ordinance so long as a Notary Public duly appointed by the Law of England shall reside in Stanley and shall be able and willing to discharge the duties of his office.

59. - That this and every Ordinance shall be transmitted by the Clerk of the Legislative Council to the Magistrates Court to be there enrolled and recorded and when enrolled and recorded shall be returned to the said Clerk. -

Ordinances to be enrolled in the Magistrates Court

60. - That the records, papers, books and documents of and belonging to or received under the authority of the Magistrates and Police Courts respectively established under the Ordinance Intituled Amending of Justice Ordinance No 5 - 1851 shall from and after the passing of this Ordinance remain and continue in the custody of the Magistrates and Police Courts respectively to be established under this Ordinance and the said records shall be taken to be equally the records of the Magistrates and Police Courts respectively to be established under this Ordinance.

Records of the old Court to be continued to the new

61. - Whereas doubts have been entertained whether the Ordinances named in the Schedule hereto subjoined marked C are not without force and effect by reason of certain alleged defects in the constitution of the Legislative Council, Be it therefore enacted, That all proceedings, acts, matters and things whatsoever which may have been taken or done under and by virtue of the said Ordinances, or any of them or in pursuance of any authority thereby granted shall be and the same are hereby declared to be of the same force and validity as if the said Ordinances had been in all respects, of full legal force and effect:-

Indemnity for acts done under certain Ordinances

62. - That in this or any Ordinance unless there is anything in the subject or context repugnant to such construction words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural and the

Interpretation clause

Masculine Singular

Place?
Month, Day &
Year
Person or party

Justices

Falkland Islands
Chairman

Expediary Magistrate

Governor

Any Ordinance

Her Majesty

in Stanley

Justice

Not to affect an Ordinance
to extend to the Colony certain
Act of Parliament

Ordinance to commence
on 1st October 1853

the plural the singular and the word "month" to mean calendar month, and the words "oath, swear and affidavit" shall include affirmation, declaration, swearing and declaring "in the case of persons allowed by law to declare and affirm instead of swearing, and the word "land" shall include meadow, tenements, hereditaments, houses and buildings of any tenure, and the words "person or party" shall include a company as well as a corporation whether aggregate or sole and where the matter shall be authorized or required to be done by one or by two or by any specific number of Justices the language used shall be understood to mean "one, two or more Justices met and acting together" and the words "Falkland Islands" shall be understood to mean "the Falkland Islands and the Dependencies thereof" and the words "Chairman or Chairman of the Magistrates Court or Chairman of the Peace Court" shall be understood to include the Deputy Chairman of the said Courts respectively, and the words "Expediary Magistrate" shall, in case of the illness, absence or incapacity of that Officer, be construed to include the person appointed by the Governor to discharge the duties of the Office for the time being, and the word "Governor" shall be construed to mean "the Governor or Lieutenant Governor for the time being, or other person administering the government for the time being" as well as the Governor, and the words "Any Ordinance" shall be understood to mean "any ordinance that has been or may hereafter be made by the Governor with the advice and consent of the Legislative Council" and the words "Her Majesty" shall be understood to mean "Her Majesty, her heirs and successors" and the word "in Stanley" shall be understood to mean and extend to "a circle of ten miles from the Junction of Willow Street with the Kop Road in Stanley" and the word "Justice" shall mean "Justice of the Peace".—

63.—That nothing in this Ordinance contained shall be taken to affect or alter the Ordinance intituled "An Ordinance to extend to the Colony certain Acts of Parliament" A.O. 1853.

64.—Whereas the delay incident to a previous communication with Her Majesty to know Her Royal pleasure hitherto would be productive of various inconvenience. Be it enacted that this Ordinance shall take effect and come into operation on the first day of October 1853. And the Ordinance intituled "An Ordinance to extend to the Colony certain Acts of Parliament" A.O. 1853.

Administration

Administration of Justice Ordinance "No. 5 - 1851 shall from and after that day be repealed.

Schedules

A (section 40)

Form of summons of
a Juryman

Mrs

You are hereby summoned to appear as a Juror at the (Magistrate's or Police Court as the case may be) to be held at _____ on the _____ day of _____ next at the hour of _____ o'clock in the _____ noon and there to attend from day to day until you shall be discharged from the said court

(signed)

Clark or Sheriff

H. B. The penalty for disobedience hereto is any sum not exceeding Ten Pounds

B (Section 40)

Summons of a Juryman
on a coroner's Inquest

Mrs

You are hereby summoned to appear as a Juror before Coroner on the _____ day of _____ next at the hour of _____ o'clock in the _____ noon, then and there to enquire of and execute all such things as shall be lawfully given you in charge touching the death of _____

By virtue of a Receipt from
Coroner

(signed) Chief Constable

H. B. The penalty for disobedience hereto is any sum not exceeding Ten Pounds

List of Ordinances
referred to

- 13 Vic: No. 1. Administration of Justice Ordinance
 13 Vic: No. 2. Dog license Ordinance
 13 Vic: No. 3. Spirit, wine, beer and tobacco license Ordinance
 13 Vic: No. 4. Arms Amendment Ordinance
 13 Vic: No. 5. Battle trespass continuation Ordinance
 13 Vic: No. 6. Militia continuation Ordinance
-

Appointment of Notary
Public

Falkland Islands. } Whereas there is not as yet any Notary
To Wit } Public resident in the Town of Stanley
 Now therefore I the Governor and Commander in Chief of the
 Falkland Islands do hereby appoint you being a fit
 and proper person to be a Notary Public to practise within the
 Falkland Islands.

In testimony whereof I have caused the seal of the Colony
 to be affixed at Government House Stanley in the
 said Islands this day of 18

(L.S.)

E (Section 11)

Form of summons of
Magistrate

to appear

You are hereby summoned to appear as a Magistrate at
 the (Magistrates or other court as the case may be) to be holden
 at o'clock in the at on the
 day of next and there to attend from day to day un-
 til you shall be discharged from the said court

(signed)

Clark

M. B. The penalty for disobedience hereto is any sum not exceeding
 Five Pounds

F (section 2)

30

Pogonie

Notice to

Magistrate

Notice is hereby given to you that the magistrate's court will be held at o'clock in the noon of the day of next at

(Signed)

Clerk of the said court

Passed the 29 August 1883

8^d with W.R.

23/2/52 M

Summary Jurisdiction Ordinance

*In the Year One Thousand Eight Hundred
and Fifty Three*

Number Eleven Analysis

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By H. E. George Rennie Esquire Governor

No.

42

Be it enacted

Summary Procedure

1. That any fine, penalty, forfeiture, sum of money, duty or costs imposed under the provisions of this or any ordinance containing no provision to the contrary or any sum of money upon any recognisance taken before any Court or Justice and afterwards forfeited, in case of non-payment thereof shall be sued for and recovered upon information in a summary way before any Justice, and it shall be lawful for any Justice to hear and determine either on the oath of one or more credible witnesses or on the confession of the person against whom the information shall be laid) any information relating to any offence, claim or other matter under any of the provisions of the said ordinances, and to order such fine, penalty, forfeiture, imprisonment

Fines to be recovered
before a Justice

imprisonment, compensation, expenses and sums or to make such other order relating to each offence or other matter as such person shall be liable to under the said provisions, and all proceedings as to compelling the appearance of any such person or of any witness and as to the hearing and determination of such information and as to the making and executing such orders shall so far as is consistent with the provisions of this Ordinance be carried on in the manner directed by an Act passed in the eleventh and twelfth years of the reign of H. M. Queen Victoria chap: 43 and be subject in all respects to the provisions of the Statutes which regulated summary prosecutions before Justices of the Peace in England on the first day of January 1850 so far as the said provisions can be applied.

The Procedure in summary cases in England to be applied to summary procedure under this or any Ordinance

Mode of enforcing fines on summary conviction

Instead of a fine imprisonment and hard labour

2. - That in any case of summary jurisdiction before any Justice under the provisions of this or any Ordinance it shall be lawful for the Justice to exercise the following powers:

1st. In any case where the Ordinance shall authorize the Justice to impose a fine, he may instead of so doing order that the person shall be imprisoned with or without hard labour for any term not exceeding the period specified in the following scale.

For any sum	Imprisonment not to exceed
Not exceeding 10 Shillings	One Week
Exceeding 10 ^s but not exceeding 1£	Two
1£	21 days
2£	5 ^s
5 ^s	10 ^s
10 ^s	20 ^s
20 ^s	30 ^s
30 ^s	40 ^s
40 ^s	50 ^s
50 ^s	One Year

Term of imprisonment in default

2nd. That in any case where a Justice may order any person to be imprisoned in default of the payment of any fine, for pictures,

forfeiture, duty or sum he may order that in default of payment as directed the person shall be imprisoned for any term not exceeding the period specified in the aforesaid scale, the imprisonment to be determinable on payment of the amount and costs.—

3. - That it shall be lawful for any Justice who shall hear and determine any information under this or any Ordinance whether or not a warrant or summons shall have been issued to award such costs as to him shall seem meet to be paid to or by either of the parties.—

4. - That in any case of a summary conviction by and before a single Justice under this or any Ordinance where the sum adjudged to be paid shall exceed Five Pounds or the imprisonment adjudged shall exceed one month and in no other case it shall be lawful for the party convicted to appeal to the Police Court and the Police Court shall hear and determine the matter in a summary way upon the evidence adduced before the convicting Justice unless the court shall think proper to examine further into the matter and shall make such order thereon with or without costs to either party as shall be just.

5. - That any person who by committing any offence contrary to this or any Ordinance shall have caused any hurt or damage to any person upon conviction of the offence he shall pay such sum not more than 10£ as shall appear to the Justice to be reasonable amends to the person aggrieved besides any fine or punishment to which he may be liable for the offence and the evidence of the person aggrieved may be admitted in proof of the offence.—

6. - That any person who shall aid, abet, counsel or procure the commission of any offence which is or shall be punishable on summary conviction under this or any Ordinance shall be liable to be proceeded against and convicted for the same either together with the principal offender or before or after his conviction and shall be liable on conviction to the same fine and punishment to which such principal offender shall be by law liable.—

Power to award costs
on hearing charges

Appeal from conviction
by a single Justice

Compensation for damage
not exceeding 10£

Aiders and Abettors in the
commission of offences to be
punishable on summary con-
viction as principals

7. That

Justice may upon first conviction permit arraignment

7. - That where any person shall be convicted of any offence against this or any ordinance and it shall be a first conviction it shall be lawful for the Justice if he shall think fit to discharge the offender from his conviction upon his making satisfaction to the party aggrieved for his damage or costs or either of them. -

Governor may pardon where a portion of the fine does not belong to the Crown

8. - That it shall be lawful for the Governor to extend the Royal Mercy to any person imprisoned by virtue of this or any ordinance although he shall be imprisoned for non payment of any fine, penalty or penal sum of money or portion of either to some party other than the Crown.

Constables

Governor may appoint
constable
form

9. - That it shall be lawful for the Governor for any period he may think fit to appoint any person to be a constable by either of the following forms, that is to say: "I hereby appoint (his name) to be a constable for the Falkland Islands (to have and to hold the said Office until the day of)

The words in the bracket to be inserted if required

(Signature)

and to revoke any such appointment; and any Justice upon the production of any such appointment shall if required administer to the person appointed the following oath, that is to say:

I (his name) do swear that I will well and truly serve Our Sovereign Lady the Queen in the office of Constable for the Falkland Islands without favour or affection, malice or ill will, and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's Subjects and that while I continue to hold the said Office I will to the best of my skill and knowledge discharge the duties thereof faithfully according to law & help me God.

And the said Justice shall thereupon certify the same upon such appointment and if any constable shall act before he has taken the Oath as aforesaid he shall pay a fine not exceeding

anding Five Pounds

10. - That any constable so appointed and sworn shall in the Falkland Islands have, exercise and enjoy all such powers, authorities, advantages and immunities and be liable to all such duties and responsibilities as any constable duly appointed in England had on the 1st day of January 1850 within his constabulary by virtue of the common law or of any Statute or Statutes then in force. -

11. - That all summonses and warrants to be issued in any criminal proceeding by any Court or Justice shall be served and executed by a constable save and except such as shall be specially directed to the Sheriff for the time being or any other person. -

12. - That any constable who is guilty of any neglect or violation of his duty as constable or shall resign, absent or withdraw himself from his duty unless allowed so to do by the Governor or unless he shall have given to the Governor one month's notice of his intention so to do, he shall pay a fine not exceeding 20 £. -

13. That it shall be lawful for any constable to apprehend any loose, idle or disorderly person whom he shall find disturbing the public peace or any person whom he shall have reasonable cause to suspect of having committed or being about to commit any offence and any person whom he shall find between sunset and the hour of eight in the morning lying or loitering in any street, yard or other place and not giving a satisfactory account of himself and any person found by any constable committing any offence punishable by this or any Ordinance and any constable may also stop, search or detain any boat, cart or carriage in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained may be found and also any person who may be reasonably suspected of having or conveying in any manner any thing stolen or unlawfully obtained.

14. - That it shall be lawful for any constable having reasonable cause to suspect that any felony or misdemeanour has been or is about to be committed in or on board of any boat

constables to have the privileges of Parish Constables

Summons and Warrants to be executed by constables

Penalty for neglect of duty

Powers of constable

Search boats &c

constable to search vessel on suspicion of felony

boat or other vessel lying in any harbour or port in the Falkland Islands to enter at all times as well by night as by day into and upon such boat or other vessel and therein to take all necessary measures for the effectual detection or prevention of all such felonies or misdemeanours and to take into custody all persons suspected of being concerned in such felonies or misdemeanours and also to take charge of all property so suspected to be stolen.

Persons apprehended
to be taken to the Hatch-
house

15. - That any person taken into custody without a warrant by any constable except a person detained for the mere purpose of ascertaining his name and residence shall be forthwith delivered into the custody of the constable in charge of the nearest Hatch-house or Gaol in order that such person may be secured until he can be brought before a Justice to be dealt with according to law.

Penalty for assaulting
constables or others

16. - That any person who shall assault, resist or obstruct or shall use any abusive, threatening, obscene or profane language towards any constable in the execution of his duty or towards any person in the execution of any act under the provisions of this Ordinance shall for such offence pay a fine not exceeding Ten Pounds.

Misiances

Offences in Town of
Stanley. Fine not ex-
ceeding Forty Shillings.
Turning cattle loose

Driving cattle through
the Town

Driving cattle and
causing mischief

Cattle staying

Furiously riding a horse

17. - That any person shall be liable to a fine not exceeding Forty Shillings who within the Town of Stanley shall commit any of the following offences, that is to say:

A. Any person who shall turn loose any cattle sheep pigs or goats. -

B. - Any person who shall drive or cause to be driven any cattle except mitch cows to a farm milking or working bees or hives

C. Any person who by negligence or ill usage in driving cattle shall cause any mischief to be done by such cattle, and also any person not being hired or employed to drive such cattle who shall wantonly beat, hurt or drive any such cattle.

D. - The owner of any cattle, pig, goat or sheep found at large without any person having the charge thereof

E. - Any person who shall ride or drive furiously so as

to endanger the life or limb of any person or to the common danger or annoyance of the passengers.

F. Any person who shall use any profane, indecent or abusive language or be guilty of any riotous, indecent or disorderly behaviour or make any disturbance or sing any obscene song or ballad to the annoyance of the inhabitants or make causeless cry of murder or other false alarm in any way.

Using profane or indecent language or behaviour

False alarms

G. Any person who shall use any threatening, abusive or insulting words or behaviour with intention to provoke a breach of the peace or whereby a breach of the peace may be occasioned

Using threatening words or behaviour

H. Any person who shall throw or discharge any stone or other missile to the damage or danger of any person or property or make any bonfire or throw or set fire to any premises.

Throwing stones

I. Any person who shall discharge any fire arms loaded with shot, slugs or ball without lawful cause or any gun loaded with ball from the harbour or from the land on the opposite side of the harbour towards the town or shall discharge any gun to the common danger of the inhabitants or passengers.

Discharging fire arms

J. Any person who shall wantonly disturb any inhabitant by ringing or pulling any door bell or knocking at any door without lawful excuse or who shall wilfully and unlawfully extinguish the light of any lamp.

Pulling on lamps or ringing bells

K. Any person who in any public place other than such as may be authorized for that purpose by the Governor shall throw or lay a cause to be thrown or laid any dirt, ashes, litter or any carrion, fish, birds, offal or rubbish, broken glass, glass or bottles or other sharp substances.

Rubbish on public places

L. Any person who shall place any filth or rubbish or shall leave the carcass of any animal belonging to him unburied so as to become a nuisance.

Filth or carcass of dead animal

M. Any owner or occupier of a house, tenement or land who shall not keep sufficiently swept and cleansed all public footpaths drains and water courses adjoining his premises and if any house or tenement shall be empty or unoccupied the owner thereof shall be charged the occupier with reference

Footpaths, drains and water courses

reference to this enactment.

Penalty on dangerous
dog un-muzzled

N. - Any person who shall suffer to be at large any dangerous dog not effectually muzzled or set on or urge any dog to attack, worry, or put in fear any person or animal and it shall be lawful for any Justice to issue a warrant to any constable directing him to seize or kill any such dangerous dog which shall have been at large contrary to the provisions of this ordinance and any constable may accordingly seize or kill any such dog.

Bitches at heat at large

O. - The owner or keeper of any bitch who shall suffer her when at heat to be off the chain or not shut up in some secure place.

Setting chimneys on fire

P. - Any person who wilfully sets or causes to be set on fire any chimney: Provided always that nothing herein contained shall exempt the person from liability to be indicted for felony.

Chimneys accidentally
on fire

Q. - If any chimney accidentally catch a be on fire the person occupying or using the premises on which such chimney is situated: Provided always that such penalty shall not be incurred if such person shall prove to the satisfaction of the Justice before whom the case is heard that such fire was in no wise owing to omission neglect or carelessness of himself or servant.

Offences within the
Town of Stanley. Penalty
not exceeding 5 £.
Maiming, Battling
Turf houses

R. - That any person shall be liable to a fine not exceeding Five Pounds who within the Town of Stanley shall commit any of the following offences: that is to say,

A. Any person who shall slaughter any beast.

B. Any person who shall erect a cause to be erected any building for human habitation constructed wholly or in part of turf.

C. Any person who shall build any dwelling house and permit the same to be occupied without a sufficient water closet or privy.

Keepers of Coffee houses or
permitting drunkenness

D. Any person who shall keep any house, shop, room or place of public resort wherein provisions, liquor, coffee or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere) who shall wilfully or knowingly permit drunkenness or other disorderly conduct therein or permit any unlawful games or permit any gaming whatever therein and it shall be lawful for any Justice or constable to enter and search any part of such premises at any hour and any person

Power of Justice or Con-
stable to enter

who

who shall obstruct or use any abusive language or conduct to any such Justice or constable.

19. - That if any person shall be drunk in Stanley he shall pay upon conviction for the first offence 5/- upon the second conviction a sum not exceeding 20/- and upon any subsequent conviction a sum not exceeding 2 £

Penalties for drunken-
ship

Public Roads

20. - And with respect to the Public Roads and Jetties in the Town of Stanley, Be it enacted as follows:-

A. - That any person who without the authority of the Surveyor General shall deepen, widen or fill up any public ditch or drain more than may be necessary for the cleaning thereof or who shall build any wall or making ditch, drain or water course or dig any pit or hollow or otherwise break up the surface of, or draw any timber, wood or stones without being supported by wheels from touching upon, any Public Road shall pay a fine not exceeding Forty Shillings.

Injuries to Public Roads

Deepening ditches,
breaking up surface of
public road

B. - That any person who in any manner shall cause any unnecessary obstruction to any public road or jetty shall pay a fine not exceeding 5 £.

Obstructing public Road
or Jetty

C. - That any person who shall throw any dirt, ashes, litter, broken glass, drift, bottles or other sharp substances, animal, fish, birds, offal, filth or rubbish or permit any offensive matter to run from his premises on any public road or jetty or into any public drain, well, water course or reservoir shall pay a fine not exceeding Five Pounds.

Throwing rubbish on public
Road or Jetty

D. - That any person who shall move along any public road any night-soil between the hours of Five in the morning and Ten at night, or who shall not carefully sweep or clean any public road or place in which any night soil or other offensive matter shall have been stopped or spilled by him shall pay a fine not exceeding Forty Shillings.

Removing night-soil

E. - That any person who shall play at any game

Games or Slides

or make or use any slide upon ice or snow to the danger or convenience
of passengers shall pay a fine not exceeding Twenty Shillings.

Fine for every twelve hours
materials left on road or jetty
after notice to remove the same

E - That any person who shall have been required by any Justice
or the Surveyor General to remove any obstruction caused by him to a material
placed by him contrary to the provisions of this or any ordinance upon any
public road, jetty or other place or in any public well, watercourse or
reservoir, in addition to any fine he may be liable to, shall also pay a
further fine not exceeding Forty Shillings for every twelve hours the
same shall be allowed to remain there after being required to remove the
same.

Justice may order
removal of nuisances

G. That it shall be lawful for the Surveyor general for the
time being or for any person duly authorized by him or any constable
duly authorized in writing by any Justice to remove any of the herein
before mentioned objects which may be left contrary to the provisions of this
or any ordinance on any public road, jetty or other place or in any
public well, watercourse or reservoir at the expense of the offender and
it shall be lawful for any Justice upon complaint of the Surveyor
General or any constable as the case may be and upon proof of the
expense incurred to issue a warrant for the levy of such expenses by
distress and sale of the goods and chattels of the offender.

Road under repair.

H - That it shall be lawful for the Surveyor General
with the approval of the Governor in writing to forbid any person from
passing on riding or driving any kind of beast or carriage on any new
road or any road whilst under repair for such space of time as to
him shall appear necessary not exceeding six months and any person
who shall wilfully disobey such order (the same being duly notified
by a notice affixed to a board erected upon such road) shall pay
a fine not exceeding Forty Shillings.

Gunpowder

Penalty for keeping un-
lawful quantities of
gunpowder

21. That if any person being a dealer in gunpowder,
shall keep in Stanley at any one time more than 25 lbs of gunpowder
and not being a dealer more than 5 lbs in or upon his premises
or elsewhere (except in any building approved of by the Governor for
keeping unlimited quantities of gunpowder) he shall pay a fine
of One Hundred Pounds, and all beyond the quantity hereby
allowed

allowed to be kept and the barrels in which the same shall be, shall be forfeited: and any Justice (upon reasonable cause assigned upon oath) may issue his warrant for searching in the day time any place in which gunpowder is suspected to be kept contrary to this section; and all such gunpowder together with the barrels shall be seized by the searcher, who shall with all convenient speed remove the same to such authorized place as aforesaid and may detain there such gunpowder and barrels, till it shall be adjudged on the hearing of the case whether the same shall be forfeited: Provided that this section shall not extend to any gunpowder belonging to Her Majesty.

22.- That if any person whilst removing or in any boat loaded with gunpowder shall bring, have or use any fire or lucifer match or shall smoke he shall pay a fine of Five Pounds

Smoking in a boat loaded with gunpowder

Seamen

23. With respect to offences committed by seamen in the Falkland Islands, Be it enacted;

A. - That each and every provision of the Merchant Seamen's Act and Merchant Seamen's Act relative to the punishment of any seaman or apprentice belonging to any British vessel for any offence committed in Stanley Harbour shall extend and be applied to any mate, apprentice, seaman or other person who shall be employed or engaged to serve in any capacity on board any foreign vessel who shall commit any such offence in Stanley Harbour or any other part of the Falkland Islands: except that it shall not be necessary to prove an entry in any log of any offence upon any such prosecution.

Seamen belonging to foreign vessels to be punished for offences committed in the Falkland Islands the same as British seaman

B. - That in any case where either of the said Acts or this Indinance shall authorize any Justice to punish any seaman or apprentice belonging to any British or Foreign vessel with imprisonment for any term with or without hard labour it shall be lawful for the Justice instead of such punishment to direct that the offender shall pay a fine not exceeding the amount proportionate to such term in the scale of section

Instead of imprisonment a fine may be imposed

2 of this Ordinance.

Misconduct of Seamen

C. - That any mate, apprentice or seaman belonging to any vessel or other person employed or engaged to serve in any capacity on board the same who shall be found in Stanley after sunset or before sunrise without having a written pass from the Master of the vessel to which he belongs shall pay a fine not exceeding one Pound.

D. Any person shall pay a fine not exceeding 5/-
 1st. To who shall directly or indirectly procure, assist or persuade any mate, apprentice, seaman or other person aforesaid to commit any offence punishable under this section. —

2nd. Who shall knowing by aid, concert, protect or harbour any such mate, apprentice, seaman or other person aforesaid who shall absent or desert or be found on shore without a written pass.

E. - That upon any prosecution for any offence against this section or the Merchant Seamen or Mercantile Marine Act when the vessel has left the Colony from which any mate, apprentice, seaman or other person aforesaid is alleged to have absented or deserted it shall be lawful to use the affidavit of any person who has departed in such vessel in any case where the witness could not give evidence in the presence of the Defendant before the departure of the vessel.

~~Ex parte affidavit may
be used after departure
of vessel~~

~~Taking boat without
leave of master~~

24. - That any person who shall take and use or cause to be taken and used any boat in Stanley Harbour without the consent of the Commissioner shall be liable to pay a fine not exceeding Ten Pounds and such sum as the Justice shall award as a compensation for the loss, use or damage done to his boat.

~~Obstructing Surveyor
General~~

25. - That any person who shall unlawfully and wilfully prevent or assault or threaten to prevent or assault or unlawfully obstruct the Surveyor General in the execution of his duty or any person employed by his authority in surveying or measuring for the Crown or who shall wilfully destroy pull up, deface or injure any such Surveyor's instruments or implements used in any such survey or who shall wilfully break, deface, pull down or take away any such Surveyor's marks or posts or stones out of any settlement, wall, mound or fence or out of any bridge, pipe, ditch a gullet or from any land belonging to the Crown shall for any such offence pay a fine not exceeding Ten Pounds.

~~Removing Surveyor's
marks~~

26. That

26 - That if any unauthorized person shall tear or deface Tearing or defacing notice any notice placed on the Gazette Board he shall upon conviction on Gazette Board be imprisoned and kept to hard labour for ten days or if a boy under 14 years of age he shall be liable to be once privately whipped instead of such imprisonment and the convicting Justice shall order some fit and proper person to inflict such punishment of whipping when ordered to be inflicted out of prison,

General Sections

27 - That any person shall be liable to a fine not exceeding Five Pounds who shall commit any of the following Offences not exceeding 5£ Offences not exceeding 5£

Offences: that is to say,

A. Any person who shall have had possession of anything and shall have had reasonable cause to suspect the same to have been stolen or unlawfully obtained and any person who is charged with having in his possession or conveying in any manner anything which may reasonably be suspected of being stolen or unlawfully obtained and who shall not give account to the satisfaction of the Justice before whom he is brought how he came by the same. -

B. - Any person who shall be brought before any Justice charged with having or conveying anything stolen or unlawfully obtained and shall declare that he received the same from some other person or that he was employed as a carrier, agent or servant to convey the same for some other person, such Justice is hereby authorized and required to cause every such person and also if necessary every former or pretended purchaser or other person through whose possession the same shall have passed to be brought before him and examined and to examine witnesses upon oath touching the same.

C. - Any person who without the authority of the owner shall catch, ride or use any horse.

D. - Any person who shall obtain any sum of money or other reward from any person by threatening directly or indirectly to lodge any Information or make any complaint before any Justice or as an inducement for forbearing to lay such Information for obtaining money by threatening Information

or to make such complaint.

Absault

E. - Any person who shall unlawfully absault or beat any other person.

Master and Servant

Justice may punish
servant for not observing
contract

and also to hear and deter-
mine complaints against
master

A master may bring an
action against any person
employing his servant

28. That whenever any domestic servant, artificer, labourer,
quacko, capataz or other person shall have contracted verbally or writing
to serve any person at any time and in any capacity and he shall
not enter into a commence his service according to such contract or
whenever having entered into such service he shall absent himself
before the expiration of his contract or shall neglect to fulfil the same or
shall be guilty of any misconduct in the execution of the same or in
any way respecting the same it shall be lawful for any Justice to hear
and determine any such complaint made against him by his employer
or by the steward, manager or agent of his employer and upon con-
viction to punish him by fine not exceeding 5*£* and to state the
whole or part of his wages; and also to hear and determine all com-
plaints concerning breach of contract or ill usage which shall hap-
pen and arise between any such domestic servant, artificer, labourer,
quacko, capataz or other person and his employer or the steward, mana-
ger or agent of his employer and to impose any fine not exceeding
Five Pounds and to make such order for payment of wages as shall
seem just and every such order to enforce by execution against the
goods, effects or other property of the party against whom such order
shall be made.

29. - That it shall be lawful for any person with whom such
domestic servant, artificer, labourer, quacko, capataz or other person shall
have so contracted to maintain an action on the case against any person
who shall employ, return, harbour or conceal any such domestic servant, arti-
ficer, labourer, quacko, capataz or other person during the existence of such
contract knowing that he was under any such contract.

Landlord and Tenant

30. The decision of claims to small tenements in Stanley
to be subject to the following provisions:

Harrison

Whenever the term or interest of the Tenant of any house or of any part of a house situate in Stanley, which shall be held by him for any sum not exceeding one Month at a rent not exceeding the rate of Two Pounds sterling per month shall have ended or shall have been duly determined by a legal notice to quit; if such Tenant (or where such Tenant shall not himself occupy the premises or only a part thereof if the person by whom the same or any part thereof shall be occupied) shall neglect or refuse to deliver up possession of the same, it shall be lawful for the Landlord or his known Agent to cause such Tenant or Occupier to be served with a summons in writing signed by any Justice to show cause why possession of the premises should not be delivered up; and

Possession of tenements may be recovered by order of Justice

If such Tenant or Occupier shall not appear at the time and place appointed or shall appear but shall not show to the satisfaction of the Justice reasonable cause why possession should not be given, and shall still refuse or neglect to deliver up the possession of the said premises to the said Landlord or Agent it shall be lawful for any Justice upon proof of the holding, and of the end or determination of the tenancy with the time and manner thereof (and where the title of the Landlord shall have accrued since the letting of the premises, upon proof of the right by which he claims) to issue a warrant to any constable directing and authorizing him within a period to be therein named to give possession of the premises to such Landlord or Agent and such warrant shall be a sufficient warrant to the said constable to enter upon the premises with such assistants as he shall deem necessary and to give possession accordingly at any time between the hours of nine in the Morning and Four in the Afternoon.

Wrecked Goods

31. That any person in whose possession or on whose premises any Goods, merchandise or other articles belonging to any ship or vessel in distress or wrecked, stranded or cast ashore shall be found and who shall not satisfy the Justice before whom he shall be brought that he came lawfully by the same

Possession of ship-wrecked goods

or that the same was on his premises without his knowledge or open shall be liable to a fine not exceeding Fifty Pounds.

Offering ship-wrecked goods
in sale

32. That any person who shall offer or expose for sale any goods merchandise or articles which shall have been unlawfully taken or reasonably suspected to have been taken from any ship or vessel in distress or wrecked, stranded or cast on shore as aforesaid (whether found by virtue of a search warrant or not) and who shall not satisfy the Justice before whom he shall be brought that he came lawfully by ~~the~~ shall be liable to a fine not exceeding Thirty Pounds.

Search Warrants

Warrant to search for

goods unlawfully obtained

33. That if any information shall be given upon oath to any Justice that there is reasonable cause to suspect that anything stolen or unlawfully obtained is concealed or lodged in any dwelling house ship or other place it shall be lawful for such Justice by warrant under his hand directed to any constable to cause any such dwelling house ship or other place to be entered and searched at any time of the day or by night (if power for that purpose be given by such warrant) and the said Justice if it shall appear to him necessary may empower such constable with such assistance as may be found necessary (such constable having previously made known such his authority) to use force for the effecting of such entry whether by breaking open doors or otherwise and if upon search therupon made any such thing shall be found then to convey the same before a Justice or otherwise dispose thereof in some place of safety and to take into custody and carry before a Justice any person found in such house ship or place who shall appear to have been privy to the deposit of any such thing knowing or having reasonable cause to suspect the same to be stolen or otherwise unlawfully obtained.

Power to order delivery of
goods stolen or unlawfully
obtained and in possession
of others

34. That if any goods shall be stolen or unlawfully obtained or being lawfully obtained shall be unlawfully deposited pawned, pledged, sold or exchanged and complaint therof shall be made to a Justice and that such goods are in the possession of any person who shall have advanced money upon the credit of such goods it shall be lawful for the Justice to issue a

summons

summons or warrant for the appearance of such person and for the production of such goods and to order such goods to be delivered to the owner thereof either without payment or upon payment of such sum and at such time as the Justice shall think fit; and any person so ordered who shall refuse or neglect to deliver up the goods or who shall dispose of or make away with the same after notice that such goods were stolen or unlawfully obtained, shall forfeit to the owner of the goods twice the value thereof - to be determined by the Justice.

35. That so much of an Act passed in the fifth and sixth years of the reign of King William the Fourth chap: 63 as is applicable to and in force in England shall be applied and be in force in the Falkland Islands so far as the same can be applied from and after the appointment of an Inspector of Weights and Measures, and when the Governor shall have provided one complete set of the Imperial Standard Weights and Measures certified and stamped at the Exchequer together with the proper beams, scales and stamps, the Justices resident in Stanley assembled at a meeting or at any adjournment thereof to be called from time to time by the stipendiary magistrate are hereby empowered from time to time to appoint an Inspector of Weights and Measures, and to dismiss any Inspector so appointed as occasion may require; and the Inspector so appointed shall possess and exercise all the powers and authorities within the Falkland Islands and be subject to the like penalties for any neglects or offences in the discharge of his duty which any Inspector may possess or exercise or be liable to by virtue of the said Act, and the weights, measures, scales and stamps so provided shall be kept by the Inspector for the time being unless the Justices shall otherwise order; and shall be considered to all intents the same for all purposes ~~as well~~ as if they had been provided under the authority of the said Act and the fees in the schedule contained in the said Act shall be paid to and received by the Inspector for his own use.

36. That any person who shall use any weight or measure other than those authorized by the said recited Act for the sale of any article shall on conviction thereof be liable to a fine not exceeding Five Pounds; and any contract, bargain or sale

Weights and Measures

Punishment for false
Weights and Measures

by any fraudulent weight or measures so used shall be void: and every such light or unjust weight or measure so used shall, on being discovered by any constable be seized by him, and upon the conviction of the person so using or profiting, the same shall be forfeited and forthwith destroyed.

*Penalty on killing
wild cattle*

37. That if any person until the 1st day of January 1860 without being authorized by the Falkland Islands Company or their Agent or after that period without the permission of the Governor in writing shall, without lawful cause, hunt, wound, capture or destroy any wild cattle, pigs, goats or horses in the Falkland Islands he shall for each animal so killed, wounded, captured or destroyed pay a fine not exceeding 20*£* and any person who shall receive such animal or any part thereof knowing the same to have been so unlawfully captured and destroyed shall pay a fine not exceeding 5*£*; and any person found committing any offence contrary to this section may be taken into custody without a warrant by the said Agent or by any constable and may be detained until he can be brought before a Justice to be dealt with according to law: and such Agent or constable may also stop, search and detain any boat in or upon which there shall be reason to suspect that such animal or any part thereof so unlawfully obtained may be found and if upon search thereupon made, such animal or any portion thereof shall be found then to convey the same before a Justice and to take into custody and carry before a Justice any person reasonably suspected of having committed any offence contrary to this section.

Setting fire to the Camp

38. - That if any person shall wilfully or negligently set on fire any grass or other herbage on land not in his own possession, and if on Crown land without the consent of the Governor for the time being, or on land in the possession of any other party without his authority he shall pay a fine not exceeding Twenty Pounds.

*Damaging property, value
under 5*£**

39. - That any person who shall unlawfully and wilfully commit any damage, injury or spoil to or upon any real or personal property whatsoever either of a public or private nature for which offence no punishment is already otherwise provided by this Ordinance (the injury done being under the value of Five Pounds) shall pay to the party aggrieved such reasonable amount of compensation for the injury done as the Justice shall see fit, and shall also be liable

to a fine not exceeding the sum of Forty Shillings.

40.- That if any person shall cut or cause to be cut any peat upon land the property of the Crown without the consent of the Governor he shall pay for every day the peat shall be so unlawfully cut a fine not exceeding Forty Shillings:-

41.- That the Town of Stanley for the purposes of this Ordinance shall extend to such place as the Governor shall from time to time define by any Proclamation for that purpose issued.

42.- Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, Be it therefore enacted, that this Ordinance shall take effect and come into operation on the first day of October 1853 and the Ordinance intituled "Police Ordinance" the 6th of 1851 shall from and after day be repealed save and except as to ^{all} offences contrary to the said Ordinance committed before that day which shall be dealt with and punished as if this Ordinance had not passed.

Penalty for cutting Peat on
Crown Land

limits of Stanley

1st October 1853

Dated 1st September 1853. —

W. M. W. R.
27/2/54 - J. M. H.

Registration Ordinance

*In the Year One Thousand Eight Hundred
and Fifty three*

Number Twelve

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By His Excellency George Bonnici Esqurie

&c

Be it enacted

Land

Registry Office

governor may appoint
a Deputy Registrar

1. - That there shall be an office at Stanley for the registration of all deeds affecting land and for the registration of Births, Deaths and Marriages which shall be called the Registry Office and the Governor shall from time to time appoint a person to be Registrar and may revoke any such appointment; and the Governor from time to time may appoint a Deputy Registrar to act in case of the ill-health, absence or incapacity of any Registrar and from time to time may revoke any such appointment and the Deputy Registrar while so acting shall have all the powers and discharge the like duties and be subject to all the provisions and penalties relating to Registrars -

Deed, contract voluntary
conveyance affecting land to

shall so far as regards any land to be affected thereby be and unless registered

to registered as follows: — that is to say,

- 1st If executed in Stanley within ten days from its date
- 2nd If elsewhere in the Falkland Islands within Thirty days from its date
- 3rd If executed elsewhere than in the Falkland Islands within one year from its date

Provided that no lease or agreement for a lease for any time not exceeding Seven years from the date thereof nor any assignment thereof nor any lease or agreement for a lease by the Crown shall be registered.

3. — That every judgment, private Ordinance, inquisition, Judgment, private declaration of bankruptcy or insolvency shall be void so far as regards any land to be affected thereby unless registered by Memorial within Ten days from the date thereof.

4. — That every will so far as regards any land to be affected thereby shall be void unless registered as follows: that is to say,

- 1st Of any person dying in the Falkland Islands within Two months after the death of the Testator

- 2nd Of any person dying elsewhere than in the Falkland Islands within Eighteen months after the death of the Testator

5. — That the Memorial of a Judgment shall express the date and title of the cause and so much of the decree or judgement as shall relate to the land affected thereby.

6. — That the Memorial of an Inquisition shall express the name of the Defendant and the date of the Inquisition.

7. — That the Memorial of a Bankruptcy shall express the name of the Bankrupt and the date of the declaration of Bankruptcy.

8. — That the Memorial of an Insolvency shall express the name of the Insolvent and the date of the declaration of Insolvency.

9. — That the Memorial of a private Ordinance shall express the title, date and number thereof.

10. — That each Memorial shall describe the land to which the same shall relate by a reference to the number of the Crown Grant and shall refer to the allotment of the land as numbered and described therein: and every Memorial shall be kept by the Registrar in

in his office in such order and manner as he shall think fit so that the same may be most readily seen and inspected and shall be as near as may be in the words or to the effect of such one of the forms in Schedule A as shall be applicable.

General Index Books

11. That the Registrar shall keep a set of books to be numbered consecutively which shall be called General Index Books and the titles in such books shall consist of the numbers consecutively of the Grants of land as numbered by the Crown and each title shall refer to the allotment of the land so numbered and described in the notice of the Crown Grant as herein after provided and all instruments relating to the same allotment shall be entered and numbered consecutively under the same title in the order presented for Registration in the form B hereto annexed and every entry shall be divided from the following entry by a line and when recorded reference shall be made in the blank space of the form allotted for that purpose to the volume of the Record Book and to the page of the volume where the instrument is recorded and each general Index Book shall have an Index in which shall be stated in alphabetical order the names of every party to every instrument entered in the volume. -

Record Books

12. That the Registrar shall keep a set of books to be numbered consecutively which shall be called Record Books and shall cause as soon as practicable cause each instrument in the order presented for Registration together with the certificate of Registry placed thereon as herein after provided to be copied at full length in one of the Record Books and shall cause every instrument so entered in each Book to be numbered consecutively from one upwards and each Record Book shall have an Index in which shall be stated in alphabetical order the name of every party to every instrument recorded in the volume with a reference to the page of the volume where the instrument is recorded to which the individual is a party. -

Proceedings on presenting Instrument for registration

Certificate

13. That immediately upon the presentation of any instrument the Registrar shall in the presence of the party presenting such instrument forthwith enter the same as herein before directed in the General Index Book, which entry shall be there signed by the party in the space of the form allotted for that purpose and the Registrar shall in the presence of the party place upon the instrument a certificate of Registry under his signature in the words as near as may be or to the effect in the form C and any such certificate purporting to be signed by the Registrar shall be received as evidence of the Registration of the instrument to

to which the same relates unless it shall be proved that the same certificate is a forgery; and the date of any such certificate shall be taken to be the date the instrument was registered, and the Registrar shall give to the party a receipt in the words or to the effect of the form in Schedule D.

Receipt

14. — Whereas each Grant of land that has been issued by the Crown a Duplicate on parchment signed by the Governor has been preserved in the Governor's Office and all such duplicates are now there of record found in one volume and numbered consecutively from one upwards, and at the time each Grant of Land issued a notice was sent by the Governor to the Registrar containing the particulars herein after required to be stated in the notice of a Crown Grant; Be it therefore enacted,

Notice sent to Registrar

That any person may inspect and peruse the said Duplicate Grant Book of Grants which have been or shall hereafter be granted upon the payment of the sum of Ten Shillings for each search and shall be at liberty to have a copy of any Duplicate Grant therein upon the payment of Two Pounds and any such copy certified to be a true copy by the Governor on proof of his signature on the Duplicate Grant itself shall in the event of the loss of the original Grant be conclusive evidence of the contents of the original.

Inspection

Evidence

15. — That within Five days after the issue of any Crown Grant the Officer from time to time appointed by the Governor for that purpose shall transmit to the Registrar a notice which shall express the number of the grant, its date, the quantity and description of the land granted by reference to the number and description of the allotment in the Crown Grant and the name of the grantee; and the Registrar shall continue the titles in the General Index Book as herein before directed according to the particulars stated in such notice; and all notices that have been and shall be sent to the Registrar shall be kept in his office in such order and manner as he shall think fit so that the same may be most readily seen and inspected.

Notice of Crown Grant to be sent to Registrar to complete General Index

Notices preserved

16. — That any Surveyor or Registrar may demand and receive to his own use the fees allowed to him in Schedule E hereto annexed: and it shall be lawful for the Governor from time to time with the advice and consent of the Executive Council to make any alteration in the said Schedule.

Fees

17. — That in the construction of this Ordinance the word "Registrar" shall be understood to include the Deputy Registrar and

Interpretation Clause

the

shall extend whatever

the word "land" to any estate or interest in real property, and the word "will" shall extend to a codicil, and the word "instrument" shall extend to any deed, contract, will, codicil or any memorial hereby authorized to be registered. -

Births and Deaths. -

Register Books

10. - That the Registrar shall keep three sets of Books each set to be numbered consecutively, one set shall be called register of Births, another register of Deaths and a third register of Marriages, and in them shall be written on each side of every leaf the heads of information herein required to be known and registered of Births, Deaths and marriages respectively, and every page of such book shall be numbered progressively from beginning to the end beginning with No 1, and every place of entry shall also be numbered progressively from beginning to the end of the book beginning with No 1, and every entry shall be divided from the following entry by a line, and each book shall have an Index in which shall be stated in alphabetical order the name of every party whose birth, death or marriage respectively shall be registered in that book.

Registrar to register births and deaths

11. - That the Registrar shall inform himself of every birth and death which shall happen within the Falkland Islands and register as soon after the event as conveniently may be done in the appropriate book the particulars according to the forms in Schedule G and H respectively touching every such birth or every such death as the case may be every such entry being made in order from the beginning to the end of the book. -

Parent or Occupier of

house to give particulars

12. - That the Father or Mother of every child born in the Falkland Islands or in case of the death, illness, absence or inability of the Father or Mother, the Occupier of the house or tenement in which such child shall have been born shall if in Stanley within ten days of elsewhere within a reasonable time not later than the day of every such birth give information upon being requested so to do to the Registrar according to the best of his knowledge and belief of the several particulars hereby required to be registered touching the birth of every such child or shall pay a fine not exceeding Five Pounds.

Name of Baptism may be added to Register within six months

13. - That if any child whose birth shall have been registered shall within six months have any name given to it in Baptism the person

procuring

procuring such name to be given may within seven days after such Baptism procure and deliver to the Registrar a certificate according to the form in Schedule I annexed which certificate the Minister who performed the rite of Baptism is hereby required to give whenever the same shall be demanded on payment of the fee of one Shilling to his use and the Registrar on receipt of such certificate and on payment of the fee of one Shilling to his use shall without any erasure of the original entry forthwith register therein that the child was baptized with such name.

22. That some person present at the death or in attendance during the last illness of any person dying in the Falkland Islands in case of the death, illness, inability or default of all such persons the Occupier of the house or tenement or if the Occupier be the person who shall have died some inmate of the house or tenement in which such death shall have happened shall within eight days if in Stanley, if elsewhere within a reasonable time next after the day of such death give information upon being requested so to do to the Registrar according to the best of his knowledge and belief of the several particulars hereby required to be registered touching the death of such person or shall pay a fine not exceeding Five Pounds: Provided always that in every case in which an Inquest shall be held on any dead body the Jury shall enquire of the particulars herein required to be registered concerning the death and the coroner shall inform the Registrar of the finding of the Jury and the Registrar shall make the entry accordingly.—

Whereas the Government has provided the Revd James Little Moody Colonial Chaplain with Register Books of Baptisms, Marriages and Burials in the forms respectively required by the 52nd Geo: III cap: 146 and the said Colonial Chaplain has registered in such books respectively the baptisms marriages and burials solemnized by him since the 27th day of October 1845 and whereas the said recited is not in force on this Colony by reason amongst other things that the said Colonial Chaplain is not a Parochial Minister within the meaning of the said Act, Be it therefore enacted;

23. That each of the said Register Books shall be deemed to have Registers of Baptisms, Marriage and Burial made legal

Persons to give particulars
of Death

Recital that Colonial
Chaplain has kept Registers

have been made under the provisions of the said recited Act and each entry in either of the said Books relating to any Baptism, marriage or burial as the case may be shall be evidence of the facts stated therein

Clergyman to keep Registers
of baptisms & burials

24. That the Colonial Chaplain or other minister who shall baptize or bury any person, shall as soon as possible after the solemnization of such baptism or burial respectively record and enter the same in the proper Register Book provided as aforesaid or to be hereafter provided the several particulars described in the schedules A & C respectively to the said Act annexed and sign the same and in no case unless prevented by sickness or other unavoidable impediment later than within seven days after the ceremony of any such baptism or burial shall have taken place

Marriage

Clergyman to keep
marriage Registers

25. - That the Clergyman immediately after every office of marriage solemnized by him shall register in Duplicate in two books to be called Marriage Register Books the several particulars relating to that marriage according to the form of the Schedule D and every such entry shall be signed by the Clergyman, the parties married and by two witnesses and every page of such book shall be numbered progressively from beginning to the end beginning with No 1 and every place of entry shall also be numbered progressively from beginning to the end of the book beginning with No 1 and every entry shall be divided from the following entry by a line and one of such books shall be kept by him with the registers of baptisms and burials and the other of such books when filled shall be transmitted by him to the Registrar and shall be kept by him with the other registers in his Office and any Clergyman who shall solemnize such marriage may ask of the parties to be married the several particulars herein required to be registered touching such marriage and each book shall have an Index in which shall be stated in alphabetical order the name of every party whose marriage shall be registered in that book -

Clergyman to send Register
annual certificates

26. That each Clergyman shall on or before the 10th day of January in each year make and deliver to the Registrar a true copy of all the entries of marriages in the Register Book kept by him during the preceding year verified and signed by him in the form following:

I do hereby solemnly declare that the writings hereto annexed purporting to be copies of the several entries contained in the Register Book of Marriages from the 31st day of December 18 to the 31st day of December 18 are true copies of the several entries in the said Register Book from the said 31st day of December 18 to the said 31st day of December 18 and that no other entry during such period is contained in such Book or truly made according to the best of my knowledge and belief.

(Signed)

1. The first certificate to be given on the 10th day of January 1854 and to contain all the entries made during the preceding year and the certified copies so sent to the Registrar shall be thereafter kept in his office in such order and manner as the Registrar shall think fit so that the same may be most readily seen and examined.

General Sections

27. That on or before the 15th day of January in each year the Registrar shall send to the Governor a general abstract of the number of births, deaths and marriages registered during the foregoing year and each Minister shall send to the Governor a general abstract of the number of baptisms and burials registered during the foregoing year in such form as the Governor shall from time to time request and if any Registrar or Minister shall refuse or without reasonable cause shall omit to send any such general abstract he shall for such offence pay a fine not exceeding Ten Pounds.

28. - That the Registrar shall cause Indexes of all certified copies of the Registers to be made and kept in the Registry Office if all certified copies of the and any person shall be entitled on payment of the fees herein- after mentioned to search the said Indexes at reasonable hours and to have a certified copy of any entry in the said certified copies of the Registers.

29. - That the person by whom the information contained in any register of birth or death under this Ordinance shall have been given shall sign his name, description and place of abode in the Register and no register of birth or death shall be given in evidence which shall not be signed by some person professing to be the informant.

mant and to be such party as is herein required to give such information to the Registrar.

Searching Books

30.- That the Blaggeman or Registrar who shall have the keeping of any such Register Book shall at all reasonable hours allow searches to be made in any such Register Book and shall upon demand give a copy certified under his hand of any entry in the same and any such certificate purporting to be signed by the Blaggeman or Registrar shall be received as evidence of the contents thereof without any proof of his handwriting unless it shall be proved that the same certificate is a forgery.

Penalty for wilful false information

31.- That if any person shall wilfully make or cause to be made (for the purpose of being inserted in any register) any false statement touching any of the particulars herein required to be known and registered he shall be guilty of a misdemeanour and upon conviction of any such offence he shall be liable at the discretion of the court to pay a fine not exceeding 100/- or to be imprisoned with or without hard labour for any term not exceeding Two years as the court shall deem fit.

Wilfully inserting in a copy a general abstract false entries

Verifying false entries

32. That if any person shall knowingly or wilfully insert or cause or permit to be inserted in any copy of any Register Book or general Abstract so directed to be transmitted as aforesaid any false entry or shall knowingly or wilfully sign or verify any such copy or general abstract knowing the same to be false he shall be guilty of felony and being convicted thereof shall be liable at the discretion of the court to be transported beyond the sea or to be imprisoned with or without hard labour for any term not exceeding two years.

Penalty for not duly registering births, deaths and marriages or for losing or injuring Registers

33.- That any person who shall refuse or without reasonable cause omit to register any marriage solemnized by him or any baptism or burial which marries or for losing or injuring he ought to register and any Registrar who shall refuse or without reasonable cause omit to register any birth or death of which he shall have had due notice as aforesaid and any person having the custody of any map, register book or certified copy thereof or of any part thereof who shall carelessly lose or injure the same or carelessly allow the same to be injured whilst in his keeping shall forfeit a sum not exceeding Fifty Pounds for any such offence.

Penalty for destroying or falsifying Register books

34.- That any person who shall wilfully destroy or injure or cause to be destroyed or injured any such map or register book or shall falsely make or counterfeit a cause to be falsely made or counterfeited any part of any such map or register book or certified copy thereof, or shall wilfully insert

insert or cause to be inserted in any such map or register book or certified copy thereof any false entry of any instrument, land, birth, death, marriage, baptism or burial or shall wilfully give or utter any false certificate or shall certify any writing to be copy or extract of any such map or register book or utter any such certificate knowing the same register to be false in any part thereof shall be guilty of felony and shall be liable to be transported for any period not exceeding seven years or to be imprisoned with or without hard labour for any period not exceeding two years.

35. - That no person charged with the duty of registering any birth, death or marriage who shall discover any error to have been committed in the form or substance of any such entry shall be therefore liable to any of the penalties aforesaid if within one month next after the discovery of such error in the presence of the parent of the child whose birth may have been so registered or of the parties married or of two persons attending any person in his last illness whose death may have been so registered or in case of the death or absence of the respective parties aforesaid of two credible witnesses who shall respectively attest the same, he shall correct the erroneous entry according to the truth of the case by entry in the margin without any alteration of the original entry and shall sign the marginal entry and add thereto the day of the month and year when such correction shall be made: Provided that in the case of a marriage register he shall make the like marginal entry attested in like manner in the duplicate marriage register book to be made by him as aforesaid and in every ^{such} case shall make the like alteration in the certified copy of the register book to be made by him as aforesaid; or in case such certified copy shall have been already made provided he shall make and deliver in like manner a separate certified copy of the original erroneous entry and of the marginal correction therein made.

36. - Whereas in pursuance of an Ordinance passed in the eleventh year of the reign of Her Majesty Queen Victoria intituled "An Ordinance to provide for the registration of deeds and instruments affecting real property" which said Ordinance expired on the 1st of January 1850 a Register Office was established and a Register appointed and various maps, books, papers, instruments and other things belonging to the said Office are now in the possession of the late Register appointed under the Ordinance intituled

"An

An Ordinance to provide for the Registration of Land, Births & Deaths;
Be it enacted

Books or to be delivered to new
Registrar

Punishment for refusal to
give up books or

That all maps, books, papers, boxes, keys, documents and other things in the possession of the said last mentioned Registrar shall be given as soon as conveniently may be to the first Registrar appointed under this Ordinance and shall from and after the receipt of the same remain and continue in the custody of the Registrar for the time being under this Ordinance, and the said books, maps and papers may be continued and used by the Registrar for the time being under this Ordinance so far as he can do so and comply with the provisions hereof. -

37. - That in every case in which any Registrar shall cease to hold the said Office, all registers, boxes, keys, books, maps, documents & papers in his possession relating to his Office as Registrar shall be given as soon as conveniently may be to his successor in Office and if any Registrar shall refuse to give up any box, key, book, document, map or paper in such case as aforesaid it shall be lawful for any Justice upon application made for that purpose to issue a warrant for bringing such Registrar before any two Justices and upon such Registrar appearing or not being found it shall be lawful for such Justices to hear and determine the matter in a summary way and if it shall appear to the Justices that any such box, key, book, document, map or paper is in the custody or power of any such Registrar and that he has without reasonable cause refused or wilfully neglected to deliver up the same he shall pay a fine not exceeding Ten Pounds and the Justices are hereby required to commit such offender to the common Gaol there to remain without bail until he shall have delivered up the same: and the said Justices may grant a warrant to search for such box, key, book, document, map or paper as in the case of stolen goods in any dwelling house or other premises in which any credible witness shall prove upon oath before them that there is reasonable cause to suspect the same to be: and the same when found shall be delivered to the person in whose custody it ought to be.

38. - Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure heron would be productive of inconvenience. Be it therefore enacted, That this Ordinance shall take effect and come into operation on the First day of January 1854; and the Ordinance intituled "An

Ordinance to commence on
1st January 1854

Ordinance

"Ordinance for the registration of land, births & deaths" No 2 of 1831 shall be repealed of former Ordinance
to from and after that day be repealed, except as to each land and every deed,
contract, voluntary conveyance, judgement, bankruptcy, will, birth or death
registered or that might have been registered under the provisions of the
said Ordinance or of the Ordinance intituled "An Ordinance to provide
for the registration of deeds and instruments effecting real property" No
4 of 1847 and continued by the said first recited Ordinance with respect
to which the said first mentioned Ordinance shall continue and
have the same force and effect to all intents and purposes the same as
if this Ordinance had not passed.

Exceptions

Schedules

A (section 10)

	Date	Name of defendant	Name of party registering	Time of receipt
Memorial of				
Judgment				
Inquisition				
Bankruptcy				
Insolvency				
Private Ordinance				

Land affected

Number and date of Grant	Number of allotment	Description	Name of grantee	Quantity	Price	Person in possession when Memorial registered
6 1 st January 1846	20	Town lot	E. B.	Two acres		6. 9.

B (section 11)

Grant No 1 - General Index
General Index
Grant No 1 - Town of Stanley - Allotment No 20

No	Time of receipt	Nature of instrument	Date of instrument	Name of grantor or vendor	Name of grantee or vendor	Quantity of allotment	Signature of party receiving	Volume & weight volume when issued
1	1 st June 1842	Conveyance	31 st March 1842	E. B.	E. J.	The Whole		

E. J.
Registrar

C (section 13)

Registrar's certificate on Instrument
Registry Office Stanley Falkland Islands

Year and date of Receipt	Volume of General Index Book & page of volume	Signature of party by whom registered

(Signed)

L. F. Registrar

D (section 13)

Receipt

No	Date of Receipt	Nature of Instrument	Date of Instrument	Name of Grantor in Vendor	Name of Grantee in Vendor	Quantity of Allotment	Name of person registering
1	1st June 1842	Conveyance	31st March 1842	R. B.	S. F.	Two acres	C. D.

G. H. Registration

E (section 16)

Registrar's Fees

£ s d

Land

For the registration and recording of every instrument of not more than 5 folios of 72 words each including receipt and certificate of Registry	10 0
For every additional folio of 72 words	1 0
For every search	2 6
For an attested copy of an extract from any recorded instrument or deposited Memorial or notice for every folio of 72 words	1 0
For an attested copy of an extract from the General Index for every line	6
For every search or inspection of indexes, recorded instruments or deposited Memorials or notices	2 6
For comparing of required any instrument with the record thereof by reading over the same with the party registering for every folio of 72 words	2
For comparing if required any copy or extract supplied by the Registry Office by reading over the same with the party requiring such copy or extract for every folio of 72 words	2
For every other certificate of any description	2 6

B. H.

Births

In registering every Birth

2 6

For searching the Registry Books of Births

1 0

For each name within Ten years

6

For every year beyond in addition

6

Deaths

For searching the Registry Books of Deaths

1 0

For each name within Ten years

6

For every year beyond in addition

6

For a copy and certificate of each entry in Register Books of Births and Deaths

2 6

Clergy-men's FeesBaptisms

For searching the Registry Books of Baptisms

1 0

For each name within Ten years

6

For every year beyond

6

Burials

For searching the Registry Books of Burials

1 0

For each name within Ten years

6

For every year beyond

6

For a copy and certificate of each entry in Registry Books of Baptisms or Burials

2 6

F (Section 25)

1936

Marriages solemnized at (here state the name of the place) Falkland Islands

No	When married	Name & surname	age	Condition	Rank or Pro- fession & County	Residence at the time of marriage	Father's name & surname	Rank or Profes- sion of Father
1	17 March 1936	William Hastings Sophie Ann Mitchell	31 Minor	Bachelor Spinster	Carpenter English	3 South Street 17 High Street	Peter Hastings Geoffrey Mitchell	Apothecary Butcher

Married at

by {
 Registrar's license
 Registrar's Certificate
 Governor's license
 Governor's special license.

according to the rites and ceremonies of the Church of England

} or after Banns by me

Signature of Minister

This Marriage was solemnized between us { William Hastings } in presence of us { John Hastings
Sophie Ann Mitchell } Geffrey Mitchell

(To be filled up as the case may require)

11

G (section 19)

18

Births

No	When born	Name and Surname of Father	Sex	Name and Maiden name of Mother	Rank or Profession of Father	Signature description and Residence of Informant	When registered	Signature of Registrar	Baptismal name if added after registration of Birth
1	7 th January	James Green	Boy	William Green formerly Jennings	Carpenter	William Green Carpenter 17 North Street Marylebone	9 th January	John Boy Registrar	

H (section 19)

18

Deaths

No	When died	Name and Surname	Sex	Age	Rank or Profession and Country	Cause of Death	Signature description and Residence of Informant	When registered	Signature of Registrar
7	4 th February	William Green	Male	43	Carpenter		Rebecca Green Widow 17 North Street Marylebone	5 th February	John Boy Registrar

I (section 21)

I do hereby certify that I have baptised by the name of *[redacted]* child produced by *[redacted]* as the *[redacted]* of *[redacted]* and declared by the said *[redacted]* to have been born at *[redacted]* on the *[redacted]* day of *[redacted]*

Witness my hand this
day of *[redacted]*

Dated the 13 Sept 1858.

Signed with WR
13/9/58 - *[Signature]*

A/

An ordinance to regulate the proceedings
 An ordinance to amend the running hirsute
Ordinance

1. That neighbors shall join in putting fences - provided that no fence to cost more than 3/- per yard run -
2. Running fence to robust garden & the garden plot
3. If there be any little bushes of bushes that in case of frost it shall be done from toward noon in a space of 1/2 hours

B/

Afternoon

5. Order 8 acres of land left to Isaac that the manor of his father ship found all the time to buy of beasts of burden & to have the horses & mares exceeding one pound
6. That any man who is ill or



1856

The Ordinance
to extend the Jury List of 1835 to
the 10th May 1836, and to provide for the formation
of the Jury List ~~in~~ 1836 for the Years
~~in~~

In the Year of our Lord, one thousand
one hundred and fifty six.

Chamber One.

Very Excellency informed General
Lamb, Major General Governor and
Commander in Chief of the Pacific Fleet, that
and the - specified letters with the above
and content of the Legislative measures.

Ricinus

March 21st 1804 on the Indemnity settled on the year
Begun the thousand eight hundred and sixteenth year
inhabited Attorney General of Justice. Indemnity
it was enacted that a court shall be convened
on the first day of March in each year, and
whereas such court was not convened at
such date in the year of Began the thousand
eight hundred and sixteenth year
therefore.

That the present law and shall continue ^{in force} ten
and until the tenth day of May next, and
and not so to last the sum or sum
hundred and fifty five thousand pounds
on the tenth day of April and come into
operation on the tenth day of May next -
which will be determined on the tenth day of
June. The said law and shall continue in force
one year and a half, that is to say, unless
extended by the law or decree to affect the
above named Ordinance except as to one or two
parts of the same which may be made by
the said law.

Whereas the Queen intended to give a royal commission
to Her Majesty to know whether Royal Proclamations
would be productive of inconveniences, &c it therefore
was resolved that the ordinance shall take effect and
come into operation on the tenth day of April in the
Year of our Lord one thousand eight
hundred and fifty seven. —

Section 2.

It is enacted by the authority of the
Parliament to come into operation
on the tenth day of April in the
Year of our Lord one thousand eight
hundred and fifty seven.

Passed the Legislative Council
the ninth day of April. One thousand
eight hundred and fifty six.

Signed W. A. Horne.
Clerk to the Legislative Council.

17

Marriage Ordinance

in the Year One thousand eight
hundred and Fifty seven.

Number One

Analysis

- Clause 1. Registrar of Lands to be Registrar of
Marriages.
2. Notice of Marriage to be given to Registrar
3. Notice to be entered in book.
4. Notice to be published in Registry office
5. Certificate may be issued after 21 days
unless forbidden
6. Mode of forbidding certificate
7. Who may issue certificate to be issued
8. Appeal when certificate is refused
or caveat against certificate
10. Notice and Certificate for Marriage
void after 3 months.
11. Marriage may be contracted in the
Registry office.
12. Marriages to be registered
13. Evidence of consent not necessary.
14. Registrar may ask particulars
15. Registrar under a false certificate to be
guilty of felony

Case 16. Marriages must be duly contracted
with the knowledge of the parties.

17. Governor may grant license.

18. License to be sealed.

19. Marriages may be solemnized accord-
ing to the rules of the Church of England
by Governor license or Registered
Clergymen.

20. Iterations Clergymen.

21. False declarations.

22. In cases of fraudulent marriage
the guilty party to forfeit all
property acquired from the marriage
not over £100. 4th Cap. 76.

23. Marriage after banns accepted.

24. Fees.

25. This ordinance to be taken as
part of the Registration Ordinance

26. Punishment for felony or misdemeanor.

27. Interpretation Clause

28. Ordinance to commence on the 1st
January 1857.

By His Excellency, Hon. Edward Law. Moore, Captain in the Royal Navy, Governor and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof,

Be it enacted:

- Section 1. That the Registrar appointed under the
to be Registrar of Marriage &
Marriage &
Notice which
may be given
to Registrar
1. That the Registrar appointed under the Registration of Marriage & Finance shall be in right
of office Registrar of Marriages.
 2. That in every case of marriage intended
to be solemnized under the Ordinance made
by General Assembly after provided or upon
publication of Seven days in the Public
shall give notice under his or her hand to
the Registrar of all the particulars of such
as aforesaid & account annexed.
 3. That the Registrar shall keep all such
entered into the Record of his office and shall
upon the receipt of any such notice enter a copy
thereof in a book to be called the "Marriage
Book" which book shall be open without
any unreasonable hindrance to any person des-
irous of inspecting it.

Section 2. That an extract of every such notice of
marriage be suspended in some convenient
place in the office of the Registrar during
Twenty one calendar days before the marriage
is celebrated in pursuance of such notice.

Section 3. That after the expiration of the time period
named above, twenty one days from the entry of such notice
and publication, the Registrar upon being requested so to do
or in behalf of the parties whom the
notice was given and who are the parties
who intend marriage within a period of one month

the particulars set forth in Schedule B annexed shall be under his hand a certificate of such notice having been given and such notice or information having been made in the manner in Schedule C to this ordinance annexed provided that no lawful impediment be shown to the said.

Section 3. The Registrar will issue such certificate issued for issue, and the issue of such certificate shall not have been forbidden in manner hereinafter mentioned:

6. That any person authorized to do so after the mode of service mentioned may issue the same of the Registrar sufficient certificate to declare at any time the word "prohibited" opposite to the entry of the notice of such intended marriage in the marriage No. book, and by subscribing thereto his or her name and his or her character in respect of either of the parties by reason of which he or she is authorized and in case the issue of any such certificate shall have been so prohibited after the notice and all the proceedings thereon shall be utterly void; provided always that if either of the parties intending marriage allege that the person purporting the issue of such certificate is not authorized to do so the Registrar shall examine into such allegation and if he be satisfied that such person is not authorized he shall act in like manner and like proceedings as in case of such certificate had not been issued.

7. That the father of living of any party who may not be over twenty one years of age such party not capable to marry a widow or widower if the father be dead the guardian of such party or in case there shall be no such guardian the person Court in that behalf shall have authority to give consent to the marriage of such party and

to forbid the issue of the Register and certificate
and such evidence as aforesaid is hereby
required for the marriage or such party.

Appeal when

8. That in every case where the Registrar has
certificate refused a certificate as aforesaid it shall be law
for either party to the intending marriage to apply
by petition to the Magistrate over which part
shall examine into the allegation(s) of the petition
in a summary way and shall decide thereon.
and the decision of such Court shall be final
and the Registrar shall proceed in accordance
herewith any thing hereinbefore contained not
withstanding.

Notice against
Certificate.

9. That any person may enter a notice
with the Registrar against the grant of a
Certificate and if any notice be entered within
the ground of objection on which the same is
granted such notice shall be filed on the
verso of the party who enters the same no
certificate shall issue until the Registrar shall
have examined into the matter and be satisfied
that it ought not to obstruct the grant of
the Certificate, or until no notice be withdrawn
or the party who entered the same.

Notice and
Certificate for
marriage to wait
after 3 months

10. That whenever a marriage shall not
be had within three months after the day of
the entry of the notice thereof by the Registrar
the notice and certificate which may have been
granted thereon shall be utterly void and no
person shall proceed to solemnize the marriage
nor shall the Registrar register the same
until new notice shall have been given and
entry made and certificate thereof issued at the
time and in the manner aforesaid.

Marriage may
be contracted in
the Registry office

11. That after the separation of the sick
party from his/her bedfellow for a period of twenty one days the parties desirous
of contracting marriage may contract
such marriage at the office of the

the presence of the Registrar and two witnesses according to such form and ceremony as they may see fit to adopt with open doors and between the hours of eight and twelve in the forenoon. Provided that in some part of the ceremony and in presence of the Registrar and witness each of the parties shall declare "I do solemnly declare that I know not of any lawful impediment why I A.B. may not be joined in matrimony to C.D." and each of the parties shall say to the other "I call upon these persons here present to witness that I A.B. do take thee C.D. to be my lawful wedded wife or husband" Provided also that there be no lawful impediment to the marriage of such parties. Provided also that if the parties object to marry under the provisions of this ordinance at the Registrar's office they may after the expiration of the said period of twenty one days by virtue of the Registrar's certificate be married according to the rites of the Church of England as hereinafter provided.

12. That the registrar shall forthwith register each marriage solemnized in his presence in a Marriage Register Book according to the form in Schedule D and each entry of such marriage shall be signed by the registrar and each of the parties and witnessed and every such entry shall be made in order from the beginning of the book to the end of the book. The Registrar shall upon demand give to any person a copy and certificate thereof in the form E annexed.

13. That it shall not be necessary in support evidence of the consent of any person whose consent should be thereby required nor shall any evidence be given to

to prove the contrary or any fact touching the
validity of such marriage.

Registrar may ask 14. That it shall be lawful for the registrar
particulars before whom any marriage is solemnized to ask
of the parties to be married the several partic-
ulars hereby, as aforesaid to be registered.

Registrar unduly. 15. That if the Registrar shall knowingly
issue certificate to any wilfully false any Certificate for marriage
be guilty of felony. after the expiration of three calendar months
after the notice shall have been entered by him
as aforesaid or before the expiration of twenty
one days after ~~the entry of~~ ^{the entry of} the notice, or any certificate
the use of which shall have been permitted to
any person authorized as aforesaid and which
forfeiting has not been annulled, or shall
knowingly and wilfully register any marriage
herein declared to be null and void, & shall
knowingly and wilfully solemnize in his office
any marriage herein declared to be null
and void. he shall be guilty of felony.

discreased with 16. That if any persons shall knowingly
if wilfully contrive and wilfully inform any under the provision
with the knowledge of this Regulation in any place other than
of the parties the office or place specified in the notice
a certificate aforesaid or without due notice
to the registrars or without certificate duly
issued or without license in case a license
is necessary under this Regulation or in the
service of the Registrar in cases where the
issuance of the Registrar is necessary under
this Regulation the marriage of such persons
except in any case herein after excepted shall
be null and void.

Governor may grant licenses. 17. That it shall be lawful for the Governor
to grant a license in the town of Fort St. George
to any minister of the Church of England
authorizing him to solemnize a marriage, until
the publication of laws wherein the power of
right.

eight in the forenoon and four in the afternoon
in any place the parties intending marriage may
choose and the Governor may deem fit. Provided
that the oath or declaration set forth in Schedule
B, annexed be made previous to the issue of any
such license. Provided also that if any
caveat be presented to the Governor against
the grant of any such license stating, the
ground of objection on which the caveat is
presented and signed by or on behalf of the
party who presents the same, no such license
shall issue until the Governor shall have examined
into the matter of the caveat which he is
nearly empowered to do by both of the parties
or witness or otherwise as he may think fit
and is satisfied that it ought not to obstruct
the grant of the license or until the caveat
be withdrawn by the party who presented the
same.

18. Every license so issued by the Governor shall be countersigned
be sealed with the seal of the Colony, and the said sealed
party requiring the same shall pay therefor
the fees named in Schedule C, annexed.

19. That where any marriage may by law marriages may
be solemnized according to the rules of the solemnized in
church or in gland after publication of banns being to the like minister
such marriage may be solemnized in like manner of England
nor on production of the Governor's license or ^{any other} ~~any other~~
Registrars certificate as herein provided and
any minister without reasonable cause shall
refuse to solemnize marriage according to the
rules of the church or in gland after forty eight
hours notice given to him by one of the parties in
intending marriage he shall be guilty of a
misdeamaun provided that the Governor's license
or Registrars certificate as the case may be shall
be first produced before such minister and if
the registration after the like notice shall require

to marry any parties to whom he had addressed or certificate in pursuance of this ordinance he shall be guilty of a misdemeanour and such minister or registrar shall be liable for damages to be recovered in a special action on the case by such of the parties whose marriage shall have so delayed.

Section 24. Civil suits.

20. That any person who shall present a caveat to the Governor against the issue of a license or enter a caveat with the registrar against the issue of a certificate on grounds which the Governor or Registrar shall declare to be frivolous shall be liable for the costs of the proceeding and for damages to be recovered in a special action upon the case by the party against whose marriage such caveat shall have been presented or entered.

False Declarations

21. That any person who shall knowingly and wilfully make any false declaration or sign any false notice or certificate required by this ordinance for the purpose of renewing any marriage, and any person who shall submit the issue of any certificate of renewal representing himself or herself to be a person wholly consent to such marriage required by law knowing such representation to be false shall be guilty of a misdemeanor.

In case of a fraudulent marriage, the guilty party to forfeit all property accruing from the marriage.

22. That if any valid marriage shall be had under the provisions of this ordinance by means of any wilfully false notice, certificate or declaration made by either party to such marriage as to any matter to which a notice certificate or declaration of herein referred shall be given or any person duly appointed to that purpose be the witness to the same signature of all shall be interested in any property

accruing

according to the offending party by such marriage and the proceedings thereon and consequences thereof shall be the same as are provided in like case, with regard to marriages solemnized in England by license before the passing of this Ordinance according to the Rules of the Church of England.

23. That nothing in this Ordinance contained or arranged after shall extend to any marriage solemnized after banns stipulated the publication of banns according to the Rules of the Church of England accepted as relating to the fees for such marriage set forth in Schedule G. annexed.

24. That any minister officiating in any marriage shall declare to such minister and the Registrar may demand and receive to their own respective the fees specified in Schedule G. Provided that a copy of the said Schedule be hung up and exposed to view in the Registry office and vestry room of any church or chapel.

25. That this Ordinance shall be deemed the Ordinance and taken to be a part of the Registration to be made at London, at 12. 1853. As truly and effectually part of the if incorporated therewith and all the Registrars restrictions and penalties of the said Ordinance or Ordinance relating to any Register or Register of marriages or certified copies thereof shall be taken to extend to the Registrar and Register of marriage solemnized under this Ordinance, and to the certified copies thereof so far as the same are applicable thereto.

26. That any person convicted of ~~Punishment for~~ any offence made felony by this Ordinance felony or ~~and~~ to be liable at the discretion of the Court of Mischief to be transported beyond the Seas for the term of seven years or to be imprisoned and kept to hard labour for any term not exceeding two years and any person convicted of any

offence.

offence made a misdemeanour by this Ordinance shall be liable at the discretion of the Court to any fine not exceeding One hundred Pounds, or to imprisonment with or without hard labour on any period not exceeding six months.

Interpretation clause 24. That in the construction of this Ordinance the word Registrar shall be understood to include Deputy Registrars and the word Clerical shall be understood to include any person in Holy Orders of the United Church of England and Ireland.

Ordinance No. 39.
Signed 1st January
1858.

25. Whereas the delay incident to a previous communication with Her Majesty to know the Royal Licence required may be productive of trouble or inconvenience,
Be it therefore enacted, That this Ordinance shall take effect and come into operation on the first day of January one thousand eight hundred and fifty eight.

Schedule

A Petition 2.

To the Registrar of Marriages
I hereby give you notice that a marriage intended to be made within three calendar months from the date hereof between me and the other party, herein named and is to day present

Name	Condition	Age	Residence	Where married or意图ed to be married	Witnesses
James Smith	Bachelor	25	Stanley	Stanley	John Green
Marta Queen	Spinner	26	High street Stanley	Stanley	John Green

At Stanley, the 4th day of May 1858.

To be filed as so it may be James Smith

Schedule B
Section 5.

I hereby make Oath or solemn affirmation a! talk or
the case may be that there is no impediment against
of hindred or alliance to a Marriage between
Martha Green and me James Smith, and that
the consent of John Green her father has been
obtained thereto. I now or declare this 27th
day of May 1858
James Smith or one of the
parties intending Marriage

Schedule C
Section 5.

I, A. D. Registrar to hereby certify that Registered
on the sixth day of May 1858 notice was certificate
duly entered in the Marriage Notice Book of
the marriage intended between the parties here
named, and described in the notice delivered
to me by, James Smith and that the issue of
the certificate has not been forbidden by any
authorized person, and that the necessary oath
(or declaration) was made and subscribed by
one of the parties in my presence on the twenty
seventh day of May 1858.

Name	Condition	Age	Residence	Where marriage is to be so concluded	Name of party giving consent
James Smith Bachelor	of age	Stanley	St. John's Church		
Martha Green Spinster	Minor	Hope Place	at Stanley	John Green Father	

The witness will be present at the church on the 27th day of May 1858. Witness my hand that

A. D. Registrar.

Schedule D
Section 12.

15th Marriage solemnized at Stanley
published in the Standard

Married	When married	Name & age of bride	Name & age of bridegroom	Residence	Father's Name - married	Mother's Name - married
1.	17 March 1858	William Hastings, 25 yrs	Bachelor	John Street, Peter Hastings	Peter Hastings	Registry Office
		Sophia, Marcelle Minor	Spinster	17 High Street, George Mitchell	George Mitchell	Stanley

This Marriage was solemnized between us,
 William Hastings, { Peter Hastings,
 { Sophia, Mitchell, } in presence of us, { George, Mitchell
 - Married certificate granted by me,
 W. B. Registrar
 to be filled up as the case may require.

Schedule E.
Section 12.

Insert an exact copy of the Register
 of a. d. Registrar to, hereby certify that
 this is a true copy of the entry of marriage
 of _____ and _____ number _____
 in the Marriage Register Book

Witness my hand this — day of — 1858
 W. B. Registrar.
 To be filled up as the case may require.

Schedule F
Section 14.

To the Reverend Mr. Thomas Chapman,
 or at the end may be

W. B. Registrar.

Whereas S. L. has made and subscribe^d the foregoing
reciprocal oath or declaration, that there is no ~~License~~
impediment of hindrance or assistance or other
cause why he and to a marriage between the
said S. L. and M. D. and the consent of
M. H. the father or guardian of M. D. whose
consent to her marriage is required by Law
has been obtained, and whereas they are
desirous to be married according to the Rules
of the church of England.

I do therefore do hereby grant to you full
power according to the authority in that behalf
impestituted to solemnize a marriage between
the said S. L. and M. D. according to the Rules
and Ceremonies of the Church of England in
here State where the ceremony is to be
performed, on any day within three calendar
months from the date hereof between the hours
of eight in the forenoon and four in the afternoon.

Given under my hand and sealed with the
Public Seal of the Falkland Islands
at Government House, Stanley in the
said Islands the _____ day of _____
One thousand eight hundred and _____

E. F. Governor.

Schedule G.
Section 24.

Table of fees.

	sterling	value
Marriage by Governor's license	£	1 2
Governor's license	3	0 0
Minister	1	0 0
Clerk.	0	5 0
Marriage after banns or on Registration Certificate.		
Minister	0 10 0	
Clerk,	0 2 0	
Publication of banns of marriage		
Minister	0 2 6	
To the Minister who may be called on to perform a marriage under the Governor's license elsewhere than in Stanley for traveling expenses.		
For every mile distance from Stanley	0 3 0	
To the Registrar for		
Index of banns or marriage	0 2 0	
Receiving such declaration and offering Certificate for marriage.	0 10 0	
Entering same at	0 5 0	
Marriage on Register	0 2 0	
Copy of register of marriage certified by Registrar	1 2 0	
Fee of Minister for searching the several Register Books	0 1 0	
Identical within ten years	0 0 0	
Over than beyond in addition	0 0 0	
by Minister or Clerk in register kept by minister	0 2 0	

Signed the Legislative Council
the eleventh day of October 1858
One thousand eight hundred and
fifty four.

John W. Moore
Colonial Secretary

Summary Jurisdiction Amendment Ordinance

In the year One thousand eight
hundred and fifty seven.

Number Two.

By His Excellency Thomas Edward
Lawes, Esq; Captain in
the Royal Navy, Governor and
Commander in chief of the Falkland
Islands and the Dependencies thereof,
with the advice and consent of the
Legislative Council thereof;

Be it enacted -

Ordinance to be 1. That this Ordinance be deemed and taken
part of the same to be a part of the Summary Jurisdiction
Ordinance of No. Chamber 26th Oct 1851 fully
ordinance and of course as if incorporated therin, except
as to such clause's of the said ordinance as
are herein after amended or repealed, and that
all the modes of procedure, provisions, and
penalties contained in the Summary Juris-
diction ordinance shall in all cases be applied
to this ordinance so far as they can be applied
to the same.

2. That so much of the said Summary
of Summary Jurisdiction ordinance as relate's to offences
jurisdiction in the Town of Stanley contained in Clause
ordinance XVII, Sections 1 B. C. and D. be and the
same are hereby repealed.

3. That any person shall be liable to a fine not exceeding forty shillings who within the town or at large Rensley shall turn loose a boar at large without any person being in charge thereof any sheep pigs or goats, a who by negligence or ill-usage in driving cattle or horses shall cause any mischief or who shall wantonly kill hunt or drive them.

4. That it shall be lawful for any Justice Mischivous or no made to his satisfaction that any animal Bull Cow Horse or other animal is mischievous, & cause reasonable alarm or apprehension to order that such animal as is aforesaid shall not be permitted to be loose within the town of Stanley and the owner of any such animal found loose after such order shall have been made shall be liable to a penalty not exceeding five pounds.

5. That if a fence be common to the lands of two or more persons and one of them make complaint that the fence is insufficient against the break of cattle mules or horses by reason of the neglect or refusal of the said owners or any of them to keep the fence in due repair it shall be lawful in a suit of the Justice to examine into the said complaint and to issue his command &c. requiring the owner or owners through whose neglect the fence is insufficient to show cause why or they should not bear his or their part in repairing the same. And if the owner or owners do not appear or appearing fail to show to the Justice sufficient cause then it shall be lawful for the said Justice to order the said owner or owners to do such portion of the repair of the fence as to such Justice shall seem fit and if any owner or owners on whom such order has been made neglect to obey the same then it shall be lawful for any Justice of the Peace to give an warrant to such persons as he may appoint of

authorizing them to repair the said fence and
the warrant shall be sufficient to authorize the
person named in it to enter any land that it
may be necessary to enter for the purpose of re-
pairing the fence and for the expenses of such
repair the Justice may issue his warrant of
distress and sale of goods and chattels of the
party or parties against whom the order has
been made.

Appeal where
cost of fence
exceeds 5*£*

6. That whenever the execution of an order
to repair a fence would cause an expense of
five pounds, or upward, it shall be lawful
for the party against whom the order has been
made to appeal to the Magistrate Court in
the Magistrate's Court shall hear and determine
the matter in a summary way upon
the evidence adduced before the Justice who
made the order unless the Justice think fit to
examine further into the matter and shall
make such order with or without costs to
either party as to them shall seem fit.

7. That in the purport of this ordinance by
owner of the land shall be meant the occupier
thereof, or if there be no occupier then by owner
of the land shall be meant the person who shall
~~have registered in the Registry office at "Owner
of the Land"~~

Owner of vessel
refuses to deliver
list to Captain
Master

8. That the owner of any vessel a boat
not being a registered vessel sailing out of
the Port of Stanley shall either before or within
forty eight hours after the sailing of such vessel
or boat deliver to the Harbour Master a list
showing the name and description of the vessel
or boat, the names of the person in charge and
of the crew and the destination and business
in which the vessel is engaged and shall
subscribe thereto his name.

9. That the owner of any boat vessel or
boat sailing out of the Port of Stanley who shall

neglect

and by himself or his agent deliver such account at
the said port shall militarily and knowingly deliver
any account not true in any of the particulars
hereinbefore required shall pay a fine not
exceeding £1000 or £1000 L.

10. That the Harbour Master shall lists to be sent
deliver all such lists to the Colonial Secretary bound to be examined
until there be an officer of customs resident at the Secretary
Stanley.

11. Whereas the delay incident to a ordinance to
previous communication with Her Majesty to commence on
from Her Royal pleasure hereupon would be 1st January 1888
protection of serious inconvenience; it is
enacted; That this ordinance shall take
effect and come into operation on and after
the first day of January one thousand eight
hundred and fifty eight.

L.S.

Herb. Moore

Yours

At the Legislative Council
the seventh day of December
One thousand eight hundred and
fifty seven

W. Longden
Colonial Secretary

An Ordinance to provide for the
application of the Merchant
Shipping Act^{of 1854} within the Colony.

In the Year One thousand eight hundred
and fifty seven.

January three.

By His Excellency Thomas Edward
Lloyd Moore Esquire Captain in the
Royal Navy, Governor and Commander
in Chief of the Falkland Islands
and the Dependencies thereof, with
the advice and consent of the
Legislative Council thereof:

Falkland.

Whereas it is expedient to make arrangements
for the application of the Merchant Shipping
Act^s 1854 within the Colony, and to
enable certain Courts and Commissioners
to be duly constituted by the said Act to
enforce and administer the said
Act; therefore, it is enacted:

Police Court to have power to before the
said power to inquire.

That the Police Court before the
Chairman and one or more Justices shall
have power to make inquiry into charges of
incompetency or misconduct on the part of any
Master or Mate of a ship and to whipping
or other penalties applicable and to
make a report to the Governor of the information
of the State of each as presented to the
Court.

- two hundred and forty second section of the
said Act, that
2. That the powers & authorities and duties of com. Colonial are
vested by the said Act to any Officer of custom they to perform
in any shipping Master shall until there be substituted to receive
and pay all bills & charges in the port, so vested in said officer to be
executed by the colonial Secretary, and all provisions
therein and generally relating to the performance
of neglect of any Act required by the Merchant
Shipping Act to be done before any such Officer of
Customs or shipping Master shall extend and
be applied to any such Act performed or neglected
to be performed before the Colonial Secretary Provision for
 3. That the provisions of the said Merchant shipping Seaman
Shipping Act, respecting the punishment for any
offence committed by any Seaman or apprentice
belonging to a British vessel shall extend and be
applied to any Seaman or apprentice on board
any vessel which is prosecuted by the said Act in any
such offence committed without the Merchant
Shipping Act, except that it shall not be necessary to
prove an entry in any log of any offence after any
such prosecution.
 4. That on the prosecution of any Seaman or Proof of
apprentice for desertion after the departure of the desertion
vessel from which he shall have deserted it shall
be sufficient to prove that the fact of the desertion
was intended on the agreement.
 5. That any offence punishable under the Fines and Imprisonment.
Ordinance or the Merchant Shipping Act of 1854,
by fine or imprisonment a week, shall in this
Colony be punished in the same way that other
offences committed in the Colony are punishable by
law.
 6. That the "Ordinance to appoint a Shipping Recept of incor-
porated by the Merchant Seamen's Act of 1844
and the Merchant Marine Act of 1850, to supersede
the 1853, and to much of the Admiralty jurisdiction."

"Ordnance" Number Eleven 1853, as is contained in clause 23, and relates to offences committed by Seamen, be and the same are hereby repealed
 commenced. Whereas the day immediately preceding
 of Ordinance communication with Her Majesty to know Her
 Royal Pleasure hereupon ought to be productive
 of some inconveniences; it is therefore enacted
 that this Ordinance shall take effect and
 come into operation from the day of the
 passing hereof.

A.C.

L.S.

R. & R. Moore.

402

After the Legislation passed
 the tenth day of December
 one thousand eight hundred
 and fifty seven.

A.C.

H. Longden
Colonial Secretary

Marriage Ordinance

In the Year One thousand eight
hundred and fifty eight.

Number One.

Analysis.

- Clause 1. Repeal of Marriage Ordinance of 1857.
2. Registrar of Land &c to be Registrar of Marriages.
3. Notice of Marriage to be given to Registrar.
4. Notice to be entered in Book.
5. Notice to be published in Registrar's Office.
6. Certificate may be issued upon 21 days unless forbIDDEN.
7. Mode of forbidding Certificate.
8. Who may forbid Certificate to be issued.
9. Appeal when Certificate is refused.
10. Caveat against Certificate.
11. Notice and Certificate of marriage void after 3 months.

- Clauses
13. Marriage may be contracted in Registry Office.
 13. Marriages to be registered.
 14. Evidence of consent not necessary.
 15. Registrar may ask particulars.
 16. Registrar unduly issuing Certificate to be guilty of felony.
 17. Marriages void if unduly contracted with the knowledge of the parties.
 18. Governor may grant licences.
 19. Marriages may be solemnized according to the rules of the Church of England by Governor's licence or Registrar's Certificate.
 20. Various Caveats.
 21. False declarations.
 22. In cases of fraudulent marriage the guilty party to forfeit all property accruing from the marriage as in 4 Geo. 4th Chap. 76.
 23. Marriages after banns excepted.
 24. Fees.
 25. This Ordinance to be taken as part of the Registration Ordinance.
 26. Punishment for felony or misde-meanour.

Clause
27- Ordinance to commence forthwith,

By His Excellency Thomas
Edward Lawes More Go-
vernour and Commander
in Chief of the Falkland
Islands and the Dependencies
thereof, with the advice
and consent of the Legisla-
tive Council thereof.

The Marriage. Be it enacted

1. That ~~this~~ Ordinance No. One of the Year Repeal of
One thousand and eight hundred and fifty Marriage Or-
dinance be and the same is hereby repealed - ^{dated of 1857.}
2. That the Register appointed under the Re- ^{Registration of}
gistration Ordinance shall be in right of ^{and gets to be}
his Office Registrar of Marriages ^{Register of}
^{Marriages}
3. That in every case of marriage intended to
be solemnized in this Colony otherwise than by
virtue of such licence as hereinafter is provided,
a copy publication of bonds one of the parties
shall give notice under his or her hand to
the Registration of all the particulars in Schedule
^{A herewith annexed.}
4. That the Registrar shall keep all such
notices with the records of his office and shall
upon the receipt of any such notice enter
a copy thereof in a book to be called the
"Marriage Notice Book" which book shall
<sup>Notice to
be entered
in book.</sup>

le

Notice to
be publish-
ed in Regis-
trars office.

Certificate
may be is-
sued upon
21 days un-
less forbidden.

Mode of
forbidding
certificate

- 1617
- be open without fee at all reasonable hours to any person desirous of inspecting it.
- 5 - That an exact copy of every such notice of marriage shall be suspended in some conspicuous place in the office of the Registrar during twenty-one consecutive days before the marriage be solemnized in presence of such notice.
6. That upon the expiration of the said period of twenty-one days from the entry of such notice the Registrar upon being requested so to do by a son behalf of the party by whom the notice was given and upon one of the parties intending marriage making oath or affirmation of the particulars set forth in Schedule B heretounto annexed shall issue under his hand a Certificate of such notice having been given and such oath or affirmation having been made in the form in Schedule C to this ordinance annexed provided that no lawful impediment appear to the satisfaction of the Registrar why such Certificate should not issue, and the issue of such certificate shall not have been forbidden in manner hereinafter mentioned.
- 7 - That any person authorized as herein-after mentioned may forbid the issue of the Registrar's Certificate by writing at any time the word "forbidden" opposite to the

entry

entry of the notice of such intended Marriage in the Marriage notice Book and by subscribing thereto his or her name and his or her character in respect to either of them by reason of which he or she is authorized and in case the issue of any such certificate shall have been or forbidden the notice and all the proceedings thereon shall be utterly void provided always that if either of the parties intending marriage allege that the person forbidding the issue of such Certificate is not authorized or to do, the Registrar shall examine into such allegation and if he is satisfied that such person is not authorized he shall act in like manner and the like proceedings may be had in relation to such marriage as if the issue of such Certificate had not been forbidden.

8. That the father of living of any party under twenty one years of age (such party being a minor or undom) or if the father be dead the guardian of such party or in case there shall be no such guardian the person who shall be authorized by the Magistrate Court in that behalf shall have authority to give consent to the marriage of such party and to forbid the issue of the Registrars Certificate, and such consent as aforesaid is hereby required for the marriage of such party.

9. That in every case where the Registrar has refused a certificate as aforesaid it shall be

who may
refuse to
certificate to
be issued.

Appeal
when cer.
tificate is
refused.

lawful

lawful for either of the parties intending marriage to apply by petition to the Magistrate's Court which Court shall examine into the allegations of Repetition in a summary way and shall decide thereon and the decision of such court shall be final and the Registrar shall proceed in accordance therewith anything hereinbefore contained notwithstanding.

* 10 - That any person may enter a ~~Caveat~~^{*} against the grant of a Certificate and if any Caveat be entered stating the grounds of objection upon which the same is founded such Caveat being duly signed by or on behalf of the party who enters the same no Certificate shall be granted until the Registrar shall have examined into the matter and be satisfied that it ought not to obstruct the grant of the certificate or until the caveat be withdrawn by the party who entered the same.

11 - That whenever a Marriage shall not be had within three calendar months after the day of the entry of the notice thereto by the Registrar the notice and Certificate which may have been granted thereon shall be utterly void and no person shall proceed to solemnize the marriage nor shall the Registrar register the same until new notice shall have been given and entry made and Certificate thereto issued at the time and in the manner aforesaid.

* Caveat a
against Certi,
ficate.

Notice and
Certificate
of Marriage
void after 3
months.

12. That after the expiration of the said period of twenty-one days the parties described in the notice and Certificate may contract and solemnize Marriage at the Office and in the presence of the Registrar and two witnesses with open doors and between the hours of eight and twelve in the forenoon, each of the parties before the said Registrar and witnesses making the following declaration "I do solemnly declare" "that I know not of any lawful impediment why I. A. B may not be joined in matrimony to C. D." and saying to the other "I call upon these persons here present to witness that I. A. B do take thee C." "I to be my lawful wedded wife or husband" provided also that there be no lawful impediment to the marriage of such parties.

13. That the Registrar shall forthwith register each Marriage solemnized in his presence in a Marriage Register Book according to the form in Schedule D and each entry of such marriage shall be signed by the Registrar and each of the parties and witnesses and every such entry shall be made in order from the beginning to the end of the book and the Registrar shall upon demand give to any person a copy and certificate thereof in the form E annexed.

Marriages
to be Re-
-gistered -

Evidence
of consent
not necess-
ary.

Registration
may. at
particulars

Registration
unduly
issuing
certificate
to be guilty-
of felony.

Marriages
void if un-
duly contract-
ed with the
knowledge of
the parties

14. That it shall not be necessary in support of any marriage so solemnized to give proof of the consent of any person whose consent thereto is hereby required, nor shall any evidence be given to prove the contrary in any suit touching the validity of such marriage.
15. That it shall be lawful for the Registrar before whom any marriage is solemnized to ask of the parties to be married the several particulars hereby required to be registered.
16. That if the Registrar shall knowingly and wilfully issue any certificate for marriage or in the expiration of three Calendar Months after the notice shall have been entered by him as aforesaid or before the expiration of twenty one days after the entry of such notice, or any certificate the issue of which shall have been forbidden by any person authorized as aforesaid, and which forbidding has not been annulled a shall knowingly and wilfully register any marriage herein declared to be null and void, or shall knowingly and wilfully allow to be solemnized in his office in presence any marriage herein declared to be null and void, he shall be guilty of felony.
17. That if any person shall knowingly and wilfully intermarry otherwise than according to the rites of the Church of England in any place other than the office of the Registrar or without

line

due notice to him or without his certificate duly issued or in his absence or any persons shall knowingly and wilfully intermarry according to the rites of the Church of England without publication of banns and without such licence a Certificate as herein are mentioned the marriage of such persons shall be null and void.

18. That it shall be lawful for the Governor to grant a licence in the form F hereto annexed to any person in Holy Orders of the Church of England authorizing him to solemnize a marriage without the publication of banns between the hours of eight in the forenoon and four in the afternoon in any place the parties intending marriage may request and the Governor may deem fit and the licence shall be sealed with the seal of the colony provided that the oath or declaration set forth in Schedule B annexed be made previous to the issue of any licence: provided also that before receiving the licence the party requiring it shall pay to the Governor the sum of three pounds for his own use provided also that if any caveat be presented to the Governor against the grant of any such licence stating the ground of objection on which the caveat is founded and signed by a son behalf of the party who presents the same no such licence shall issue until the Governor shall have examined into the matter of the caveat.

Governor
may grant
licences.

which

which he is hereby empowered to do by oath
of the parties or witnesses or otherwise as he
may think fit and is satisfied that it
ought not to obstruct the grant of the li-
cence or until the coulant be withdrawn
by the party who presented the same

Marriages
may be
solemnized
according to
the rites of the
church of
England by
Governor's li-
cence or Re-
gistrar's Certi-
ficate.

19. That where any marriage may by
law be solemnized according to the rites
of the Church of England after the publica-
tion of banns, such marriage may be solemn-
ized in like manner on production of
Governor's licence or Registrar's certificate
as herein provided; and if either of the
parties to any intended marriage to whom
the Registrar shall have issued any such cer-
tificate as aforesaid shall require of the
Registrar to be present and officiate at the
solemnization of such marriage in man-
ner aforesaid and the said Registrar shall
without reasonable cause refuse or for forty-
eight hours wilfully neglect to be present and of-
ficiate at the solemnization of such Mar-
riage such Registrar shall be guilty of a
misdeemeanour and be liable for damages
to be recovered in a special action on the
case by each of the parties whose marriage
shall have been so delayed.

20. That any person who shall present a
coulant to the Governor against the issue
of a licence or enter a coulant with the
Registrar against the issue of a certificate
on grounds which the Governor or Registrar

Vagrations
Coulants.

shall

shall declare to be frivolous shall be liable for the costs of the proceeding and for damages to be recovered in a special action on the case by the party against whose marriage such caveat shall have been presented or entered.

31. That any person who shall knowingly and wilfully make any false declaration or sign any false notice or certificate required by this ordinance for the purpose of procuring any marriage and any person who shall forged the issue of any certificate by falsely representing himself or herself to be a person whose consent to such marriage is required by law knowing such representation to be false shall be guilty of a Misdemeanor.

False de-
clarations.

32. That if any valid marriage shall be had under the provisions of this ordinance by means of any wilfully false notice or certificate a declaration made by either party to such marriage as to any matter to which a notice, certificate or declaration is herein required it shall be lawful for any person duly appointed for that purpose by the Governor to sue for a forfeiture of all estate or interest accruing to the offending party by such marriage and the proceeds thereof and consequences thereof shall be the same as are provided in the like case with regard to Marriages solemnized in England by licence before the passing of this

In cases
of fraudu-
lent mar-
riage the
guilty party
to forfeit all
property ac-
cruing from
the marriage
as in 4 Geo
4th Chap 76

Ordinance

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Marriages
after banns
excepted.

Ordinance according to the rules of the church
of England:

23. That nothing in this Ordinance con-
cerned shall extend to any Marriage
solemnized after due publication of banns
according to the rules of the church of Eng-
land except in so far as relates to the
fees on such marriage set forth in
Schedule G annexed.

Fees.

24. That any Minister solemnizing a
Marriage under the provisions of this Odi-
nance the Clerk to such Minister and the
Registrar may demand and receive to their
own use respectively the fees specified in
Schedule G Provided that a copy of the
said Schedule be hung up and exposed
to view in the Registry Office and vestry
room of the Church or Chapel wherein
the Marriage is solemnized.

25. That this Ordinance shall be deemed
and taken to be a part of the Registration
Ordinance No. 12. 1853. as fully and ef-
fектually as if incorporated therewith, and
all the provisions and penalties of the said
Ordinance relating to any Registrar or
register of Marriages or certified copies
thereof shall be taken to extend to the Re-
gistrar and register of Marriages solemn-
ized under this Ordinance and to the
certified copies thereof so far as the same
are applicable thereto.

This Odi-
nance to be
taken as part
of the Registra-
tion Ordinance.

Punishment
for felony or
misdeemeanor

26. That any person convicted of any
offence

offence made felony by this Ordinance shall be liable at the discretion of the Court to be transported beyond the sea for the term of seven years & to be imprisoned and kept to hard labour for any term not exceeding two years and any person convicted of any offence made a Misdemeanor by this Ordinance shall be liable at the discretion of the Court to any fine not exceeding One hundred pounds & to be imprisoned with or without hard labour for any period not exceeding six months.

27. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon may be productive of serious inconvenience. Be it therefore enacted that this Ordinance shall take effect and come into operation from the day of the passing hereof.

Schedules.

A. Section 3.

Notice of Marriage.

To the Registrar of Stanley.

I hereby give you notice that a marriage is intended to be had within three calendar months from the date hereof between me and the other party herein-named, that is to say,

Name	Condition	Age	Residence	Where Mar- riage is to be celebrated	Name of person in whose consent to the Marriage a sum-
James Smith	Bachelor	21	Stanley	The Church at Stan- ley.	John Green Father.
Martha Green	Spinster	19	Hope Place		

Witness my hand this
sixth day of May 1858.

(To be filled up as the case may be) James Smith

B. Section 6 and 18.

Oath or

Affirmation

I hereby make oath (or solemn affirmation) as the case may be that there is no impediment of hindred alliance to a marriage between Martha Green and me James Smith and that the consent of John Green her father has been obtained thereto.

Sworn and declared at this
27th day of May 1858 -

James Smith
one of the parties in
-tending Marriage.

Schedule C Section 6.

Registers
Magistrates
Certificate.

I, A. B. Registrar do hereby certify that on the sixth day of May 1858 notice was duly entered in the Marriage Notice Book of the Marriage intended between the parties herein named and described in the notice delivered to me by James Smith and that the issue of this certificate has not been forbidden by any unauthorized person and that the necessary oath (or declaration) was made and subscribed by one of the parties in my presence on the 27th day of May 1858.

Name	Condition	If of age	Residence	Where marriage is to be solemnized.	Name of person giving consent
James Smith	Bachelor	Age	Hopetown	The Church at Stanley	
Martha Green	Spinster	Minn	Stanley		John Green Father.

This Certificate will be void unless the Marriage be solemnized before the sixth day of August 1858.

Witness my hand this
27th day of May 1858.

A. B. Registrar.

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Schedule D. Section 13.

Form of
Registry of
Marriage.

1858. Marriages solemnized at Stanley Falkland Isles

Num. ber.	When Married	Name	For age	Condition	Residence	Father's name	Where Married
1	1858. 17 th March	William Hastings	Age	Bachelor	2 John St.	Peter Hastings	Registry Office
		Sophia Mitchell	Minor	Spinster	17 High St.	Geoffrey Mitchell	Stanley

This Marriage was solemnized between us William
Hastings }
{ Sophia
Mitchell }
in the presence of us Peter Hastings }
{ Geoffrey
Mitchell } married on cer-
tificate granted by me:
a. B. Registrar.

Schedule E. Section 13.

Marriage
Certificate.

Insert an exact copy of the Register.

I, a. B. Registrar do hereby Certify that this
is a true copy of the entry of the marriage
of _____ and _____ married _____
in the Marriage Register Book.

Witness my hand this
day of _____ 1858.

(To be filled up at the time may be) a. B. Registrar

Schedule F. Section 15. Governor's
licence

To the Revd. J. R. Colonial Chaplain
(or as the case may be)

Whereas L. M. has made the necessary
oath (or declaration) that there is no im-
pediment of hindrance or alliance or other
lawful hindrance to a marriage between
the said L. M. and W. O. and the con-
sent of G. H. the father or Guardian of W. O.
whose consent to her marriage is required
by law has been obtained and whereas they
are desirous of being married according to the
rites of the Church of England, now therefore
I hereby grant to you full licence according
to the authority in that behalf in me vested
to solemnize a marriage between the said
L. M. and W. O. according to the rites and
ceremonies of the Church of England in (here
state where the ceremony is to be performed)
on any day within three calendar months
from the date hereof between the hours of eight
in the forenoon and four in the afternoon.

Given under my hand and
sealed with the public Seal
of the Falkland Islands at Go-
vernment House Stanley in
the said Islands this _____
day of _____ One thousand
eight hundred and _____

C. F. Governor.

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Schedule G. Section 23.

Table of Fees.

To whom payable	For what duty	Amount L. s. d.
The Minister	Marriage by Governor's licence	2 0 0
" Clerk	Thesame	0 10 0
The Minister	Marriage after hours on Registrar's Certificate	0 10 0
" Clerk	Thesame	0 5 0
The Minister	Publication of hours of Marriage who performs a marriage un- der Governor's licence elsewhere	0 2 6
The Minister	than in Stowley for travelling expenses, for every mile be- yond Stowley	0 3 6
The Registrar	Entry of notice of Marriage Receiving oath or declaration and issuing certificate for Marriage	0 2 6
"	Entering Coast	0 5 0
"	Marriage by Registrar	0 5 0
"	Copy of Register of Marriage certified by Registrar	0 2 6
The Registrar & Minister	SEARCHING THE MARRIAGE REGIS- TER WORKS: - each name written Every year beyond in addition	0 1 0
The Minister	copy certified by Minister & entry in Registry kept by Minister	0 0 6
		0 2 6

Anti-volers Amendment Ordinance

In the year of Our Lord One thousand eight hundred and fifty eight -

Number Two —

By His Excellency Thomas Edward Lewis Moore Gover-
nor and Commander-in-
Chief of the Falkland Islands
and their Dependencies,
with the advice and counsel
of the Legislative Council there-
of.

Whereas it is expedient to reduce the duty required by the anc: Ord: of 1813. N^o. 5. for taking out a licence under that Ordinance
Be it enacted -

1. That so much of the first clause of the said Ordinance as requires the payment of Twenty pounds for a licence to act as Antivolier be repealed, and in lieu thereof if it be enacted, that it shall be lawful for the Govt: or such person as the Governor shall from time to time appoint to grant to any person or Company a licence to carry on the business of an Antivolier for 12 months on the payment of £ 5: - and the persons so licensed by the Governor under this Ordinance shall be subject to all the provisions, penalties and regulations of the anc: Ord: of 1813. N^o. 5. the same as if they had been licensed under that Ordinance -

Preamble.

Licence fee
reduced to
£ 5.

Ordinance No 2. That this Ordinance shall be deemed
 be part of said and taken to be a part of the
 the anterior Anterior Ordinance of One thousand
 Ordinance - eight hundred and fifty three the
 N^o. 5. as fully and effectually as if
 incorporated therein -

Ordinance 3. That this Ordinance shall come
 to commence into operation from the day of the
 forthcoming passing thereof -

Passed the Legislative Council this twenty
 seventh day of December
 1858 (Signed)

William R. Pyle.
 Clerk to the Councils

W. E. Moore
Govt.

An Ordinance to amend that portion
of the Administration of Justice Ordin-
ance which relates to Juries.

In the year One thousand eight hundred
and fifty nine.

Number One.

By H. E. Thomas Edward Lucas
Governor & Commander-in
Chief of the Falkland Islands, &
the Dependencies, with the advice
& consent of the Legislative Council
thereof

Preamble. Whereas it is injurious to the Public Service
that soldiers should serve on Juries Be it enacted
Repeal of clause 1. That clause 34 of the Administration of Justice
34 of the Admin. Ordinance A^d 10. 1853 be & the same is hereby re-
pealed.

2. That in place of the said clause hereby repealed
be it enacted.

Qualification of Jurymen. That every man not being an alien between
the ages of 21 years & 60 years who shall reside in
Stanley shall be qualified & liable to serve as a
Juryman, except all Members of the Executive
& Legislative Councils, the Clerk of the said Councils,
all Ministers of Religion, all officers & men of His
Land & Sea forces on full pay, practitioners Surgeons
Physicians & Apothecaries, & any person who has
at any time been convicted of Felony.

Stipendiary magistrate to alter present
jury list - 3. That on the passing of this Ordinance the
Ship's Chaplain shall have the power to strike out of
the Jury list for the present year the names of
all persons who shall be disqualifed to serve
as jurors by this Ordinance.

4. That this Ordinance be deemed and taken to be for every intent and purpose as much a part of the Administration of Justice Ordinance No. 10, 1853 as though it were incorporated therein.
 5. That this Ordinance shall come into operation from the day of the passing thereof.

This Ordinance
to be part of the
Administration
of Justice Or-
-dinance.

Ordinance to
commence
forthwith.

(L. S.)

Passed the Legislative
Council this 26th day of
September One thousand
eight hundred & fifty
nine -

P. Thos: L. Lane
Governor

S^d, W. N. Pyne
Clerk to the Councils -

To be copied

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Summary Jurisdiction Amendment
Ordinance.

In the year of Our Lord One Thousand
Eight Hundred and sixty Two.

Number One

By His Excellency Thomas Edward
Lewis Moore Governor and Commander
in Chief of the Falkland Islands,
and their Dependencies, with the
advice, and consent of the Legislative
Council thereof.

Whereas it is expedient to make provision for
the maintenance of Merchant Seamen lodged
in Stanley Gaol. Be it enacted.

1. That if the Master of any vessel lying in
Stanley Harbour shall apply to have any of
his crew, lodged in the Gaol he shall on the
Conviction first pay towards the prison
maintenance, the sum of one Shilling and
six pence per diem, for each man, to be deducted
from their several wages according to the provisions
of the act (17 & 18 Vict. cap 104) known as the
Merchant Shipping Act, and shall take a receipt
for the same, from the Clerk of the Courts, according
to the form set forth in Schedule A.
2. Provided always that if any master shall
obtain, under the statute, the release of any of
his crew thus imprisoned before the expiration
of their confinement he shall receive the balance
of the sum paid for their support, from the Clerk
of the Courts, according to the form provided
in Schedule B, and this sum shall be endorsed

on the receipt, given at the previous conviction
3. That this ordinance be deemed to be a part
of the Summary Jurisdiction Ordinance of 1853
Chapt. II. as fully and effectually as if incorporated
therin

4. Whereas the delay incident to a previous
communication, with Her Majesty, to know Her
Royal Pleasure hereupon may be productive
of serious inconvenience

Be it therefore enacted that this ordinance shall
take effect, and come into operation, on the 15th
day of February One Thousand eight hundred
and sixty two.

Schedule A

Stanley Falkland Islands

Received this day day of

from

Master of the Ship _____ the sum of _____
being the sum required by this ordinance to
defray the prison charges of _____
Committed for _____ days imprisonment

Clerk of the Courts.

Schedule B

Stanley Falkland Islands

On this — day of — Master of the Ship —
applied under the Statute for the release of —
now confined in the Gaol, and received the sum
of — being the balance of the sum paid
on account of — for the prison charges.

Clerk of the Courts

Signed, Robt E. L. Moore

£.oo 5-

Passed the Legislative Council this tenth day of February One thousand
eight hundred and sixty two

(Signed) William Phyne
Clerk to the Council

To be copied

Summary Jurisdiction Amendment
Ordinance

In the year of Our Lord One thousand
eight hundred and sixty two

Number Two.

By His Excellency Thomas Edward Sims Moore
Governor and Commander in Chief of the
Falkland Islands, and their Dependencies
with the advice and consent of the Legislative
Council thereof.

Whereas it is expedient that a further Ordinance
be passed, for the protection of Neat Cattle and to
prevent disputes on the subject of cattle generally.
Be it enacted.

Cattle to be
branded

That from and after the 1st June 1863
all neat cattle, found any where upon the Main, of the
East and West Falklands, outside the district known
as Lafonia, without a regular brand mark, made
with a heated iron, shall be deemed to belong to
the herds of Wild cattle which are the property of the
Crown, and that each proprietor of the cattle, shall have
a distinct brand of not less than 4 inches in length an
impression of which shall be registered, at the Court house
and which shall not be changed, without notice being given
in Writing to the Chairman of the Courts, and that no
animal be considered as branded, if it be marked only
on the horns, and tail.

2. Provided that in all districts, on which Neat cattle
may in future be placed, the branding as aforesaid shall
be completed within one month from their being so placed
and this shall take effect immediately from and after the
passing of this Ordinance.

3. Witnessed

3. Whereas the delay incident to a previous communication
with Her Majesty to know Her Royal Pleasure hereupon
may be productive of serious inconvenience. Be it
therefore enacted, that this Ordinance shall take
effect, and come into Operation, from and after the
Fifteenth day of February, One thousand eight
hundred and sixty two.

Signed Thos^s-E. S. Moore)

L.S.

Gov^r

Passed the Legislative
Council, on this tenth day
of February, One thousand eight
hundred and sixty two,

(Signed)

William Pyne
Clerk to the Council.

Summary Jurisdiction. Amendment. Ordinance

Number Three 1862.

By His Excellency, Thomas Edward Laws Moore Governor and Commander in Chief of the Falkland Islands, with the Advice and consent of the Legislative Council thereof:

Whereas the sum of Five Pounds, mentioned in the 39th clause of the Summary Jurisdiction Ordinance, c. 18th 1853 does not appear sufficient for the protection of Property, for the injury to which no punishment is otherwise provided in that Ordinance.

Be it enacted

1. "That the 39th clause of the Summary Jurisdiction Ordinance, c. 18th 1853, be repealed, and the same is hereby repealed, and the following clause substituted in its stead.
2. That any person who shall unlawfully and wilfully commit any damage, injury, or spoil, to or upon, and real or personal property whatsoever, either of a Public or private nature, for which offence no punishment is already otherwise provided by this Ordinance (the injury done being under the value of Fifty Pounds) shall pay to the party aggrieved, such reasonable amount of Compensation for the injury done as the Justice shall see fit; and shall also be liable to a fine, not exceeding the sum of forty Shillings.
3. That this Ordinance be deemed and taken to be for every intent and purpose, as much a part of the Summary Jurisdiction Ordinance, c. 18th 1853, as it were incorporated therein.
4. Whereas the delay incident to a previous communication with Her Majesty, to know Her Royal Pleasure hereupon might be productive of inconvenience: Be it therefore enacted, that this Ordinance shall take effect and come into operation from the passing thereof.

Council Chamber - Falkland Islands

Passed the Legislative Council.

this twenty first day of August

One thousand eight hundred and sixty two

William R. Pyne
Colonial Secretary
S. Clerk

Tho Moore
Gard

Proclamation.No 12.Stanley Gazette. Falkland Islands.

Pursuant to the Public Notice No^o 9 published on the 28th ultimo. His Excellency has proposed to the Legislative Council the undermentioned Bill No^o. I. 1864 which Ordinance passed that Body on the 23rd instant. -

An Ordinance to Establish the validity of Acts performed in the Falkland Islands and their Dependencies by certain clergymen ordained in Foreign Parts, or which may at any time hereafter be performed by any clergymen so ordained.

In the Year of Our Lord One thousand eight hundred and sixty four

Number One.

*W. A. D. 1865
viii 1/2*

By His Excellency James George Mackenzie Governor and Commander-in-Chief of the Falkland Islands and their Dependencies with the advice and consent of the Legislative Council thereof.

Recital.

Whereas by an Act passed in the twenty-sixth year of His late Majesty King George the Third Chapter Eighty-four intituled "An Act to Empower the Archbishop of Canterbury or the Archbishop of York for the time being to consecrate to the Office of Bishop Persons being Subjects or Citizens of Countries out of Her Majesty's Dominions" it was enacted that no person or persons admitted to the Order of Deacon or Priest by any Bishop or Bishops so consecrated should be thereby enabled to exercise his or their respective Office or Offices within His Majesty's Dominions.

And Whereas by an Act of Parliament passed in the twenty ninth and twentieth years

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year of Her Majesty Queen Victoria Chapter One
hundred and twenty one intituled " An Act
"to establish the validity of Acts performed in Her
"Majesty's Possessions abroad by certain clergymen
ordained in Foreign Parts, and to extend the
powers of Colonial Legislatures with respect to
such clergymen" it was enacted that it shall
be lawful for the Legislature of any of Her Majesty's
Possessions abroad by any law or laws to be by
them passed to authorize any persons admitted
to the Order of Priest or Deacon by any of such
Bishops as are mentioned in the said first
recital Act to exercise their respective Offices
in such Possessions.

26-27 Vict. 2
chap. 121 S

And Whereas it is expedient to apply
to this Colony the provisions of the said recited
Act 26 and 27. Vict. Chap. 121.

Be it enacted

All acts performed
or hereafter to be
performed by
persons ordained
by Bishops concur-
erated under the
26th Geo III. Chap 84
to be valid.

I. That all Acts performed since the passing
of the last recited Act of Parliament on the 28th day of July 1863 to the passing hereof, and all
Acts which may at any time hereafter be performed
in the Falkland Islands and their Dependencies
by any person having been admitted to the Office
of Priest or Deacon by any of such Bishops as
aforesaid or of their successors shall be as valid
and effectual at Law for all purposes whatever
as if such person had been so admitted by a
Bishop or Bishops of the United Church of Great
Britain and Ireland.

And Whereas the delay incident to a previous
communication with Her Majesty to know Her
Royal Pleasure hereupon would be productive
of inconvenience; be it therefore enacted that
this Ordinance shall take effect and come into
operation on the passing hereof.

S/ I. MacKenzie
for.

Passed the Legislative Council
the 23rd day of March 1864.

N. B. —
Clerk of the Council

To be copied

Summary Jurisdiction Amendment Ordinance.

Number Two

In the Year of Our Lord One thousand eight hundred
and sixty-four.

By His Excellency James George
^{Captain in the Royal Navy}
Mackenzie, Governor and Commander
in Chief of the Falkland Islands
and the Dependencies thereof,
with the advice and consent of
the Legislative Council thereof.

Whereas it is expedient to prevent the destruction Recital
of Penguins on any lands on the East Falkland
Island and Islands adjacent thereto lying
North of Choisuel Sound and Brenton Loch.

Be it enacted:

1. That if any person shall after the date of the passing of this Ordinance kill or cause to be killed for commercial purposes, or wantonly any Penguin on lands on the East Falkland Islands and Islands adjacent thereto lying North of Choisuel Sound and Brenton Loch, he shall be liable to a fine not exceeding (£100). One hundred pounds Sterling.

Penalty for
killing Penguins
on land. on
Northern Islands
of East Falkland
Islands.

2. That if any person shall make use of any boat or vessel for the purpose of so destroying Penguins as aforesaid, and shall be convicted of the offence it shall be in the power of the Stipendiary Magistrate or in his absence of two or more Justices of the Peace to order in addition to such fine as aforesaid that the boat or vessel and its contents shall be forfeited to the Crown.

Forfeiture of
Boat.

3. That this Ordinance be deemed and taken to be for every intent and purpose as much

Ordinance to be
part of Summary
Jurisdiction 1864
No. II. 1864.

a part of the Summary Jurisdiction Ordinance
20th Nov. 1853, as if incorporated therein.

Commencement of Ordinance. 4. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of serious inconvenience: Be it therefore enacted that this Ordinance shall take effect and come into operation from the day of the passing hereof.

/S/ J. MacKenzie
Prov.

Passed the Legislative Council this thirty-first day of August One thousand eight hundred and sixty-four.

J. Byng
Clerk to the Council.

Amount of fine allowed but Ordinance

not

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Summary Jurisdiction Amendment Ordinance.

In the year of Our Lord one thousand eight hundred
and sixty-four.

Number Three. 3

By His Excellency James
George Mackenzie, Captain
in the Royal Navy, Governor
and Commander-in-Chief
of the Falkland Islands and
their Dependencies with the
advice and Consent of the
Legislative Council thereof.

Whereas it is expedient to repeal the thirty-eighth section of the Summary Jurisdiction Ordinance 30th November 1853, and make other provision for the preservation of Wild Cattle on Crown Lands in the Falkland Islands.

Recital.

Be it enacted:-

1. That the thirty-seventh section of the Summary Jurisdiction Ordinance 30th November 1853 be repealed, and the same is hereby repealed and the following clause substituted in its stead.

Repeal of the
37th section of
Summary
Jurisdiction
Ordinance
30th Nov. 1853.

2. That if any person without the permission of the Governor in writing shall without lawful cause, drive, hunt, wound, capture, decoy or destroy any wild cattle, pigs, goats, or horses on Crown Lands and if on lands in the possession of any other party, without his authority, in the Falkland Islands, he shall for each animal so killed, wounded, captured, decoyed or destroyed pay a fine not exceeding Fifty pounds; and any person who shall receive such animal, or any part thereof, knowing the same to have been so unlawfully captured and destroyed,

Penalty on
killing Wild
cattle on
Crown Land.

shall

shall pay a fine not exceeding Five pounds: and any person found committing any offence contrary to this section may be taken into custody without a warrant by any constable, and may be detained until he can be brought before a justice to be dealt with according to law; and such constable may also stop, search, and detain any boat in or upon which there shall be reason to suspect that such animal or any part thereof so unlawfully obtained may be found: and if upon search therewith made such animal or any portion thereof shall be found then to convey the same before a justice, and to take into custody and carry before a justice any person reasonably suspected of having committed any offence contrary to this section.

Ordinance to be
part of Summary
Jurisdiction Ordin-
ance 30.11.1853.

3. That this Ordinance be deemed and taken to be for every intent and purpose as much a part of the Summary Jurisdiction Ordinance 30.11.1853 as if it were incorporated therein.

Commencement 4. Whereas the delay incident to a previous ordinance.

Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure thereupon might be productive of inconvenience: Be it enacted that this Ordinance shall take effect and come into operation from the passing thereof.

P. J. MacKenzie
Govt.

Passed the Legislative
Council this eleventh
day of November. One
thousand eight hundred
and sixty-four. —

H. R. Syme.
Clerk to the Council.

To be copied
In the year of Our Lord One thousand eight hundred and sixty-five.

Number One.

By His Excellency James George Mackenzie, Governor, and Commander in-Chief of the Falkland Islands and their Dependencies with the advice and consent of the Legislative Council thereof.

An Ordinance to establish the validity of Acts which may be hereafter performed in the Falkland Islands and their Dependencies by Clergymen ordained in foreign parts.

Be it enacted that this Ordinance No. 1 of the year One thousand eight hundred and sixty-four be and the same is hereby repealed.

Whereas by an Act passed in the Twenty sixth year of His late Majesty King George the Third, Chapter Eighty Four intituled "An Act to empower the Archbishop of Canterbury or the Archbishop of York for the time being to consecrate to the Office of Bishop Persons being Subjects or Citizens of Countries out of His Majestys Dominions" - it was enacted that no person or persons admitted to the Order of Deacon or Priest by any Bishop or Bishops is consecrated, or by the successor or successors of any Bishop so consecrated should be thereby enabled to exercise his or their respective Office or Offices within His Majestys Dominions.

And Whereas by an Act of Parliament passed in the Twenty Sixth and Twenty Seventh

Recital.

26. George III.
chap. 84.

Year

26 & 27. Vict.
chap. 5121.

year of Her Majesty Queen Victoria Chapter One hundred and twenty one intituled "An Act to establish the validity of Acts performed in Her Majestys Possessions abroad by certain Clergymen ordained in Foreign Parts" and to extend the Powers of Colonial Legislatures with respect to such Clergymen". it was enacted that it should be lawful for the Legislature of any of Her Majestys Possessions abroad by any Law or Laws to be by them passed to authorize any persons admitted to the Order of Priest or Deacon by any of such Bishops as are mentioned in the said first recited Act to exercise their respective Offices in such possessions.

And Whereas it is expedient that the Legislature of this Colony should exercise the Powers so conferred upon it as aforesaid.

Be it enacted

1. That all Acts which may at any time hereafter be performed in the Falkland Islands or their Dependencies by any person having been admitted to the Office of Priest or Deacon by any of such Bishops as aforesaid shall be as valid and effectual at Law for all purpose whatever as if such person had been so admitted by a Bishop or Bishops of the United Church of England and Ireland.

And Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience be it therefore enacted that this Ordinance shall take effect and come into operation on the passing hereof.

Ordinance to commence forthwith.

L.S

Passed the Legislative Council
this twenty second day of August. One thousand eight hundred and sixty five

13th S. MacKenzie
Govt.

H. Bynn.
Clerk to the Council.

To be copiedSummary Jurisdiction Amendment Ordinance.

On the year of our Lord One thousand eight hundred
and sixty five.

Number Two.

X

By His Excellency James George Mackenzie Captain in the Royal Navy Governor and Commander in Chief of the Falkland Islands and their Dependencies with the advice and consent of the Legislative Council hereof.

Be it enacted that the Ordinance No. 3 of the year One thousand eight hundred and sixty four be and the same is hereby repealed.

Whereas it is expedient to repeal the thirty seventh section of the Summary Jurisdiction Ordinance No. 11 1853 and make other provision for the preservation of Wild Cattle on the waste and unappropriated lands of the Crown in the Falkland Islands.

Recital

Be it enacted,

- That the thirty seventh section of the Summary Jurisdiction Ordinance No. 11. 1853 be repealed, and the same is hereby repealed, and the following clause substituted in its stead.

Repeal of the 37th
Section of the Sum-
mary Jurisdiction
Ordinance No. 11. 1853

- That if any person without the permission of the Governor in writing shall without lawful cause, drive, hunt, wound, capture, decoy or destroy any wild cattle pigs, goats or horses on the waste and unappropriated lands of the Crown and if on lands in the possession of any other party without his authority in the Falkland Islands, he shall for each animal so killed,

Penalty on killing
Wild Cattle on
Crown Lands

21.

killed, wounded, captured, decoyed or destroyed by
a fine not exceeding Fifty Pounds: and any person
who shall receive such animal or any part thereof,
knowing the same to have been so unlawfully
captured and destroyed shall pay a fine not
exceeding Five pounds, and any person found
committing any offence contrary to this section
may be taken into custody without a warrant
by any constable, and may be detained until
he can be brought before a justice to be dealt
with according to Law; and such constable
may also stop, search, and detain any boat in
or upon which there shall be reason to suspect
that such animal or any part thereof so unlaw-
fully obtained may be found - and if upon search
hereupon made such animal or any portion
thereof shall be found then to convey the same
before a justice, and take into custody and
carry before a justice any person reasonably
suspected of having committed any offence con-
trary to this section.

Ordinance to be
part of Summary
Jurisdiction Or-
= dinance. 28th 11
1853

Commonwealth
of Ordinances.

3. That this Ordinance be deemed and taken
the for every intent and purpose as much a
part of the Summary Jurisdiction Ordinance
28th 1853 as if it were incorporated therein.

4. Whereas the delay incident to a previous
communication with Her Majesty to know
Her Royal pleasure hereupon might be
productive of inconvenience, be it enacted
that this shall take effect and come into
operation from the passing hereof.

P. S. S. J. MacKenzie
for

I. S.

Passed the Legislative Council
this Twenty second day of August
One thousand eight hundred and
sixty five.

H. Byng
Clark & the Council.

To be copied

Summary Jurisdiction Amendment Ordinance.

Number One.

In the Year of Our Lord One thousand eight hundred and sixty six.

By His Excellency James George MacKenzie
Captain in the Royal Navy Governor
and Commander in Chief of the
Falkland Islands and the Depen-
dencies thereof with the advice
and consent of the Legislative
Council thereof.

Whereas it is expedient to prevent the destruction
of Penguins on any land on the East Falkland
Island and Islands adjacent thereto lying North
of Choiseul Sound and Brenton Loch.

Recital

Be it enacted:

Penalty for killing
Penguins on land
on Northern
Peninsula of East
Falkland Islands.

1. That if any person shall after the date of
the passing of this Ordinance kill or cause to be
killed for commercial purposes or wantonly any
Penguins on Lands on the East Falkland Island
and Islands adjacent thereto lying North of
Choiseul Sound and Brenton Loch he shall be
liable to a fine not exceeding (£30.) Thirty pound
Sterling.

2. That if any person shall make use of
any boat or vessel for the purpose of so destroying
Penguins as aforesaid, and shall be convicted of
the offence it shall be in the power of the Stipendiary
Magistrate or in his absence of two or more Justices
of the Peace to order in addition to such Fine as
aforesaid that the boat or vessel and its contents
shall be forfeited to the Crown.

Forfeiture of
boat.

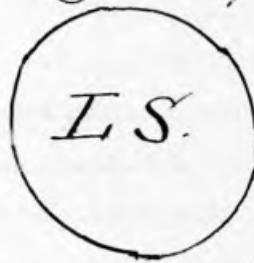
3. That this Ordinance be deemed and taken
to be for every intent and purpose as much a
part of the Summary Jurisdiction Ordinance

Ordinance to be
part of Summary
Jurisdiction Ordinance
No 22. 1853.

Mo 22. 1853 as if incorporated therein.

commencement
of ordinances

4. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal pleasure hereupon would be productive of serious inconvenience: Be it therefore enacted that this Ordinance shall take effect and come into operation from the day of the passing hereof.



^(S) J. MacKenzic
Govt.

Passed the Legislative Council
this sixteenth day of April }
One thousand eight hundred }
and sixty six. —

A. Byng.
Clerk to the Council

To be copied

An Ordinance for the Naturalization of
James Anderson of the Falkland Islands.

In the Year 1866.

Number Two.

Clause 1. James Anderson a Dane to be Naturalized.

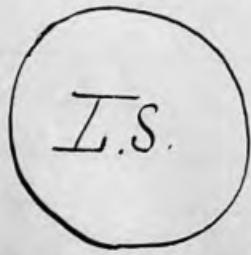
2. Ordinance to commence when Her Majesty's pleasure is known.

1. That James Anderson a native of Denmark shall be to all intents and purposes whatsoever in the Falkland Islands and their dependencies, deemed and taken to be and to have been from the first day of January One thousand eight hundred and sixty six a natural born subject of Her Majesty as if the said James Anderson had been born within the realm of England.

James Anderson
a Dane to be
naturalized.

2. That this Ordinance shall take effect and come into operation upon the day of the date and publication of any proclamation to be made and published by the Governor for the time being which shall make known and signify to the inhabitants of the Falkland Islands and their Dependencies Her Majesty's final assent and approbation hereof.

Ordinance to
commence when
Her Majesty's
pleasure is known



/s/ S. G. Mackenzie
Govt.

Passed the Legislative Council
the sixteenth day of April
One thousand eight hundred
and sixty six.

H. B. Young
Clerk to the Council.

An Ordinance to amend and consolidate the Ordinances relating to the destruction of Penguins

In the Year 1867

No 1

By His Excellency William Cleaver Tait
as Robinson Esquire Governor and Com-
mander in Chief of the Falkland Islands,
and their Dependencies with the advice
and consent of the Legislative Council, by

Be it enacted.

Repeals former Ordinances 1 The following Ordinances shall be and the same are
hereby repealed No 2 of 1864

No 1 of 1866

Governor may grant licenses
to kill Penguins on Crown
lands

2 It shall be lawful for the Governor to grant to any
Person a license in writing under his hand to kill Penguins on
the unoccupied lands of the Crown on the East Falkland Island &
lying North of Choiseul Sound and Bustardloch or on the West Falkland Island and
the islands adjacent thereto; such license to be upon such terms
and conditions and for such payment as the Governor may deem
reasonable.

Duration of
license
Revocation

3 Each license shall be for twelve months only. Provided
nevertheless that it shall be lawful for the Governor at any time to
revoke a license upon proof that any of the conditions contained
therein have been broken.

Governor may grant
licenses to kill Penguins
on Private lands

4 It shall be lawful for the Governor at his discretion to
grant or revoke a license to kill Penguins on any private lands
situated within the districts as specified on the application in
writing of the owner or occupier of such lands. Such license
if granted to be for twelve months and to be issued free of
charge.

Names of licensees to be
published

5 A statement of the names of all persons licensed
under this Ordinance shall be placed on the Government Gazette
Board within fourteen days after such license has been granted
and the revocation of any license shall be notified in a similar manner.

Penalty for killing without
a license Any person who shall after the passing of this Ordinance
without a license & for the violation of the same
& kill or cause to be killed for commercial purposes or wantonly any
Penguins

Penguins on the aforesaid unoccupied lands of the Crown or upon any lands public or private not included in such license shall be liable to a fine not exceeding Thirty Pounds (£30) Sterling.

Forfeiture of Boat 7 If the owner of any Boat or Vessel shall make use of or shall permit his boat or vessel to be made use of for the purpose of destroying Penguins contrary to the provisions of this Ordinance it shall be in the power of the Stipendiary Magistrate or in his absence of two or more Justices of the Peace to order in addition to such fine as aforesaid that the boat or vessel and contents shall be forfeited to the Crown

Recovery of Penalties 8 All Penalties under this Ordinance shall be sued for and recovered in the same way that penalties are sued for and recovered under and by virtue of the Summary Jurisdiction Ordinance No. II of 1853

Commencement 9 This Ordinance shall come into operation from the day of its passing thereof

(Signed) William Robinson
Governor

T. S.

Passed the Legislative Council
this twenty third day of March
one thousand eight hundred and
sixty seven (Signed) H. Byng
Clerk to the Council

An Ordinance for the Naturalization of certain persons in the
Falkland Islands

In the Year 1867

No 2

By His Excellency William Cleaver
 Francis Robinson Esquire Governor and
 Commander-in-chief of the Falkland
 Islands and their Dependencies with
 the advice and consent of the Legislative
 Council thereof

Be it enacted.

Persons named in Schedule I That each of the persons named in the Schedule here-
 Schedule to be naturalized unto annex shall be, to all intents and purposes whatsoever
 in the Falkland Islands and their Dependencies deemed and

taken to be and to have been from the first day of January
 One thousand eight hundred and sixty seven, natural born subjects
 of Her Majesty as if such persons had been born within the
 realm of England

Ordinance to commence D That this Ordinance shall take effect and come
 when Her Majesty's pleasure is known into operation "on the day of the date and publication of any
 proclamation to be made and published by the Governor for
 the time being which shall make known and signify to the
 inhabitants of the Falklands and their Dependencies, Her
 Majesty's final assent and approbation hereof

Schedule

Carlos Guillermo (Charles Williams) native of the Western Islands
 Manoel Pereira native of the Western Islands

Passed the Legislative Council this
 twenty-third day of March one thousand
 eight hundred and sixty seven

L S

(Signed)

William Robinson
 Governor

(Signed) H Byng
 Sent to the Council

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Sheep Ordinance

N^o 3 of 1867.

By His Excellency William Cleaver Francis Robinson
Esquire Governor and Commander in Chief in and
Over the Falkland Islands and their Dependencies,
with the Advice and Consent of the Legislative
Council thereof V^o H^c

Be it enacted,

1. That the Owner or Occupier of any land in this Colony who shall permit any sheep infected with Scab or Catarrh not being at the time herded by a shepherd, to be at large thereon, within one mile of the boundary of any sheep station in the occupation or possession of any other person without his consent, shall on Conviction before the Stipendiary, or any two Justices of the Peace, be liable to a fine not exceeding Fifty Pounds (£50).

Penalty on permitting sheep infected with Scab or Catarrh to be at large within one mile of boundary of other stations

2. Any person who shall by himself, or his servant, drive, depasture, or suffer to be at large any sheep infected with Scab or Catarrh across or upon any sheep station, in the occupation or possession of any other person without his consent, shall on Conviction, be liable to a penalty not exceeding (£50.) Fifty Pounds.

Penalty for driving or depasturing sheep on land of other person

3. Any Master or Owner of any ship, boat, or vessel who shall permit any sheep infected with Scab or Catarrh, or other disorder to be landed therefrom, on any land without the consent of the Owner of such land, shall be liable to a penalty not exceeding (£100). (One) hundred pounds

Penalty on importing sheep infected with Scab &c.

4. If any person shall slaughter for sale or have in his possession for the purpose of slaughtering for sale, any sheep infected with Scab or Catarrh, or shall expose for sale the carcass of any sheep so infected, he shall be liable for every such offence to a penalty not exceeding (£20) Twenty Pounds. One half of such penalty to be paid to the informer, and the Justices shall order the carcass to be buried in a distant place.

Penalty on exposing for sale the carcass of deceased sheep

Penalties how recoverable

Penalties to be sued for within three months after Commission of offence.

Parties aggrieved may appeal to the Magistrate's Court on giving security.

Court may make such order as they think reasonable.

Commencement of Ordinance

5. That all penalties imposed under the authority of this Ordinance shall be recovered in the same way that penalties are now recovered under the Summary Jurisdiction Ordinance No. 17, 1853.

6. No person shall be liable to any penalty imposed by virtue of this Ordinance unless the Complaint respecting such offence shall have been made before such Stipendiary Magistrate or Two Justices, within three months next after the Commission of such offence.

7. If any person shall think himself aggrieved by any adjudication of such Stipendiary Magistrate or Two Justices with respect to any penalty under the provisions of this Ordinance he may appeal to the Magistrate's Court of this Colony. But no such appeal shall be entertained unless it be made within One month next after the making of such adjudication, nor unless ten days notice in writing of such appeal be given to the party against whom the appeal shall be brought, nor unless the appellant forthwith after such notice enter into recognizance with two sufficient sureties before a Justice conditioned duly to prosecute such appeal, and to obey the order of the Court thereto.

8. That the Magistrate's Court shall hear and determine the matter in a summary way upon the evidence adduced before the Committee of Justices or Stipendiary Magistrate, unless the Court shall think proper to examine further in the matter, and shall make such order thereon with or without costs to either party as they shall think reasonable.

9. That this Ordinance shall come into operation from the day of the passing thereof.

Passed the Legislative Council
this Twenty-third day of August
One thousand eight hundred and
sixty seven.

(Signed) H. R. D. M.
Clerk to the Councils.

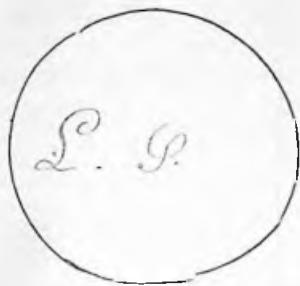
Naval and Victualling Stores Ordinance

In the Year 1864.

N^o 4.

Clause 1. Marks in Schedule Appropriated for Her Majesty's Naval and Victualling Stores.

2. Obliteration with intent to Conceal Her Majesty's property. Felony.
3. Knowingly receiving the marked stores a misdemeanor.
4. Knowledge of stores being marked presumed against dealers.
5. Offenders may be summarily convicted in certain cases.
6. Persons not dealers found in possession of Naval or Victualling Stores, and not satisfactorily accounting for the same liable to a penalty.
7. Criminal possession explained.
8. No unauthorized person to Creep, sweep, &c. for stores, within 100 Yards of Dockyards &c. Penalty.
9. Punishment, Governor to appoint a Prosecutor.
10. Not to prevent persons being prosecuted under any law or Ordinance.
11. Commencement of Ordinance.



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By His Excellency William Cleaver Francis
Robinson Esquire Governor and Commander
in Chief in, and over the Falkland Islands
and their Dependencies with the advice and
Consent of the Legislative Council thereof.

Be it enacted,

Mark's in Schedule
Appropriated to Her
Majesty's Naval &
Victualling Stores.

Violation of
Misdeemeanor

Obliteration with intent
to Conceal Her Majesty's
Property. Felony.

Knowingly receiving
Marked Stores
a. Misdeemeanor

1. That the marks described in Schedule to this
Ordinance, may be applied, in or on Her Majesty's Naval
and Victualling Stores, to denote Her Majesty's property in
Stores so marked, and it shall be lawful for the Admiralty,
their Contractors, Officers, and workmen, or the Governor, or
persons by his Authority to apply the said marks on any of
them, in or on any such stores, as are described in the Schedule.
If any person without lawful Authority, proof of which Authority
shall lie on the party accused, applies any of the said marks
in or on any such stores, he shall be guilty of a Misdeemeanor
and shall be liable to be imprisoned for any term not exceeding
Two Years, with or without hard Labour.

2. If any person with intent to conceal Her Majesty's
property, in any Naval or Victualling Stores, takes out, destroys, or
obliterates wholly or in part any such marks as aforesaid, he
shall be guilty of Felony, and shall be liable in the discretion
of the Court to be kept in penal servitude for any term not
exceeding Four Years, or to be imprisoned for any term not
exceeding Two Years, with or without hard Labour, and with
or without Solitary Confinement.

3. If any person without lawful Authority (proof of
which Authority shall lie on the party accused) receives, keeps,
sells, or delivers any Naval or Victualling Stores bearing
such mark as aforesaid, knowing them to bear such mark
he shall be guilty of a Misdeemeanor, and shall be liable
to be imprisoned for any term not exceeding One Year with or
without hard Labour.

4. Where the person charged with such a Misdemeanor as last Aforesaid; was at the time at which the Offence is charged to have been committed, a dealer in Marine Stores, or a dealer in Old Metals, or in Her Majesty's Service, Knowledge on his part that the Stores to which the Charge relates bore such Mark as Aforesaid, shall be presumed until the Contrary is shown.

Knowledge of Stores
being stored
presumed against
dealers.

5. Any person charged with such a Misdemeanor as last Aforesaid in relation to Stores, the Value of which does not exceed (£ 5.) Five Pounds, shall be liable on Summary Conviction before a Justice of the Peace to a Penalty not exceeding (£ 20) Twenty Pounds, or in the discretion of the Justice to be imprisoned for any term not exceeding six Months with or without hard Labour.

Offences may be
summarily con-
tracted in certain
cases.

6. In Order to prevent a failure of justice in some cases by reason of the difficulty of proving Knowledge of the fact that the stores bore such a mark as Aforesaid, if any Naval or Victualling stores bearing any such mark, are found in the possession of any person, not being a dealer in Marine Stores, or a dealer in Old Metals, and not being in Her Majesty's Service, and such person when taken or summoned before a Justice of the Peace, does not satisfy the Justice, that he came by the stores so found lawfully, he shall be liable on conviction by the Justice to a penalty not exceeding (£ 5.) Five Pounds. And if any ^{such} person satisfies the Justice that he came by the stores so found lawfully, the Justice at his discretion, and as the evidence given, and the circumstances of the case require, may summon before him, every person through whose hands such stores appear to have passed, and if any such person as last Aforesaid who has had profession thereof does not satisfy the Justice that he came by the same lawfully, he shall be liable on conviction by the Justice to a penalty not exceeding (£ 5.) Five pounds.

Persons not dealers
found in possession
of Naval or Victualling
stores &c and not
satisfactorily ac-
counting for the same
liable to a Penalty.

7. For the purposes of this Ordinance Stores shall be deemed to be in possession or keeping of any person, if he knowingly has them in the Actual keeping, or possession of any other person, or in any house, building, Lodging, Apartment, field, or place, open.

Criminal possession
explained

or enclosed whether Occupied by himself or not and whether the same are so had for his own use or benefit or for the use or benefit of another.

8. It shall not be lawful for any person without permission in writing from the Admiralty or from some person authorised by the Admiralty, or by the Governor in that behalf to Creep, sweep, dredge, or otherwise search for stores in the sea, or in any tidal water within 100 yards of any vessel belonging to Her Majesty, or in her Majesty's Service, or from any mooring place or Anchoring place, Appropriated to such vessels, or from any moorings belonging to Her Majesty, or from any of Her Majesty's wharves, or Dock Victualling or Steam Factory Bars. If any person acts in Contravention of this provision he shall be liable on Summary Conviction before a Justice of the Peace to a penalty not exceeding £5/- Fine Pounds, or to be imprisoned for any time not exceeding Three months with or without hard labour.

Punishment

Governor to appoint a prosecutor-

9. All Offences punishable under this Ordinance shall be prosecuted and punished in the same way that other offences committed in this Colony are punishable by law provided that no offence under this Ordinance shall be prosecuted except on the information of some person appointed by the Governor by warrant under his signature.

10. Nothing in this Ordinance shall prevent any person from being liable under any other law or Ordinance in force in this Colony Not to prevent persons from being liable under any other law or Ordinance than is provided for any offence by this Ordinance, so that no person be punished twice for the same offence.

11. That this Ordinance shall come into Operation from the day of the passing thereof.

Schedule.

Mats Appropriated for use, in or on Her Majesty's Naval Victualling Stores.

Hempen Cordage, and Wrie Rope	White, Black, or coloured worsted Threads, laid up with Hams, and the Wrie respectively.
Canvas, Yarnought, Hammocks & Scamens bags	A Blue line in a serpentine form.
Bunting	A double tape in the Draper
Candles	Blue or red cotton Threads, in each wick or wicks of fed cotton
Miner, Metal, & other stores not before mentioned	The Broad Arrow.

Passed the Legislative Council this twenty-third day of August, One thousand eight hundred and Sixty seven.

(Signed) Henry Hayes
 Clerk to the Councils

An Ordinance for the Protection of Wild CattleIn the Year 1867.N^o. 5.

- Clause 1. Repeal of Summary Jurisdiction Ordinance N^o. 2 of 1865.
 2. Penalty on killing wild cattle on East Falkland Island
 3. Penalty on killing wild cattle on West Falkland Island
 4. Penalty on receiving animals unlawfully captured.
 5. Power to arrest without a warrant.
 6. Recovery of penalties.
 7. Commencement of Ordinance.

Be it enacted.

1. That the Summary Jurisdiction Ordinance N^o. 2, be repealed.
 2. That if any person, without the permission of the Governor in writing shall, without lawful cause, drive, hunt, wound, capture, decoy, or destroy any wild cattle, pigs, goats, or horses, on the waste and unappropriated lands of the Crown, and of all lands in the possession of any other person without his authority in the East Falkland Island, he shall, for each animal so killed, wounded, captured, decoyed, or destroyed pay a fine not exceeding £50/- Fifty pounds.
 3. That if any person, without the permission of the Governor in writing shall hunt, wound, capture, decoy or destroy any wild cattle on any land whatever on the West Falkland Island, for upon any unappropriated island belonging to the Crown adjacent thereto, he shall, for each animal so wounded, captured, decoyed, or destroyed, pay a fine not exceeding £50/- Fifty Pounds.
 4. That any person who shall receive, any animal, or any part thereof, knowing the same to be unlawfully captured, and destroyed as aforesaid, shall pay a fine not exceeding £5/- Five pounds.
 5. That any person found committing any offence contrary to this Ordinance may be taken into custody by any constable without a warrant, and may be detained until he can be brought before a justice to be dealt with according to law, and any constable may also stop, search, and detain any boat, river or upon which there shall be any reason to suspect that such animal or part thereof, so unlawfully obtained, may be found, and if upon search the same made such animal or any portion thereof shall be found, then to convey the same before a justice, and to take into custody and commit before a justice any person reasonably suspected of having committed any offence contrary to this Ordinance.
 6. All penalties under this Ordinance shall be sued for and recovered in the same way that penalties are sued for and recovered under and by virtue of the Summary Jurisdiction Ordinance & S.M. of 1853.

7. This Ordinance shall come into operation from the day of the passing thereof. Commencement of Ordinance
 To the Statute carried this twenty-third day of August
 in the year eight hundred and sixty seven.
 (Signed) H. W. Scott
 (Signed) G. G. Moore
 Certified to the Councils.

Repeal of Summary Jurisdiction Ordinance N^o. 2, 1865

Penalty on killing wild cattle on East Falkland Island

Penalty on killing wild cattle on West Falkland Island

Penalty on receiving animals unlawfully captured

Power to arrest without a warrant

Recovery of Penalties

An Ordinance

For Granting Carlos Guilherme, Manoel Rodrigs, and Manoel Pereira
the privileges of British-born Subjects, within the Colony of the
Falkland Islands.

Signed. William Robinson
Governor.

In the Year 1867.

No 6

1. Ordinance No D. of 1867. shall be and the same is hereby
repealed.

Whereas Carlos Guilherme, Manoel Rodrigs, and Manoel
Pereira, of the Western Islands have prayed that they the said
Carlos Guilherme, Manoel Rodrigs, and Manoel Pereira may
be admitted to enjoy the privileges of British-born subjects.
Be it enacted.

By the Governor, with the advice and Consent of
the Legislative Council as follows:-

2. The said Carlos Guilherme, Manoel Rodrigs, and Manoel Pereira
when and so soon as they shall have taken the Oath of Allegiance
before the Governor, which Oath the Governor is hereby authorised to
administer shall be to all intents and purposes whatsoever entitled
within the limits of this Colony to all the privileges of British-born
Subjects of Her Majesty.

3. The Governor shall immediately after such Oaths have been
taken before him Certify the same and cause such certificates to be
recorded in the Office of the Registrar-General of this Colony.

Passed in Council this Twenty fourth day of December in the Year
of Our Lord One thousand eight hundred and sixty seven.

Signed R. Hynd
Clerk to the Councils.

Vaccination Ordinance

In the year 1868.

No 1 (28th April 1868)

Clause 1

Governor to appoint Public Vaccinator Proviso
that Ordinance shall not be in force in any District
till Public Vaccinator be appointed.

2. Children born after the passing of this Ordinance to be
Vaccinated.

3. Children under the age of twelve ^{years} to be Vaccinated.

4. Provision for inspection of Vaccination.

5. Certificate of successful Vaccination.

6. Provision for the unfitness of child for Vaccination

7. Provision for the insusceptibility of successful
vaccination.

8. Remuneration to Public Vaccinator for successful
Vaccination.

9. Registrar to give notice of Vaccination to parent
or other person registering birth.

10. Penalty on parent or other person neglecting
to procure Vaccination of the child.

11. Public Vaccinator or Medical Practitioners to send
to the Governor quarterly list of persons Vaccinated.

12. Penalty on Vaccinator neglecting to give Certificate,
and persons signing false Certificates.

13. Penalty on persons inoculating with smallpox.

14. Recovery of penalties.

15. Notice not to be given by prosecution.

16. Commencement of Ordinance.

The Honorable William Ward
Governor of Madras Government
and Commissioner of the Districts
District and the Departmental Head
with the advice and consent of the
Legislative Council hereby doth
ordain.

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That Whereas it is expedient to provide for the compulsory Vaccination of children born in the Falkland Islands. Be it enacted;—

1. That it shall be lawful for the Governor from time to time to divide the Falkland Islands into as many districts as he may deem advisable or necessary and to appoint the Colonial Surgeon or other Public Medical Officers of these Islands; or any duly qualified Medical Practitioner to be the Public Vaccinator or Vaccinators of such Districts, whose duty it shall be to attend at such time or times as may be appointed by the Governor at some convenient place within each such Vaccination district as the Governor may direct, and the said Public Vaccinator or Vaccinators shall and are hereby required to Vaccinate all persons resident in any such District or Districts, who may come or be brought to them for that purpose being fit Subjects for Vaccination subject to such regulations as may be issued by the Governor in that behalf, provided always that the provisions of this Ordinance shall not apply or be in force in any District until a Public Vaccinator has been appointed for such District.

~~Proviso that Ordinance shall not be in force till a Public Vaccinator be appointed.~~

~~Children born after the passing of this Ordinance to be Vaccinated~~

2. The Father or Mother of every child born in the Falkland Islands after the passing of this Ordinance shall within three months after the birth of such child, or where by reason of the death, illness, absence or inability of the Father or Mother or other cause, any other person shall have the custody of such child, such person shall within three months after receiving the custody of such child take it or cause it to be taken to the Public Vaccinator of the district to be Vaccinated unless such child shall have been previously Vaccinated by some duly qualified Medical Practitioner and the Vaccinator or unfitness or insusceptibility of successful Vaccination duly certified, and the Public Vaccinator is hereby required with all reasonable despatch subject to such conditions herein after mentioned to Vaccinate such child.

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3. The Father or Mother of every child on these Island who, at the time of the passing of this Act shall be under the age of Twelve Years shall within three months after the passing of this Ordinance or in the event of the death, illness, absence, or inability of the Father, or Mother, then the person who shall have the custody of such child, take it or cause it to be taken to the Public Vaccinator of the district to be Vaccinated, unless he shall previously have been successfully Vaccinated by a duly qualified Medical Practitioner and the Vaccination duly Certified; And the Public Vaccinator shall, and is hereby required as soon as it may be conveniently and properly done to Vaccinate such child.

children under the age
of 12 years to be Vaccinated

4 Upon the same day in the following week when the operations of Vaccinations shall have been performed by the Public Vaccinator such Parent or other Person as the case may be shall again take the child Provisions for Inspection of Vaccination or cause it to be taken to him that he may inspect it and ascertain the result of the operation, and if he see fit take from such child Symph for the performance of other Vaccinations and in the event of the Vaccination being unsuccessful, such Parent or other person shall, if the Vaccinator so directs cause the child to be forthwith again Vaccinated and inspected as on the previous occasions.

5 Upon and immediately after the successful Vaccination of any child the Public Vaccinator or other duly qualified Medical Practitioner shall deliver to the Father or Mother of the said Child or to the person having the custody of such child, a Certificate under his hand according to the form in the Schedule herunto annexed, marked A or to the like effect, that the Child has been successfully Vaccinated and such Certificate shall without further proof be admissible as evidence of the successful Vaccination of such child.

Certificate
of successful
Vaccination

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In any informations or complaint- which shall be brought against the Father or Mother of the said Child or such person as aforesaid for non compliance with the provisions of this Ordinance.

6. If the Public Vaccinator or Medical practitioner shall be of opinion that the child is not in a fit and proper state to be successfull Vaccinated he shall forthwith deliver to the parent or other person having the custody of such Child a Certificate under provision for the unfitness his hand according to the form in the Schedule hereto annexed marked B or to the like effect, that the Child is then in a state unfit for successful Vaccination which Certificate shall remain in force for two Months, and shall be renewable for successive periods of two months until the Public Vaccinator or Medical practitioner shall deem the child to be in a fit state for successful Vaccination, when the child shall with all reasonable despatch be Vaccinated and the Certificate of successfull Vaccination duly given if warranted by the result, and at or before the end of each successive period, the parent or such person as aforesaid shall take or cause the child to be taken to the Public Vaccinator or Medical practitioner who shall then examine the child and give the Certificate according to the said form B so long as he deems requisite under the circumstances of the case and the production of such Certificate shall be a sufficient defence against any complaint- which may be brought against the Father or Mother or such person as aforesaid for non compliance with the provisions of this Ordinance

7. If the Public Vaccinator or Medical Practitioner shall find that a child whom he has three times unsuccessfully Vaccinated is insusceptible of successful Vaccination or that a child brought to him for Vaccination had already had the Smallpox, he shall deliver to the parent or other person as aforesaid a Certificate under his hand according to the form in the Schedule hereto annexed marked C or to the like effect, and the parent and such person as aforesaid shall

shall therefore not be required to cause the child to be vaccinated, and the production of such certificate shall be sufficient defence against any complaint that may be brought against Father or other person for non compliance with the provisions of this Ordinance.

8. That the Father or Mother or other person as aforesaid shall pay to the Public Vaccinator the sum of Two - Shillings and Sixpence for each child successfully Vaccinated.

Remuneration to public
Vaccinator for successful
Vaccinations

9. That the Registrar for the time being, acting under and by virtue of the Registration Ordinance No 12-1853 shall upon the Registration of the birth of any child give notice according to the form in the Schedule hereto annexed Marked D. or to the like effect to the Father or Mother or person having the custody of such child, requiring such child to be duly vaccinated according to the provisions of this Ordinance.

Registrar to give notice
of Vaccination to parent
or other person registering
birth

10. Every Father or Mother or other person having the custody of such child who shall neglect to take such child or cause it to be taken to be Vaccinated or after Vaccination to be inspected according to the provisions of this Ordinance and shall not render a reasonable excuse for the neglect, shall be guilty of an offence and be liable upon conviction to pay a penalty not exceeding Twenty Shillings.

12. That the Public Vaccinator and any Medical Practitioner who shall have Vaccinated any child shall every quarter send to the Governor a Certified List containing the Medical Practitioners names of each person so Vaccinated, And the results of such to send to the Governor Vaccination. And any Public Vaccinator or Medical Practitioner failing to do so shall be liable to a penalty not exceeding £10 Ten Pounds.

11. Every Public Vaccinator or Medical Practitioner who shall neglect or refuse to fill up and sign any Certificate required of him by the provisions of this Ordinance or shall refuse to deliver the same to the parent or other person on request, shall be liable to pay upon a summary conviction a penalty or Vaccinator and persons signing Certificate

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conviction, a penalty not exceeding Twenty Shillings, and every person who shall wilfully sign a false certificate under this Ordinance shall be guilty of a misdemeanour and be punished accordingly.

13. Any person who shall after the passing of this Ordinance produce or attempt to produce in any person by Inoculation with Variolous Matter or by wilful exposure to Variolous Matter or wilfully by any other means whatsoever produce the disease of Small-pox in any person shall be guilty of an offence and shall be liable to be proceeded against summarily and upon conviction to be imprisoned for any term not exceeding two Months.

Penalty on persons
inoculating with
Small-pox.

Recovery of Penalties

Notice not to be proved
by prosecutions

commencement of
Ordinance

14. That all penalties under this Ordinance shall be sued for and recovered in the same way that Penalties are sued for and recovered under and by virtue of the Summary Jurisdiction Ordinance No. 11. 1853.

15. That in any prosecution for neglect to procure the Vaccination of a child, it shall not be necessary in support thereof to prove that the Defendant had received Notice from the Registrar or any other Officer of the Requirements of the Law in this respect.

16. That this Ordinance shall come into operation from the day of the passing thereof.

Schedule A

I the Undersigned being a (here insert name of professional Qualification) hereby certify

the child of

aged - of

in the District of

(addition

if necessary) has been successfully Vaccinated by me.

Dated this day of 186

Signed

Public Vaccinator or Medical Practitioner as the case may be.

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Schedule B

I the undersigned being a (here insert nature of professional Qualification) hereby certify my opinion that—
the child of _____ in the district of _____ aged _____ is not now in a fit state to be successfully vaccinated and I do hereby postpone the Vaccination until the _____ day of 186.

Dated this day of 18.
Signed

Public Vaccinator of the District or Medical Practitioners as the case may be.

Schedule C.

I the Undersigned being a (here insert nature of professional Qualifications) hereby certify my opinion that
the child of _____ in the District of _____ is susceptible of the Vaccine disease.

Dated this day of 18.
Signed

Public Vaccinator of the District or Medical Practitioners as the case may be.

Schedule D.

I the Undersigned hereby give you notice and require you to have _____ Vaccinated within three months after the birth pursuant to the provisions of the Vaccination Ordinance No 1 1868.

As witness my hand this
day of _____ 18_____

Signed

Registrar

Passed the Legislative Council
the Twenty eighth day of
April One thousand eight
hundred and sixty eight.

(Signed)

H. T. Syng
Clerk of the Councils.

Spirit Licence Amendment Ordinance

In the Year 1858.

S. L.

By His Excellency William Cleaver
Francis Robinson Esquire Governor
and Commander in Chief of the
Falkland Islands and their
Dependencies with the advice and
Consent of the Legislative Council
thereof.

Whereas it is advisable to extend the operation
of the Spirit Licence Ordinance No. 9 of 1853, to
the whole of the East Falkland.

Be it enacted.

1. The Seventeenth section of the Spirit Licence
Ordinance No. 9 of 1853, shall be and the
same is hereby repealed.
2. If any person not being licensed or not
having so permit, or transferred as provided
by the Spirit Licence Ordinance No. 9 of 1853,
shall directly or indirectly sell within
the limits of the East Falkland any liquor,
or permit the same to be sold in or upon
his premises, or if any person shall
purchase, receive, or have in his possession,
any liquor knowing the same to have been
sold contrary to the provisions of the Ordinance
as aforesaid, he shall pay for every such offence
a fine not exceeding Fifty Pounds.

3. This Ordinance shall be deemed and
taken to be as much a part of the Spirit
Licence

*Repeals 17 Sec. of
Ordinance No. 9
of 1853.*

*Penalty for selling
liquor without
licence*

*Ordinance to be a part
of Ordinance No. 9
of 1853.*

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Licence Ordinance No. 9 of 1853, as if incorporated
therin.

4. This Ordinance shall come into operation ^{commencement of} ~~Ordinance~~
from the day of the passing thereof.

Passed the Legislative Council
this seventh day of October
One thousand eight hundred
and sixty eight.

(S^d) William Robinson
Governor.

(S^d) A. Byng
Clerk to the Councils.

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An Ordinance
to render Owners of Dogs liable for Injuries
done to Cattle, Sheep, or other Stock.

In the Year 1868.

S. 3.

By His Excellency William Cleaver Francis
Robinson Esquire Governor and Commander
in Chief of the Falkland Islands and
their Dependencies with the advice and
Consent of the Legislative Council thereof.

Be it Enacted

1. The Owner of every Dog in this Colony shall
shall be liable in Damages for Injury done
by Worrying to any Cattle, Sheep, or other live
Stock, by this Dog; and it shall not be nec-
essary for the Party seeking such Damages
to show a previous Mischiefous Propensity
in such Dog, or the Owners Knowledge of
such previous propensity, or that the Injury
was attributable to Neglect on the Part
of such Owner. Such Damages to be re-
covered by the Ordinary process of law in
force in this Colony.
2. The Occupier of any House or Premises where
any Dog was Kept or permitted to live or
remain, at the Time of such Injury shall
be deemed to be the Owner of such Dog,
and shall be liable as such, unless the
said Occupier can prove that he was not
the Owner of such Dog at the Time the
Injury complained of was committed, and
that such Dog was Kept or permitted to
live or remain in the said House or Premises
without his sanction or knowledge:
Provided Always, that where there are more
Occupiers than one in any House or Premises
let-

Owner of Dog to
be liable in Dam-
ages for any Injury
committed by his
Dog.

Who shall be
deemed the Owner
of the Dog.

let in separate Apartments, or Lodgings, or otherwise,
the Occupier of that particular Part of
the Premises in which such Dog shall
have been Kept, or permitted to live, or re-
main at the Time of such Injury shall be
deemed to be the owner of such Dog.

3. This Ordinance shall come into operation from the date of the passing thereof.

commencement of
Ordinance

(S^d)
William Robinson
Governor.

Passed the Legislative Council
this seventh day of October
One thousand eight hundred
and sixty eight.

(S^d)
B. Ryne
Clerk to the Councils

For 1801 if 1804 see after 1802

An Ordinance for the protection of
Wild Cattle.

In the Year 1869.

N. S.

Clauses.

1. Repeal of Ordinances No. 3 of 1865 and 5 of 1867.
2. Penalty on Killing Wild Cattle on the East Falklands.
3. Penalty on Killing Wild Cattle on the West Falklands.
4. Penalty on Receiving Animals unlawfully Captured.
5. Powers to Arrest without a warrant.
6. Recovery of Penalties.
7. Commencement of Ordinance.

By His Excellency William J. Caver
Francis Robinson Esqur Governor
and Commander in Chief and
over the Falkland Islands and their
Dependencies thereof with the advice
and Consent of the Legislative
Council thereof.

Be it enacted.

1. That the Summary Jurisdiction Amend-
ment Ordinance No. 3 of 1865; and the
Ordinance for the protection of Wild Cattle No.
5 of 1867 shall be and the same are hereby re-
pealed.
2. That if any person without the permission
of the Governor in Secretary shall without law-
ful

cause, drive, hunt, wound, capture, decoy or destroy, any wild cattle, pigs, goats or horses on the waste and unappropriated lands of the Crown, and if on lands in the possession of any other person without his authority in the East Falkland Island he shall, for each animal so killed, wounded, captured, decoyed or destroyed pay a fine not exceeding £50/- Fifty Pounds.

13. That if any Person without the permission of the Governor in writing shall hunt, wound, capture, decoy or destroy any wild cattle on any land whatever on the West Falkland (or upon any unappropriated island belonging to the Crown adjacent thereto) he shall for each animal so wounded, captured, decoyed or destroyed pay a fine not exceeding £50/- Fifty Pounds.

4. That any person who shall receive any animal or any part thereof knowing the same to be so unlawfully captured and destroyed as aforesaid shall pay a fine not exceeding £5/- Five Pounds.

5. That any person found committing any offence contrary to this Ordinance may be taken into custody by any constable without a warrant. And may be detained until he can be brought before a Justice to be dealt with according to law; And any constable may also stop, search, and detain any boat in or upon which there shall be reason to suspect that such animal, or any part thereof so unlawfully obtained, may be found. And if, upon search therupon made such animal, or any portion thereof shall be found, then to convey the same before a Justice, and to take into custody and carry before a Justice any person reasonably suspected of having committed any offence contrary to this Ordinance.

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6. All penalties under this Ordinance shall be sued for and recovered in the same way that penalties are sued for and recovered under and by virtue of the Summary Jurisdiction Ordinance No. 11 of 1853.

7. This Ordinance shall come into operation from the day of the passing thereof.

(Signed)

William Robinson
Governor.

Passed the Legislative Council
this eighth day of March - One
thousand eight hundred and
sixty nine. W. R.

A. H. Sykes.
Bkts to the Councils

N^o. 1.
In the year 1869

Recorded this 10th day of March 1869.

An Ordinance to provide for the Appropriation
of the Casual Revenues of the Crown arising from Escheated
Estates.

Clause 1.

Casual Revenue of the Crown
except Duits of the Crown, and
Admiralty to be disposed
of by the Governor.

Clause 2.

Governor to make good
to claimants all sums so
appropriated and the
general Revenue of the
Colony to be applicable
for that purpose.

Clause 3. Persons
offering claim to present
no petition to the
Magistrates Court
Court to make such
order as may be re-
quired and certify
the same to the
Governor.

Clause 4.th Commencement of Ordinance

By His Excellency William
Francis Robinson Esquire
Governor and Commander
in Chief of the Falkland
Islands and the Dependencies
thereof with the advice
and Consent of the Legislative
Council thereof.

Whereas by an Act passed by the Imperial Parliament in
the fifteenth and sixteenth years of Her Majesty's Queen Recital 15 & 16 Vic.
Victoria provision is made for the Appropriation by or with
the Consent of the Crown of any Casual Revenues arising
within the Colonies or foreign possessions (other than Duits
of the Crown and Duits of the Admiralty) for or towards
any Public purposes within the Colonies or Possessions in
which

Cap 39.

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which the same respectively may have arisen; and it
is expedient to provide for the Appropriation of such casual
Revenue including the Revenue to Arise from sale of
the Estates and effects of persons who have died in =
testate and without heirs and assets of their.

Be it enacted.

Casual Revenue
of the Crown
(except Draits of Crown
and Admiralty
to be disposed
of
by the Governor.

1. That all Casual Revenue of the
Crown (other than draits of the Crown and draits of the
Admiralty which shall hereafter be paid by order
of the Crown) into the Colonial Chest, shall be dis-
posed of from time to time to such Public purposes
as the Governor shall think proper and direct.

Governor to make to times as occasion, shall require, repay or make good to any
its Claimants all sums ^{so} persons preferring and duly proving as is meet, herein after
appropriated and the provided, his claim to the same whether such claim
general Revenues of the Colony shall be founded on legal, equitable, or moral grounds
applicable for that After such Appropriation and disposal as aforesaid
purpose. all such sums of money so appropriated, and all money's
in the Colonial Chest forming part of or arising from the
general revenues of the Colony shall be applicable
for so repaying or making good the same.

3. That any person preferring a claim
either legal, equitable, or moral to any of the money's to be
hereafter Appropriated pursuant to the provisions of this
Ordinance, shall present his petition to the Magistrates
Court of these Islands against some person to be appointed
Magistrate's Court by the Governor respondent thereto, and if he shall Verify
his said claim by evidence to the satisfaction of the Court
it shall be the duty of the said Court to make such order
in the premises as justice shall require and upon the Application
of such petitioner or any other claimant or person or respond-
ent appointed by the Governor, to take such order from time to
time as may be deemed expedient and to certify the same
to the Governor to the intent that the claimant may have relief
in the premises. 4. That this Ordinance shall come into operation
from the day of the passing thereof.

Pased the Legislative Council this
Twenty seventh day of February 1869
Signed, H. D. Young C.C. to the council.

Witness, William Robinson
Governor.

In the Year 1869

No. 3.

An Ordinance Supplementary to the Spirit Licence Ordinance

No. 9. of 1853.

By His Excellency William
Clover Francis Robinson Esq.
Governor and Commander-in-Chief
in and over the Falkland Islands
and their Dependencies with the
advice and consent of the Legis-
lative Council thereof.

Be it enacted:-

1. That any person desirous of obtaining a Wholesale and Retail licence to sell Malt Liquor brewed on his own premises may cause to be delivered to the Stipendiary Magistrate a notice in writing in the form A. in the Schedule annexed and the Stipendiary Magistrate shall cause notice thereof to be given to each Justice resident in Stanley requiring him to attend at the Police Office upon any day which he may deem expedient and the majority of Justices assembled at such meeting or at any adjournment thereof may grant to such person a licence in the form of Schedule B. to sell Malt Liquor as aforesaid for twelve months on payment of Ten Pounds Provided that if the Justices be equally divided the Stipendiary Magistrate shall have a casting vote, and also that it shall not be lawful for the holder of any licence as aforesaid to sell Malt Liquor by Retail at or to have more than one bar at the same time on the same premises.

2. That any person holding a licence under this Ordinance who shall sell any Malt Liquor other than that brewed on his own premises shall on conviction be liable to a fine not exceeding (£ 25) Twenty-five Pounds and shall further be liable at the discretion of the Court to have his licence cancelled.

3. This Ordinance shall be as much a part of the Spirit Licence Ordinance No. 9. of 1853. as if incorporated therein.

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4. This Ordinance shall come into Operation from the date of the passing thereof.

Schedule A. (Section 1.)

To the Stipendiary Magistrate of the Falkland Islands.

I do hereby give notice that it is my intention to apply for a Licence under the Ordinance c^o N^o. 4. of 1869. to sell Malt Liquor in the premises situated at (here give full particulars as to premises,) of which the following is a delineation of the ground plan showing each room and the situation of the bar, and the several external doors belonging to the said premises.

Dated this day of

Signature of Applicant

Schedule B. (Section 1.)

Licence to Sell Malt Liquor.

Whereas - - - of - - - hath quaint to pay the sum of Ten Pounds, me being the (Majority of the) Trustees assembled at the Police Office Stanley for the purpose of taking into consideration - - - Application for a Licence to sell Malt Liquor brewed on his own premises under the provisions of Ordinance c^o N^o. 3. of 1869.

Now we do hereby Licence the said,

Council This Twenty-fourth day of August to all the provisions of the said Ordinance at the premises situated at (here describe premises) but not elsewhere.

one

This Licence shall commence from the date herein

Eight hundred and continue in force until the - - days of - - then and Sixty eight next ensuing.

Given under our hands at Stanley

this day of

Signed, G. Syme
 Clerk to the Councils.

1870.

An Ordinance
to
Amend that Portion of the Administration of
Justice Ordinance which relates to Juries.

In the year 1870.

N^o. 1.

Clause Recital.

1. Repeal of Ordinance N^o. 1 of 1859 and 35 clause of Administration Ordinance N^o. 10 of 1853.
2. Qualifications of jury men.
3. Jury List
4. Stipendiary Magistrate to alter present Jury List
5. That this Ordinance to be part of the Administration of Justice Ordinance N^o. 10 - 1853.
6. Commencement of Ordinance.

By His Excellency Colonel
George D'Arcy Lieutenant
Governor and Commander
in chief of the Falkland
Islands and the Dependencies
thereof, with the advice
and consent of the Legislative
Council thereof.

Recital.

Whereas it is expedient to extend
the Jury List to all Her Majesty's Subjects
residing in the Falkland Islands and the
Dependencies thereof.

Be it enacted:

- Repeal of Ordinance N^o. 1 of 1859, and 35th clause of the clause of Administration of Justice Ordinance N^o. 10 Ordinance N^o. 10 of 1853.*
1. That the Ordinance

of 1853.

2. That in the place of the said Ordinance and clause hereby repealed be it enacted that every man not being an alien, between the ages of 21 or 60 years who shall reside in the Falkland Islands or the Dependencies thereof, except all Members of the Executive and Legislative Councils, the Clerk of the said Councils, Justices of the Peace, all Ministers of Religion, all Officers and men of Her Majesty's Land and Sea Forces on Full Pay, Practising Surgeons, Physicians, and Apothecaries, or any person who has at any time been convicted of Felony shall be liable and qualified to serve as a Juror in the Magistrates Police or Coroners Court wherever such Courts shall be held within the Colony of the Falkland Islands.

Qualification of
Suryman.

3. That on or before the

Sury List.

first day of May in every year the Stipendiary Magistrate shall prepare a list in alphabetical order of all men who shall be liable to serve on Juries, and shall cause a copy thereof to be affixed upon the door of the Police office and upon the Gazette Board, and to such copy shall subjoin a notice that all objections thereto shall be heard and determined by him at any time before the First day of June then next; that the list for the past year shall continue to be used until the Tenth day of June 1871 in every respect the same as if it had been prepared in pursuance of this Ordinance.

4. That on the passing of this Stipendiary Magistrate to alter present Jury List.

this Ordinance the Stipendiary Magistrate shall have the power to alter the Jury list for the past year by placing the names thereon of all persons who shall be qualified to serve as Jurors by this Ordinance.

This ordinance to be part of the Administration of Justice Ordinance No. 10 of 1853.

Commencement of ordinance.

5. That this ordinance be part of the Administration of Justice Ordinance No. 10 of 1853, as though it were incorporated therein.

6. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Will and pleasure thereupon would be productive of much inconvenience to the Public Service be it therefore enacted that this ordinance shall take effect and come into operation from the day of the passing thereof pending the confirmation and approval of the Sovereign.

Signed.

George D'Arcy.

Colonel and Lieutenant Governor

L.S.

Passed the Legislative Council
this Twenty-second day of
April 1870.

Signed.

H. Bayng.
Clerk to the Councils

An Ordinance to repeal the Alien Ordinance No. 7 of 1835, and to regulate the Admission of Aliens under certain proviso into the Colony of the Falkland Islands.

In the year 1870.

No. 2.

By His Excellency Colonel George D'Arcy Lieutenant Governor and Commander-in-Chief in and over the Falkland Islands and the Dependencies thereof with the advice and consent of the Legislative Council thereof.

g.c.

g.c.

g.c.

1. Be it enacted that the Alien Ordinance Number Seven of One thousand eight hundred and fifty three be, and the same is hereby repealed.

Repeal of Alien
Ordinance.

2. That any person being a Subject of any Kingdom or State represented in this Colony by a Consul General, Consul, or Commercial Agent or other Consular Officer shall be allowed to land and reside in, and carry on, his calling trade or profession within this Colony upon reporting himself or herself to the said Consular Officer and giving proof to the officer Administering the Government that such a report has been made.

Aliens on arrival
to report themselves
to Consul.

3. That any person who

shall

Persons unrepresented
by Consular Officer
may be required to dep.st
money as a guarantee.

shall introduce into the Falkland Islands a subject of any Foreign Kingdom or State unrepresented in this Colony as aforesaid, and any person who being a subject of such Kingdom or State and not being so introduced shall take up his residence therein, shall if required by the Officer administering the Government of the Colony, deposit in the Government Chest such a sum of sterling money as such Officer administering the Government shall call for, as a guarantee that such Foreign Subject shall not become chargeable to the colony: and such deposit shall be returnable to the depositor when such Foreign Subject shall leave the colony.

Aliens to register themselves within a week after landing

commencement of Ordinance.

4. That each Alien resident in the Falkland Islands as aforesaid shall within a week after his landing register his name, occupation, country, and last residence at the Office of the Stipendiary Magistrate.

5. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Will and Pleasure hereupon would be productive of inconvenience to the Public Service, be it therefore enacted that this Ordinance shall take effect and come into operation from the day of the passing thereof, pending the confirmation and approval of the Sovereign.

(L.S.)

Signed
T. D'Arcy
Colonel and Governor
Tapped the Legislative Council
Twenty-fifth day of April One
Thousand eight hundred and twenty

Signed
G. D'Arcy
Colonel and Governor

Sd/
M. Galloway Harrold,
clerk to the council.

Spirit Duties Ordinance

In the year 1870.

A. 3.

Clauses.

1. Duties on Spirits, Wine, and Beer.
2. Importer to make entry of Wine Beer and spirits.
3. Permit for landing.
4. Condition in Bond.
5. Fine for not delivering Bill of Entry or making false Entry.
6. Fine on landing without a Permit.
7. Recovery of Fine.
8. Commencement of Ordinance.

By His Excellency Colonel
George D'Acy Governor and
Commander-in-Chief of the
Falkland Islands and the
Dependencies thereof with
the advice and consent of
the Legislative Council thereof.

Whereas it has been found expedient
to raise a revenue from custom duties on
spirituous and fermented liquors imported
into this Colony. Be it enacted.

1. That the following duties
shall be charged on the articles undermentioned
on their importation into the Colony, that is to say:

On all Spirituous Liquors per gallon	$5\frac{1}{2}$ d.	Duties on Spirits.
On all Wine per Gallon	1 st 0	Wine, and Beer.
On Beer in Quart Bottles, the dozen	6 ^d	
On Beer in Pint Bottles the dozen	3 ^d	
on Beer in Cask per Gallon	3 ^d	

Importer to make
entry of Spirits,
Wine and Beer.

2. That the Importer of any
Spirits, Wine or Beer intended to be delivered
for the use of the Colony on the landing thereof
from the importing Ship or his Agent shall
before unshipment within forty eight hours
after the arrival of the ship in the Harbour
make perfect entry of such Spirits Wine and
Beer by delivering to the Officer appointed by
the Governor for that purpose a Bill of Entry
in the Form in the Schedule hereunto annexed,
or to the same effect and containing the
several particulars indicated in or required
thereby.

Permit for Landing

3. That after the Importer of
any Spirits Wine or Beer or his Agent shall
have delivered his Bill of Entry to the duly
appointed Officer and has either paid the
Duties payable under this Ordinance in the
current coin of the Realm for which payment
a deduction of Five Pounds per centum
on the amount of the Duties payable shall
be allowed, or signed such Bond for the
future payment of the Duties as shall
be satisfactory to such Officer, it shall
be the duty of the Officer to give a Permit
under his hand to land such Spirits Wine
or Beer.

Condition in Bond.

4. That any Bond shall be
conditioned to pay the amount of the Duties
payable under the provisions of this Ordinance
one fourth within the period of three months
and the remaining three fourths within the
period of twelve months after the Date of the
Permit.

Fine for not deliverin
Bill of entry

5. That if any Importer of
Spirits, Wine or Beer or his Agent shall
wilfully

wilfully fail to deliver such Bill of Entry according to the Form in the Schedule hereto annexed, or to the same effect; and within the time hereinbefore specified, or if the Particulars or any of them contained in such Bill of Entry be false he shall pay a Fine of One hundred Pounds.

6. That if any Person not having such Permit to land Spirits Wine and Beer hereinbefore provided shall land or attempt to land any Spirits Wine or Beer, he shall pay a Fine of Fifty Pounds, and the Spirits Wine and Beer shall be forfeited and delivered over to the Officer duly appointed under this Ordinance to be applied in such manner as the Governor may direct.

7. That any Fine imposed by virtue of this Ordinance shall be sued for and recovered in the same way as Fines are sued for and recovered under the Summary Jurisdiction Ordinance N^o. 11. 1853.

8. Whereas the delay incident commencement of previous communication with Her Majesty to know Her Royal Pleasure hereupon may be productive of serious inconvenience. Be it enacted that this Ordinance shall take effect and come into operation from the day of the passing thereof.

(Schedule above referred to).

Fine on Landing without Permit.

Recovery of Fines.

Ordinance.

Schedule

Bill of Entry.

Port (name of Port of Importation).

Importer's Name.

Place or Station	Ship's Name	Whether British or Foreign, if Foreign the Country	Masters Name.	Port or Place whence Imported.
Here state the particulars according to the above Headings.				

Marks.	Numbers.	Number of Packages, Quantity and Description of the Spirits Wine and Beer.
Here state the Particulars according to the above headings		

Total amount of Duty } £. s. d.
Payable on this entry }

Dated this day of 18

(Signed)

Importer or Agent

I (name of Importer or Agent) of (Place of Trade)
do hereby declare that I am (the Importer or
Agent authorized by the Importer) of the Spirits
Wine and Beer contained in this Bill of Entry, and
that I enter the said Spirits Wine and Beer and
that the Particulars therein stated are true to the
best of my knowledge.

Witness my hand the day of 18

(Signed)

Importer or Agent.

As per the Legislative Council
this 13th day of July 1870.

M. Gallway Hurst.
Clerk to the Council.

An Ordinance

To Prohibit the Importation of Sheep, or other Animals for the Purpose of Preventing the introduction of Contagious or Infectious Disorders.

In the year 1870.

No. 14.

Clause.

1. Power to prohibit the Importation of foreign Animals.
2. Power to impose Quarantine.
3. Penalty on wrongful Importation.
4. Power to revoke Proclamations.
5. Publication of Proclamations.
6. Commencement of Ordinance.

By His Excellency Colonel
George D'Arcy, Governor and
Commander-in-Chief of
the Falkland Islands and the
Dependencies thereof, with the
advice and consent of the
Legislative Council thereof.

Whereas it is expedient to prevent the Introduction into the Falkland Islands of contagious and infectious disorders among Sheep and cattle, Horses, and other Animals by prohibiting or regulating the Importation of Foreign Animals.

Be it enacted - 1. That it shall be lawful for the Governor in Council from time to time by Proclamation to prohibit the Importation or Introduction into the Falkland Islands or into any particular Port or Ports thereof, of cattle, Sheep, Horses,

Power to prohibit
the Importation of
Foreign Animals.

or

or other Animals either generally or from any Place or Places that may be named in such Proclamation for such Periods as he may deem necessary for the purpose of preventing the Introduction of any infectious and contagious Disorder among the Sheep, cattle, Horses, or other Animals in this Colony.

^{Power to inspect}
Quarantine.

2. That it shall be lawful for the Governor in Council from time to time by Proclamation to make such Regulations for subjecting Sheep, cattle, Horses, or other Animals to quarantine, or for causing the same to be destroyed upon their arrival in these Islands, or for destroying any Hay, Straw, Fodder, or Article whereby it appears to him that infection or contagion may be conveyed and generally to make such regulations with respect to the Importations of Sheep, cattle, Horses, or other Animals as he may consider necessary to prevent the Introduction of any contagious or infectious Disorder.

3. That if any cattle, Horses, Sheep or other Animals be imported or introduced or attempted to be imported or introduced contrary to the Provisions of any Proclamations made in pursuance of this Ordinance, the same shall be forfeited, and all persons importing or introducing or attempting to import or introduce the same shall pay a Fine of Ten Pounds for every Animal so imported such Fine to be recovered according to the provisions of the Summary Jurisdiction Ordinance &c. 11 1853.

4. That it shall be lawful

lawful for the Governor in Council to revoke the whole or any part of any Proclamation by any further Proclamation issued under the authority of this Ordinance.

5. That every Proclamation issued under this Ordinance shall as soon as possible be published in the Government Gazette Board and kept there for the space of fourteen days.

6. That this Ordinance shall come into operation from the day of the passing thereof.

Signed.
G. D'Arcy,
Colonel and Governor.

I assed the Legislative
Council this ninth day of
August 1870.

M. Galloway Hurst
Clerk to the Council.

An Ordinance.
For granting Pedro Varela, Francis Howlands,
and George Willis the Privileges of British
born Subjects within the Colony of the Falkland
Islands.

In the year 1870.

6^o 5.

Whereas Pedro Varela, a native of
Monte Video, Francis Howlands, a native
of Sweden, and George Willis a native of
the

the State of New York, America, have prayed
that the said Pedro Varela, Francis Rowlands,
and George Willis, may be admitted to enjoy
the privileges of British-born Subjects:

Be it enacted by the Governor with the advice
and consent of the Legislative Council as
follows:

1. The said Pedro Varela, Francis
Rowlands, and George Willis when and so
soon as they shall have taken the Oath of
Aliiance before the Governor which oath
the Governor is hereby authorized to administer
shall be to all intents and purposes whatsoever
entitled within the limits of this colony to all
the privileges of British-born Subjects of
Her Majesty.

2. The Governor shall immediately
after such Oath shall have been taken before
him, certify the same and cause such certificate
to be recorded in the office of the Registrar
General of this colony.

Signed.

G. D'Arcy,
Colonel and Governor.

Passed the Legislative
Council Twenty-fourth day of
August, One thousand eight
hundred and seventy.

J. Galloway Hurst.
Clerk to the Council.

An Amalgamation Ordinance
of the Leases of Crown Land in the Falkland Islands

In the year 1870.

186.

Clause.

1. List of Ordinances and Proclamations annulled.
2. Occupation licences and running leases granted for 7, 14, and 21 years.
3. Within 10 years to purchase part of station at 2/-s. the acre.
4. Wild cattle to be free nature.
5. Old leases may be consolidated in one lease, under this law but no drawback granted.
6. Leases to be transferable.
7. Rents payable in advance.
8. Limitation of Station.
9. Water frontage of Station.
10. Portion of land transferable.
11. Reservation on the part of the crown.
12. Six months warning to be given to Governor previous to an extension of lease being granted.
13. Boundaries defined.
14. Interpretation clause.
15. Commencement of Ordinance.

By His Excellency Colonel George
D'Arey, Governor and Commander-in-Chief of the Falkland Islands
and the Dependencies thereof,
with the advice and consent of
the Legislative Council.

Whereas it has been judged expedient

Preamble.

to alter, amend, abrogate, and annul the Ordinances and Proclamations in reference to leases, to define the rights and privileges of Lessees, and to amalgamate the leases of the East and West Falkland Islands, be it enacted as follows.

List of Ordinances
and Proclamations
annulled.

Occupation licenses
and running leases
annulled.

1. That the Ordinance No. 5 of the 23rd August 1867, the proclamations of the 31st July 1849, 14th April 1861, 24th June 1867, 21st August 1867, and the 37th section of the Summary Jurisdiction Ordinance 1853, are hereby repealed and annulled as far as all future applicants for land are concerned.

2. That Settlers in the East and West Falkland, should be allowed to occupy sections granted for 7, 14, and 21 years, and if land on application to the Governor and on payment to the Colonial Secretary at the rate of five pounds for each section of 6,000 acres, this occupation license will be for one year only, unless the applicant is licensed to occupy any quantity of land not less than two sections or 12,000 acres, shall be entitled to two years from the date of his license to comply with the conditions hereinafter mentioned, and not renewable, that at any time before the expiration of the license the Licensee may obtain a running or optional lease of seven, fourteen, or twenty one years, at the rate of six pounds a year payable in advance to the Colonial Secretary for 6,000 acres for the first ten years of his lease, and afterwards for ten pounds a year also payable in advance, all provided he can prove to the satisfaction of the Governor that the land will be stocked with fifty head of

of tame cattle or horses or one hundred Sheep for each section of 6,000 acres, each section of land to have a fair habitable house upon it of reasonable dimensions, unless it can be proved to the Governor's satisfaction, that the occupier already possesses a house on an adjacent section of land from which the stock on such section can be properly tended.

3. The Lessee of every section must within 10 years from the date of his lease purchase at the upset price of land for the time being not exceeding 2^½ an acre a block of land containing not less than 100 acres for every section of 6,000 acres to be determined by the Surveyor General by the consent of the Governor and may also at any time during his lease purchase any further quantity of land in his station at the same rate, and any person desirous of purchasing unleased land may do so at the same rate.

4. That the wild cattle on the West Falkland Islands shall be considered *ferae naturae* as is now ruled in favour of Leesee in the East Falkland.

5. That Leesees holding land in either the East or West Falkland Islands, can take a new lease under this Ordinance, provided always they have not been Leaseholders more than three years, and also that no rebalement or refunding shall be made for any previous payment for leases now held by Leesees. Those who have been Landholders for a longer period must continue to hold their leases under the terms of the Proclamation upon which they were

Wild cattle to be
ferae naturae.

old leases may be consolidated in one lease, under this law but no drawback granted.

were taken out until the expiration of those leases, at which time they may obtain an extension of their leases at the rate of ten pounds for every 6,000 acres as provided in clause No. 2 but in all other respects the terms of this Ordinance are open to them.

Leases to be transferable

6. Every lease under this Ordinance shall be transferable by endorsement on the back of the lease signed by the Lessee or his Attorney and the Colonial Secretary subject to the condition of giving notice of such transfer to the Colonial Secretary.

7. The rent of each station of land shall be paid in advance by the Lessee to the Colonial Secretary at Stanley from the date of the grant of the lease, and if the rent be not paid within three months after it has become due the lease shall be null and void.

8. No license shall be granted to occupy any station within six miles by land of Stanley or of any townships which may hereafter be proclaimed.

9. Every section leased and every block of land sold under these regulations shall be as far as possible of a square figure of which not more than one side shall have available water frontage, always provided that no Leaseholder under this Ordinance shall be allowed to purchase more than one third water frontage without the especial leave of the Governor.

10. That should any holder of a lease at any time wish to part with or exchange a portion of his leasehold he shall be permitted to do so on application

to, and with the sanction of the Governor, the boundaries of such land to be defined by the Surveyor General or by a competent sworn Surveyor at the expense of the parties concerned and indicated in the chart of the colony as a separate lot and numbered accordingly, and after such transfer shall be duly concluded in the Colonial Secretary's office, the rent of the land to be charged to the person who thus becomes the Lessee provided that no transfer of any land less than a section be made under this clause.

11. Every lease shall confer the right to use the land for pastoral, agricultural, building, manufacturing purposes, and shall be subject to all such reservations as are contained in the printed Crown grants of land in this colony and the Governor shall have power at any time to proclaim a public road through any station.

12. If the Lessee of any station under this ordinance shall be desirous of obtaining an extension of lease he shall give notice thereof to the Governor six months before the expiration of his lease and the Governor in Council shall determine whether it is expedient that the land shall be sold or reserved for any public purpose, provided that the former lessee has priority of claim over other persons applying for the lease.

13. Every section and station of land shall be defined with reference to the nautical chart of the colony without requiring any further Survey, but the boundaries will be subsequently made by the Surveyor.

Reservation on

the part of the Crown

Six months warning
to be given to Governor
previous to an extension
of lease being granted.

Boundaries defined.

Surveyor General or by a competent sworn Surveyor and submitted for approval to the Governor.

Interpretation clause.

14. That in this Ordinance the word "block" shall throughout signify 160 acres of land, the word "section" signify 6,000 acres of land, and the word "station" signify the whole extent of land taken out by one lease.

Becomingment of
Ordinance.

15. Whereas the delay incident to a previous communication with Her Majesty to know her royal pleasure hereupon would be productive of serious inconvenience, be it therefore enacted that this ordinance shall take effect and come into operation from the day of the passing thereof.

signed.

C. D'Arcy.
Colonel and Governor.

Passed the Legislative Council
Twentieth day of September
One thousand eight hundred
and seventy.

M. Galloway Hurst.
Clerk to the Council.

Pilot Ordinance.In the year 1870.No. 7.*Captain**Clause.*

1. Repeal of Pilot and Harbour Ordinance No. 2. 1853. and Pilot and Harbour Regulations 1857.
2. Governor to appoint Pilots and make Regulations.
3. Vessels anchoring to pay six pence per ton.
4. Compulsory Pilotage.
5. Governor to make Harbour Regulations.
6. Governor may require declarations, deposit of papers, and notice of departure.
7. Penalty of disobedience to Regulations.
8. Misconduct of Pilots.
9. Penalty for keeping on board or firing a cannon loaded with ball or shot.
10. Unlawful quantities of Gunpowder.
11. Throwing ballast into the Harbour.
12. Limits of Stanley Harbour.
13. Commencement of Ordinance.

By His Excellency Colonel George Grey, Governor and Commander-in-Chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

Whereas it is expedient to make better provision for the Pilotage and Harbour Regulations. Be it enacted:

Preamble.

Repeal of Pilot and
Harbour Ordinance N^o. 8. 1853, and Pilot and Harbour Regulations published on
the Twenty-fourth day of September 1854, in
pursuance of the power vested in the Governor
in that behalf by the aforesaid Ordinance,
be hereby annulled.

Governor to appoint
Pilots and make
Regulations.

1st. That the Pilot and Harbour Ordinance N^o. 8. 1853, be hereby repealed, and that the Pilot and Harbour Regulations published on the Twenty-fourth day of September 1854, in pursuance of the power vested in the Governor in that behalf by the aforesaid Ordinance, be hereby annulled.

2. That the Governor shall from time to time appoint in the form set out annexed Pilots or a Harbour Master for any harbour within the Falkland Islands, and may revoke such appointment, and make Regulations respecting the duties of and payment to Pilots and other matters connected therewith.

Vessels anchoring to
pay six pence per ton.

3. That every vessel except vessels of war and Colonial vessels trading between Cape Horn and Stanley while anchoring to the westward of, and within a line drawn from Cape Simbroke to William Point shall pay to the Shipping Master of the Port of Stanley the sum of six pence for every ton on her

Compulsory Pilot register.

4. That every vessel except as hereinbefore is excepted, arriving at or leaving Stanley Harbour shall take an appointed Pilot on board.

Governor to make
Harbour Regulations.

5. That the Governor may from time to time make Regulations respecting the anchoring and mooring of vessels, the package, landing deposit and removal of gunpowder, safe and except on board any vessel of war the safe keeping thereof, the watering, ballasting, or discharging of ballast of or from vessels, and all other matters relating

relating to the safe and commodious navigation
of any such harbour, and the order and
management of vessels resorting thereto.

6. That the Governor may from
time to time make regulations requiring
a declaration to be made by the Master of
any vessel arriving at any of the said
harbours, the deposit of the ship's papers,
and the return thereof to the Master at
a reasonable time before his departure, and
prescribing the form, time, and manner
of making such declaration, deposit, or
return, or giving such notice.

7. That any Master, seaman,
passenger, Pilot, or other person who shall
offend against the said Regulations shall
pay any fine not exceeding Fifty pounds.

8. That any Pilot in charge
of any vessel who by wilful breach
of duty, or by neglect of duty, or by reason
of drunkenness, does any act tending to
the immediate loss, destruction, or
serious damage of such vessel, or
tending immediately to endanger the life
or limb of any person on board such
vessel, or who by wilful breach of duty,
or neglect of duty, or by reason of
drunkenness, refuses or omits to do any
lawful act, proper and required to be
done by him for preserving such vessel
from loss, destruction, or serious
damage, or for preserving any person
belonging to or on board such vessel
from danger to life or limb, shall for
each such offence be guilty of a
misdemeanor, and shall be liable to
punishment.

punishment with fine or imprisonment with or without hard labour or both as the Court may if it shall think fit order payment of the costs and expenses of the prosecution.

Penalty for keeping
on board or firing

officer commanding any vessel (except cannon loaded with any vessel of war) who while such vessel shall lie or be in Stanley Harbour shall keep or cause or permit to be fired any cannon on board such vessel shotted or loaded with ball shall pay a fine not exceeding Fifty pounds.

Unlawful quantities
of Gunpowder.

4. That the Master or
any Justice that there is reasonable
cause to suspect that any unlawful
quantity of Gunpowder is on board
any Merchant Vessel in Stanley
Harbour, it shall be lawful for such
Justice by warrant under his hand
to direct any Constable at any time to
enter and search any such vessel,
and it shall be lawful for any
Constable to whom such warrant
shall be directed (such Constable
having previously made known such
his authority) either alone or with
such assistance as he may deem
necessary to enter any such vessel,
and search the same for unlawful
quantities of Gunpowder, and to
seize and remove to the proper
place and detain all such
unlawful quantities of Gunpowder
found on board any such vessel,
and

and the barrels and other packages in which Gunpowder shall be, and if necessary to use force to enable him to execute any such warrant.

11. That if any person shall throw or cause to be thrown into Stanley Harbour any dead animal, ballast, damaged goods, rubbish, or other material, he shall pay a fine not exceeding hundred pounds.

12. That Stanley Harbour for the purposes of this Ordinance shall extend to any place lying to the Westward of and within a line drawn from Cape Pembroke to William Point, and below high water mark.

13. That this Ordinance shall commence to take effect and come into operation on the First day of January 1871.

Throwing ballast & into the Harbour.

Limits of Stanley Harbour.

Schedule.

A. (Section) 2.

Falkland Islands }
to wit. I }

and Commander-in-Chief Governor
of the Falkland Islands and the Dependencies thereof do hereby in pursuance of the powers in me vested by the Pilot and Harbour Ordinance N° 7. 1870.
Appoint to be a Pilot

Pilot and (or) Harbour Master for the
 Port of . In witness thereof
 I have hereunto set my hand and
 affixed the seal of the Government
 at Government House, Stanley
 this day of One
 thousand eight hundred and

sd/ G. D'Arcy
 Colonel & Governor.

Passed the Legislative
 Council this Twenty
 fourth day of December
 1870.

McLennan Alurst.
 Clerk to the Council.

Op. vinted

Bankruptcy Ordinance

In the year 1871.

No. 1.

Clause.

1. Part of Section 19. of Administration of Justice Ordinance referring to Bankruptcy and Insolvency repealed.
2. Acts of Parliament extended to this Colony.
3. Farmers and graziers shall be deemed to be Debtors.
4. Police Court to be the Court of Bankruptcy.
5. Commencement of Ordinance.

By the Excellency Colonel George White Governor and Commander-in-Chief of the Falkland Islands and Dependencies thereof, with the advice and consent of the Legislative Council thereof

B. It enacted

1. That so much of Section 12 of the Administration of Justice Ordinance which refers to the Law of Insolvency and Bankruptcy shall be and is hereby repealed.

2. That the following acts of Parliament shall be applied to the Administration of Justice so far as they respectively can be applied within this Colony viz 32 and 33 Vic Cap 62 'An Act for the abolition of Supererogation.'

Part of Section 19. of
Administration of Justice
Ordinance referring to Bankruptcy
and Insolvency repealed

Acts of Parliament
extended to this Colony

1

Imprisonment for debt, for the punishment of fraudulent Debtors and for other purposes, and 32 and 33 Vic^t Cap. 71. An act to consolidate and amend the law of Bankruptcy.

3. That in this Colony Farmers and Graziers shall be deemed to be Traders for the purpose of Bankruptcy under the 32nd and 33rd Vic^t Cap. 71.

Farmers and
Graziers shall be
deemed to be
Traders.

4. That the Police Court shall be the Court of Bankruptcy.

Police Court to be
the Court of Bankruptcy.

5. That this Ordinance shall come into operation from the day of the passing thereof.

commencement
of Ordinance

(signed) G D'Grey
Governor

Passed the Legislative Council
the eighth day of May
One thousand eight hundred
and seventy one.
Signed by Mr. Galloway Harst
Being Clerk to the Council.

By Order

Wreck and Salvage Ordinance

In the year 1851
No. 3.

Be it enacted

1. Part VIII of Merchant Shipping Act of 1854 to be applied to this Colony.
2. Powers of the Board of Trade under Part VIII to be vested in the Governor.
3. Wreck unclaimed within twelve months to be sold and proceeds paid into Colonial Treasury.
4. Commencement of Finance.

By His Excellency Colonel George
White Governor and Commander-in-Chief of the Falkland Islands
and the Dependencies thereof, by
the advice and consent of the
Legislative Council thereof.

Be it enacted -

Recited

That Part VIII of the Merchant Shipping
Shipping Act of 1854 be

1. That Part VIII of the Merchant Shipping
Shipping Act of 1854 concerning Wreck, Casualties and
Salvage shall be in force within the Colony
so far as the same can be applied
subject to the provisions contained in the
following clauses.

That all the powers, authorities and
duties committed by the said Part VIII to the
Board of Trade shall in the Colony be
vested in and exercised by the Governor.

2. That all the powers, authorities and
duties committed by the said Part VIII to the
Board of Trade shall in the Colony be
vested in and exercised by the Governor.
3. That

3. That in the event of no
Owner establishing a claim to a vessel unclaimed
within twelve months,
before the expiration of twelve calendar months to be sold and proceeds
months after the same shall have come into the Colonial
with possession of the Receiver, the Receiver (Treasury,) paid into the Colonial
shall forthwith sell the same, and
after payment of all expenses attending
such sale and all expenses incurred
by him, and paying to the Sailors such
amount of Sabay as the Governor in
Council may in each case determine,
shall pay the same into the Colonial
Treasury for the general uses of the
Colony.
4. That the Ordinance shall come
into operation from the day of the
passing thereof.

Wreck unclaimed
within twelve months,
before the expiration of twelve calendar months to be sold and proceeds
months after the same shall have come into the Colonial
with possession of the Receiver, the Receiver (Treasury,) paid into the Colonial

Concurrent of
Ordinance.

(ss) G. D'Alry.
Governor.

Passed by Legislative Council
the 22nd day of May 1841

(ss) M. Galloway Harst
Acting Clerk of the Council

An Ordinance to declare the Law
and Practice in cases of Escheat

In the year 1871

No 2.

Clavis

1. Governor to appoint Escheator General
2. Escheator General to summon Jury in all cases of Escheat to the Crown.
3. Escheator General to have power to enforce the attendance of Jurors and Witnesses.
4. Inquests to be held in the Court House and notice thereof shall be published.
5. Persons claiming title to the premises to appear and support claim.
6. Inquisition and finding of Jury to be in the form in the Schedule, and to be returned to the Colonial Secretary's Office.
7. If the finding be against the Crown another Inquest may issue at the discretion of the Magistrate's Court.
8. The Claimant in case the finding is in favour of the crown may have such finding written within months.
9. When the finding is in favour of the Crown and no person files his property to form part of the general revenue.
10. Settlement Clause
11. Fees to be taken
12. Commencement of Ordinance.

By

By His Excellency Colonel George P. Grey
Governor and Commander-in-Chief of the
Falkland Islands and the Dependencies
thereof with the advice and consent of
the Legislative Council thereof.

Be it enacted

1. That the Governor shall appoint an officer who shall be called the Collector General, and has jurisdiction to investigate the appropriation of the casual Revenue of the Crown arising from Reckonable Duties.
2. In all cases of Reckon to the Crown it shall be lawful for the Collector General to send his Precept in the form in Schedule A hereto annexed to the Chief Constable to summon a Jury of twelve persons, any six of whom shall be sufficient to constitute a Jury to enquire of such Reckon, and the said Chief Constable shall thereupon summon twelve persons now leath to serve as Jurors, and return such precept to the Collector General with the names of the persons summoned endorsed thereon certified under his hand.
3. That the Collector General shall have the like power to enforce the attendance of Jurors and Witnesses as the Coroners of this Colony and administer oaths to them, and adjourn the enquiry from day to day if necessary.

Govrnor to
appoint Collector
General.

Collector
General to
summons Jury
in all cases
of Reckon to
the Crown.

Collector
General to
have power
to enforce
the attendance
of Jurors and
Witnesses.

and the same rule as to the calling of the Jury shall be followed.

Inquest to be held at the Court House and verdict thereof shall be published.

Persons claiming title to the premises to appear and support claim

Inquisition and finding of Jury to be in the form in the Schedule and to be returned into the Colonial Secretary's Office.

If the finding be against the Crown another precept may issue at the discretion of the Major or the Comt.

4. All Inquests under this Ordinance shall be held at the Court House Stanley on any day not appointed, for the sitting of any Court therein, and notice of the day and hour shall be published at the Gazette board, and in case of real estate shall be affixed or left with some person at the premises respecting which enquiry is to be made three months before the holding of the inquest.

5. It shall be lawful for any person claiming title to the premises respecting which enquiry is made to appear and give evidence in support of such claim before the Eschekator General at any Inquest held under this Ordinance.

6. The form of Inquisition and the findings of the Jury on any Inquest of which shall be in the form set forth in the Schedule and shall be returned immediately under the signature of the Eschekator General, one of the Clerks especially for the Office of the Colonial Secretary.

If they find in any Inquest that it be against the Crown if shall nevertheless be lawful for the Eschekator General to issue another precept for a second inquiry in the

under the order and sanction of the Magistrates' Court on application made at that purpose, which order the said Court may give or withhold at its discretion, save such order being obtained the like proceedings shall be had as hereinbefore mentioned.

18. If the finding of any Inquest under this Ordinance shall be in favour of the Crown it shall nevertheless be lawful for any person claiming title to the premises respecting which the finding shall have been made, to traverse such finding, and the Claimant shall in such case file such traverse in the office of the Clerk of the Court and shall serve a copy thereof on the Colonial Secretary within twelve months after such finding whereupon such proceedings shall be had for trial of the traverse before the Magistrates' Court, and any Jury summoned for such cause in the said Court, and the finding of any such traverse by any Jury of such Court shall be deemed final and conclusive.

19. After the finding of any Inquest in favour of the Crown, if no traverse shall be filed and copy thereof served within twenty four months thereafter as aforesaid or in case the finding of any traverse by the Jury of the Magistrates' Court shall be in favour of the Crown, the property Escheated shall form part of the general revenue and be

The Claimant in case the finding is in favour of the Crown may traverse such finding within twelve months.

When the finding is in favour of the Crown and no traverse filed the property to form part of the general Revenue

be subject to the provisions of the
Ordinance to provide for the appropriation
of the Casual Revenues of the Crown
arising from Secheated Estates, A.D. 1869.

Interpretation
Clause.

Fees to be taken.

Government
of Ordinance

10. That the words "Colonial
Secretary" and "Clerk of the Courts" shall
be understood to mean the persons
appointed by the Governor to discharge
the duties of the said offices.

11. There shall be payable to
the several persons named in Schedule
B to this Ordinance annexed the fees
therein set forth.

12. That this Ordinance shall
come into operation from the day of the
passing thereof.

Schedule A
Form of Precept

Falkland Islands.
To the Chief Constable

I hereby authorize and require you
to summon before good and lawful men
of this Government, to appear as a Jury
at the Court House in Stanley at ^{the} Clock
on the day of ^{to} inquire touching
certain property to which Our Sovereign
Lady the Queen hath become entitled by
way of Secheat as is alleged and have
you here and then the names of the jurors

and this will according to the Ordinance
in that case provided

Dated the day of

A.D.

Registrar General.

Schedule A

Falkland Islands

Form of Oath to Juror

You C.D. do swear that you will
truly enquire of the title to the lands
and tenements (or other property) of which
enquiry shall be made in this case and
at true verdict give according to the
evidence. To help you God

Form of Oath to Witness

You C.D. do swear that you will
true evidence give and a true answer
make to the best of your knowledge
to all questions which shall be asked
of you in this inquiry. To help you God.

Form of Inquisition

Falkland Islands

b. with } An Inquisition intended
} later

taken for Our Sovereign Lady the Queen
at the Court House in Flushing on the
day of ^{before A.D.}

gentleman, Escheator General of Our said
Lady the Queen for the said Islands
touching certain property to wit(here
set forth the description of the property,
if real Estate by name, boundaries
or other description) late the property
of C.G. who died without
heirs (or next of kin) as is alleged, to
which Our said Lady the Queen hath
become entitled by Escheat as is alleged
by the Oaths of(here set forth the names
of the Six Jurors empannelled) good
and lawful men of the mid forenoon
who being duly sworn are charged to make
enquiry in premises upon their Oaths say
that the said C.G. was at the time of his
death seized in fee simple (if the property
is personal Estate say possessed in his own
right) of the said(here set forth the
particulars of the real Estate if any)
and that the same hath therupon
become the property of Our Sovereign
Lady the Queen by way of Escheat.
In witness whereof as well the said
Escheator General as the Jurors aforesaid
have here to set their hands this
day of

A.D.

Escheator General

Signature of Suray.

Heath

Schedule B
Table of Fees

Ecclesiastical General
For such Summons 3 . 0 . 0

Chief Constable 1 . 6 . 8.
For summoning Jury.

Jury
For such Jury 3 .

(signed) G D Lucy
Governor

Passed the Legislative
Council the 15th day
of May 1811.

(signed) Malloway Harst
Acting Clerk to the Council

Ordinance for Regulating the disposal
of Crown Lands in the Falkland Islands.

For the year 1871.

Number 4.

Preamble.

Whereas it is expedient to consolidate and amend the laws and regulations relating to the disposal of the Waste Lands of the Crown in the Falkland Islands and their Dependencies. Be it therefore enacted by the Governor of the said Islands with the advice and consent of the Legislative Council as follows:

Repeal of previous law.

1. The Proclamations of the 31st July 1849, of the 4th April 1861, of the 24th June 1867, of the 21st 1867, and the 37th section of the Summary Jurisdiction Ordinance 1853 are hereby repeated saving nevertheless all Estates, Interests, Rights and Renewals created or accruing under or by virtue of such Proclamations or Ordinances respectively.

2. This Ordinance may be cited as "The Land Ordinance 1871".

3. In this Ordinance the word "block" shall signify 160 acres of land, the word "section" shall signify 6,000 acres of land, and the word

Short title.

Interpretation clause.

word "station" shall signify the whole extent of land comprised in one lease, and (if not inconsistent with the context or subject matter) words of one number or one gender shall import both numbers and all genders respectively.

The words "Governor" "Colonial Secretary" and "Surveyor General" shall signify the officers who may be appointed to perform those duties

4. Except as hereinafter mentioned the Waste Lands of the Crown shall be sold in fee simple and by public auction only.

5. It shall be lawful for the Governor with the advice of the Executive Council to reserve and set apart any waste lands of the Crown for Harbours, Defence and Internal Communications, or for the sites of Towns, Villages, Places of Public Worship, Interment Education or Recreation or for any other public purpose whatsoever.

6. The size of the lots and the upset price for Town Suburban and Country Lands respectively shall be fixed by the Governor with the advice of the Executive Council, but the upset price shall not be lower than at the rate of £100 per acre for Town Lots, of £2 per acre for suburban Lots and 4s. per acre for Country lands.

7. Country Lands if not sold

sold when put up at Auction shall afterwards be open for selection and purchase at the upset price, Provided that the Governor may withdraw any such lands from selection and again submit them to public auction and so on from time to time till the lands be sold.

8. The upset price of Town, Suburban and Country Lands respectively may from time to time be raised or lowered by Her Majesty and Her Successors by any Instruction addressed to the Governor under Her or their Sign Manual and Signet or through one of the Principal Secretaries of State.

9. All intended sales by Auction of Crown Lands shall be notified by public advertisement in the usual manner not less than one month nor more than three months before the day of sale.

10. It shall be lawful for the Governor in his discretion to grant to Settlers licences to occupy sections of the Waste Lands of the Crown on the following terms and conditions,

L
5.

(1.) each section shall consist of six thousand acres as near as may be, (2.) a sum of five pounds shall at the time of application for a licence be paid to the Colonial Secretary for the public use in respect

respect of each section applied for
 (3) the Licence shall endure for one
 year only unless it comprises not
 less than two sections when its
 duration shall be extended to two
 years, and (4.) no licence shall be
 renewable.

Years
2

II. Before the expiration
 of a licence the Licensee may
 obtain from the Governor a lease
 of the land comprised in his
 licence for 21 years determinable at
 the option of the Lessee at the end
 of the seventh or fourteenth year,
 provided he proves to the
 satisfaction of the Governor that
 each section is at the time of
 applying for the lease stocked
 with not less than in the proportion
 of 50 head of tame cattle or horses or
 100 sheep, and that on each section
 a habitable house of reasonable
 dimensions has been erected. If
 however the Lessee holds two or more
 adjacent sections which in the
 judgment of the Governor can be
 properly superintended together
 it shall be sufficient if there
 be only one suitable house
 erected in respect of such sections.

Years
21

The rent to be reserved in such
 leases shall be at the rate of £6.
 a year for each section, during the
 first 10 years and of £10 during
 the remainder of the term. The
 rent shall be paid yearly in
 advance.

£
£
£
10

advance to the Colonial Secretary and if not paid within three calendar months after it has become due or if the land for the like space of three months shall cease to be stocked to the extent hereinbefore specified the lease shall be null and void and the land comprised in it shall revert to the Crown.

12. The Governor shall have power at his discretion to insert in every lease to be granted by him on behalf of the Crown such reservations, conditions, and restrictions as may seem expedient. Such leases shall contain a clause that every dispute as to boundaries of any Station or Section shall be settled by arbitration in the usual way at the expense of the parties interested.

3
4. 13. Every Lessee shall within ten years from the date of his lease purchase at the existing upset price of land (not being less than £5. an acre) a block of not less than 160 acres for every section comprised in his lease. Such block to be determined by the Surveyor General with the consent of the Governor on failure to make such purchase within that period the Lease shall be null and void. The Lessee may at any time during his lease purchase at the same rate any further quantity of the land comprised

comprised in his Station that he may require subject however to the limitations hereinafter contained.

14. Every person holding land whether in fee simple or by way of lease or licence shall be entitled to kill and appropriate to his own use any wild cattle that may be on his land. But any person hunting or killing the wild cattle on the lands of the Crown without having first obtained the permission in writing of the Governor shall be subject to the penalties prescribed for that offence by the Ordinance No. 2, of 1869.

15. Every lease under this Ordinance shall be transferable by endorsement on the back of the Lease signed by the Lessee or his Attorney subject to the condition that due notice of such transfer is given to the Colonial Secretary or the officer acting as Colonial Secretary.

16. This Ordinance shall not apply to any land within six miles by land of Stanley or of any township which may hereafter be proclaimed.

17. Every section leased and every block of land sold under these regulations shall be as far as possible of a rectangular figure of which not more than one side shall have available water frontage. Provided that no leaseholder under this

Ordinance

Ordinance shall be allowed to purchase more than one-third of his leasehold land having water frontage without the special leave of the Governor.

18. Should any Lessee at any time wish to part with or exchange a portion of his leasehold he shall be permitted to do so on application to and with the sanction of the Governor the boundaries of such portion to be defined by the Surveyor General or by a competent sworn Surveyor at the expense of the parties concerned and such portion to be indicated in the chart of the Colony as a separate lot and numbered accordingly after such transfer shall be duly concluded in the Colonial Secretary's office the rent of the land so parted with shall be charged to the person who thus becomes the Lessee. Provided that no transfer of any land less than a section be made under this clause.

19. Every lease shall confer on the Lessee the right to use the land for pastoral purposes only and shall be subject to all such reservations as are contained in the printed Crown grants of land in this colony, and the Governor shall have power at any time to proclaim a public road through any station.

20. If the Lessee of any station

Station under this Ordinance shall be desirous of obtaining an extension of his lease he shall give notice thereof to the Governor six months before the expiration of his lease and the Governor in Council shall determine whether it is expedient that the land shall be sold or reserved for any public purpose. Provided that the former Lessee shall have priority of claims over other persons applying for the lease. If the land be sold the value of any improvements made upon it by the Lessee (such value to be determined by the Surveyor General but in no case exceeding their actual cost) shall be added to the upset price and shall be paid to the Lessee by the purchaser of the land or shall be allowed to the Lessee in case he shall be the purchaser.

21. Every section and station of land shall be defined with reference to the nautical chart of the Colony without requiring any further survey but the boundaries will be subsequently made by the Surveyor General or by a competent sworn Surveyor and submitted for approval to the Governor.

Passed the Legislative Council this Fourteenth day of September 1871. Sd/ G. D'Arcy.
Governor.
Malvay Ahurst
Acting Clerk to the Council

Copy made

Pilot Ordinance.

In the Year 1871.

Nº 5.

Clause.

1. Repeal of Pilot and Harbour Ordinance
Nº 8. 1853 and Pilot and Harbour
Regulations 1857.
2. Governor to appoint Pilots, and make
Regulations.
3. Vessels anchoring to pay pilotage.
4. Government not responsible for acts of
Pilots.
5. Governor to make Harbour Regulations.
6. Governor may require declarations,
deposit of papers, and notice of departure.
7. Penalty of disobedience to Regulations.
8. Misconduct of Pilots.
9. Penalty for keeping on board or firing
a cannon loaded with Ball.
10. Unlawful quantities of Gunpowder.
11. Throwing ballast into the Harbours.
12. Limits of Stanley Harbour.
13. Commencement of Ordinance.

By His Excellency Colonel George
D'Arey, Governor and Commander
-in-Chief in and over the
Falkland Islands and the
Dependencies thereof, with the
advice _____ and consent of the
Legislative Council thereof.

Whereas it is expedient to make better provisions for the Pilotage and Harbour Regulations. Be it enacted.

1. That the Pilot and Harbour Ordinance N^o. 8. 1853 be hereby repealed, and that the Pilot and Harbour Regulations published on the Twenty fourth day of September 1857, in pursuance of the power vested in the Governor in that behalf by the aforesaid Ordinance, be hereby annulled.
2. That the Governor shall from time to time appoint in the form A hereunto annexed Pilot or a Harbour Master for any harbour within the Falkland Islands, and may revoke such appointment; and make Regulations respecting the duties of, and payment to Pilots and other matters connected therewith.
3. That every vessel (except vessels of war and Colonial vessels trading between Cape Horn and Montevideo) anchoring to the westward of, and within a line drawn from Cape Pembroke to Williams Point shall pay to the Shipping Master of the Port of Stanley the sum of sixty shillings for every vessel drawing less than 10 feet and for every vessel drawing 10 feet or more 6^s/ per foot. The rate of Pilotage outwards shall be one half the rate inwards.

4. That the Government shall not be responsible for any loss or damage occasioned by the acts of any Pilots in this Colony.

5. That the Governor may from time to time make Regulations respecting the anchoring and mooring of vessels, the packages, landing, deposit and removal of gunpowder, (save and except any vessel of war.) the safe keeping thereof, the watering, ballasting, or discharging of ballast of or from vessels, and all other matters relating to the safe and commodious navigation of any such harbour, and the order and management of vessels resorting thereto.

6. That the Governor may from time to time make regulations requiring a declaration to be made by the Master of any vessel arriving at any of the said Harbours, the deposit of the ship's papers, and the return thereof to the Master a reasonable time before his departure, and prescribing the form, time, and manner of making such declarations, deposit, or return, or giving such notice.

7. That any Master, seaman, passenger, Pilot, or other person who shall offend against the said Regulations shall pay a fine not exceeding fifty pounds.

8. That any Pilot in charge of any vessel who by wilful breach of duty or, by neglect of duty, or by reason of drunkenness does any act tending to the immediate loss, destruction, or serious damage of such vessel, or tending immediately to endanger the life or limb of any person on board of such vessel, or who by wilful breach of duty, or neglect of duty, or by reason of drunkenness, refuses or omits to do any lawful

lawful act, proper and required to be done by him for preserving such vessel from loss, destruction, or serious damage, or for preserving any person belonging to or on board such vessel from danger to life or limb, shall for each such offence be guilty of a misdemeanor, and shall be liable to punishment with fine or imprisonment with or without hard labour or both as the Court may if it shall think fit order payment of the costs and expences of the prosecution.

9. That the Master or Officer commanding any vessel (except any vessel of war) who while such vessel shall lie in or be in Stanley Harbour shall keep or cause or permit to be fired any cannon on board such vessel shotted or loaded with ball shall pay a fine not exceeding Fifty Pounds.

10. That if any information shall be given upon oath to any Justice that there is reasonable cause to suspect that any unlawful quantity of gunpowder is on board any Merchant Vessel in Stanley Harbour, it shall be lawful for such Justice by warrant under his hand to direct any Constable at any time to enter and search any such vessel; and it shall be lawful for any Constable to whom such warrant shall be directed (such Constable having previously made known such his authority) either alone or with the assistance as he may deem necessary to enter any such vessel, and search the same for unlawful quantities of gunpowder.

gunpowder, and seize and remove to the proper place and detain all such unlawful quantities of gunpowder found on board any such vessel, and the barrels and other packages in which gunpowder shall be, and if necessary to use force to enable him to execute any such warrant.

11. That if any person shall throw or cause to be thrown into Stanley Harbour any dead animal, ballast, damaged goods, rubbish, or other material, he shall pay a fine not exceeding a hundred pounds.

12. That Stanley Harbour for the purposes of this Ordinance shall extend to any place lying to the Westward of and within a line drawn from Cape Pembroke to William Point, and below high water mark.

13. That this Ordinance shall take effect and come into operation this seventh day of December One thousand eight hundred and Seventy one.

Schedule.

A (Section) 2.

Falkland Islands.

to Wit.

31

Governor

and Commander-in-Chief of the Falkland Islands and the Dependencies thereof do hereby in pursuance of the powers in me vested by the Pilot and Harbour

Harbours Ordinance N° 5. 1871. Appoint
 (or) to be a Pilot and
 (or) Harbours Master for the Port of
 In witness thereof I have hereunto
 set my hand and affixed the seal of the
 government at Government House, Stanley
 this day of One
 thousand eight hundred and

(ssd) G. D'Arcy
Governor.

Passed the Legislative
 Council this Seventh
 day of December One
 thousand eight hundred
 and seventy one.

M. Hallvey Throst.
 Acting Clerk to the Council.

1872.

Ordinance for amending the
Land Ordinance 1871

For the year 1872

Number One -

By H. C. & T. A. & R.

Whereas it is expedient to amend the Land Ordinance 1871, Be it therefore enacted by the Governor with the advice and consent of the Legislative Council as follows:-

1.- This Ordinance may be cited as 'The Land Ordinance 1872' short title.

2.- Section 13 of the Land Ordinance 1871 is hereby repealed and the next following enactment shall be substituted in its place. Repeal of section 13 of Land Ordinance 1871.

3.- Every Lessee shall within 10 years from the date of his lease purchase at the upward price for Country lands of the Crown in force at that date a block of 160 acres for every section contained in his lease. Such block shall be determined by the Surveyor General with the consent and approval of the Governor. On failure to make such purchase within the said period

Lessee to purchase within 10 years a block of 160 acres in every section contained in his lease.

period of 10 years the Lease shall be null and void. The Lessee may at any time during the continuance of his lease purchase at the open price of Country Lands in force at the time of such purchase any further quantity of the land comprised in his Station that he may require subject nevertheless to the limitations and conditions contained in the 16th, 17th and 20th Sections of the Land Ordinance 1871 and in so much of the 19th Section of that Ordinance as authorizes the Governor at any time to proclaim a public road through any Station.

Ordinance incorporated - This Ordinance shall be with the Land Ordinance 1871 and form part of the same.

Paved the legislative council
this ninth day of May, One
thousand eight hundred and
seventy six.

G. Troos
Act of the council -

so G. Tracy
Governor

Walled

An Ordinance to afford facilities for depositing small savings at Interest with the security of the Colonial Government for their repayment with a limited Interest.

In the year 1872-

Number Two-

Clause

1. Deposits of £5 and over received on the 20th of every month bearing Interest at 2 p^o/o per annum.
2. Depositors must give notice before withdrawal of any sum.
3. Depositors will be furnished with a pass book as a receipt.
4. Interest payable on and calculated up to the 20th November and 20th May.
5. Temporary loans to Residents on approved security.
6. Old accounts may be transferred to a new Depositor.
7. On the death of Depositor his or her account is closed bearing Interest only to the date of decease.

P. Adl

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Clause.

8. All disputes to be settled by the government in council -
9. Any sum withdrawn at one time amounting to £200 and upwards to be paid by a Government Bill.
10. Depositors not entitled to receive interest on amounts exceeding £1,000 for longer period than 10 years. -
11. Deposits for the benefit of children will be received but not paid until they attain 21 years of age. -
12. Cashier to credit himself with £1% per annum on all sums deposited and 10½% per annum on all sums withdrawn.
13. Baptist or Friendly Societies may deposit their funds and receive interest thereon -
14. No interest will be paid on original deposits if withdrawn under six months -
15. Deposits paid only to the Depositor personally or in the form set forth in the Schedule -

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By His Excellency Colonel
George Grey Governor
and Commander-in-Chief
in and over the Falkland
Islands and their Dependencies
with the advice and consent
of the Legislative Council
thereof.

Whereas it has been thought necessary Recital
for manifold reasons to establish a
Government Savings Bank for the
community of these Islands.

Be it enacted

1. — That deposits of not less than Five pounds at any one time will be received by the Colonial Secretary or the Officer performing the duties of Colonial Secretary, or other Officer appointed by the Governor, who by virtue of the appointment is styled in this Ordinance "Cashier"; on the 20th of every month throughout the year (Sundays and Holidays excepted) bearing Interest at Two and a half per cent per annum; but no Interest on any fractional part of a pound will be given.

2. — That Depositors may withdraw all or any part of their deposits upon giving notice thereof one week before the day of withdrawal of

Deposits of £5 and over received on the 20th of every month bearing Interest at 2½ per cent.

Depositors must give notice before withdrawal of any sum!

- $\text{£}20.$ of any sum under Twenty pounds
and upon one month before the day
of withdrawal of any sum under
 $\text{£}50.$ Fifty pounds and three months before
 $\text{£}50.$ the day of withdrawal of any sum over
Fifty pounds.

Depositors no. 3. Depositors will be furnished
be furnished with a pass book as a receipt
with a pass bearing the Governor's signature specifying
book as a the date and amount of deposits
receipt. this book will be left on the 1st
day of each year with the Cashier
for the purpose of being examined
and compared with the Savings Bank
Ledger.

Interest 4. All Interest shall become due
payable on and
calculated up
to the 20th of March
& 20th May.
and payable on any sum of money
mentioned in such receipt book upon
the 20th of November and the 20th of May
in every year next after the date
of any such receipt and it shall
be lawful for the Cashier to calculate
on those dates the amount of Interest
on the cash balance deposit which
amount shall be carried over and
to the credit of Depositors respectively
and shall become Principal and carry
Interest at 2% per cent per annum
in all respects as the original
Principal -

5. And

5. And it shall be lawful
for the Governor in Executive Council
to lend to the Residents in the
Falkland Islands at such Interest as
the Governor in Council may deem
necessary not more than two thirds
of the Capital banked by Depositors
on the security of Mortgages or
approved Bills, at periods not
exceeding six months in the first
instance but the loan may be
renewable for additional periods
of six months with the consent
of the Governor in Council -

Temporary
loans to
Residents
on approved
security -

6. If any Depositor shall desire
to transfer the amount of his
deposit he shall upon application
to the Cashier be furnished with
a certificate stating the whole
amount which may be due to him
with Interest and thereupon his account
shall be closed and upon the delivery
of this certificate to the Cashier as
a receipt he shall open an account
for the amount stated in the
certificate with the new Depositor.

Old accounts
may be transferred
to a new
Depositor

7. In case any Depositor in the
funds of the Savings Bank shall
die his or her balance credit
shall not be paid to any
representatives until the Probate of the
Will

On the death of
Depositor his or
her account is
closed bearing
Interest only to the
date of decease

Will of the deceased Depositor or Letters of Administration of his or her Estate and Effects be produced, but it shall be lawful for the Cashier to issue within one week of decease of Depositor - to any Person or Persons who shall appear to him to be the Widow Son, or Daughter entitled to the effects of such deceased Depositor - any sum not exceeding Twenty Pounds pending the final Adjustment of the old deposit.

L. 20. On the death of any Depositor his or her account will be immediately closed by the Cashier bearing Interest up to the day of the Depositor's death inclusive.

All disputes
to be settled
by the Governor
in Council.

8. If any dispute shall arise between Depositors or their Executors relative to the deposits and the Cashier, the master in dispute shall be referred to the Governor in Executive Council, and whatever award or determination shall be arrived at shall be considered as binding to all parties and final.

Any sum withdrawn
at one time amounting
to £200 and upwards
to be paid by a
Government Bill.

9. And it shall be lawful and at the option of the Governor to pay by a Government Bill any sum of money amounting to £200 and upwards that may be withdrawn at one time by any one Depositor. All sums under this amount will be paid in Demand in Cash.

10. — No Depositor shall be entitled to receive Interest on his deposits provided Interest and Principal exceed One thousand pounds, for longer period than two years, after that period all Interest ceases.—

Depositors not entitled to receive Interest or amounts exceeding £1000. for longer period than two years.

11. — Amounts may be received from or for the benefit of children but will not be repaid to them until they attain the age of 21 years unless the Cashier can satisfy proof of its being intended for the children's benefit) shall otherwise allow; but in the event of death before attaining 21 years the amount will be payable to their Relations or Personal Representatives in the same manner as the deposits of a deceased adult Depositor are dealt with in law. —

Deposits for the benefit of children will be received but not repaid until they attain 21 years.

12. — That it shall be lawful for the Cashier to credit himself with One pound per cent per annum on all sums received, and ten shillings per cent per annum on all sums withdrawn in a Ledger kept for that purpose and audited half yearly by the Governor in Council who is hereby in Council constituted ex officio Auditor General of the Savings Bank.

Cashier to credit himself with £1/- p.a. on all sums deposited and 10/- p.a. on all sums withdrawn.

Burial or Friendly Societies may deposit their funds and receive Interest thereon.

Burial or Friendly Societies may deposit or withdraw the whole or any part of their funds and will receive Interest thereon agreeable agreeable to Clause 4.

No Interest will be paid on original deposits if withdrawn under six months.

14. — Interest will not be paid on original deposits if withdrawn under six months.

Deposits paid only to the Depositor personally or in the form set forth in the Schedule

15. — Deposits can only be paid to the Depositor personally or to the Bearer of an order under his or her hand signed in the presence of a Justice of the Peace, or in case of sickness by the Medical Attendant, or if signed out of the following the signature to be verified by some constituted authority as per form in the Schedule annexed.

To the Cashier of the Savings Bank Stanley, Falkland Islands.

I the undersigned do hereby authorise and direct the Bearer of this order to receive on my account from Depositor's Book the sum of £⁰⁰ 00/00 and for which the receipt of the said shall be a good and sufficient discharge As witness my hand the day of — Depositor's name.

Received the £⁰⁰ this present day
that is to say one thousand eight
hundred and twelve hundred
and 0/- Pounds
of the sum of the sum.

Witness to above up to

time —

Signature

per G' D' Gray
Governor.

An Ordinance
for granting Joseph Mazia, Emile Boyer
and Gerard Degenhardt the privileges
of British born Subjects within the
Colony of the Falkland Islands. —

In the year 1872.

Number 3.

Whereas Joseph Mazia a native of Roial
France, Emile Boyer a native of
France and Gerard Degenhardt a
native of Holland have prayed that
they the said Joseph Mazia, Emile Boyer,
and Gerard Degenhardt may be admitted
to enjoy the privileges of British born
Subjects; Be it enacted by the Governor
with the advice and consent of the
Legislative council as follows:

1. — The said Joseph Mazia, Emile Boyer,
and Gerard Degenhardt when and so soon
as they shall have taken the Oath of
Allegiance before the Governor, which
Oath the Governor is hereby authorized
to administer shall be to all intents and
purposes whatsoever entitled within the
limits of this Colony to all the privileges
of British born Subjects of Her Majesty.

2. — The Governor shall immediately
after such Oath shall have been
taken before him certify its name

and cause such certificate to be recorded
in the office of the Registrar General of
the Colony.

Passed the Legislative Council
the Ninth day of May
One thousand eight hundred
and seventy four.

W^t G^r F^r C^o S^o
Act to the Council

Geo^r D^r G^r
Governor.

Marriage Amendment Ordinance-

In the year 1872.-

Number 1.-

By His Excellency Colonial
and Royal Governor and
Commander-in-Chief in
and over the Falkland
Islands, and the Dependencies
thereof, with the Advice and
consent of the Legislative
Council thereof.

Whereas by the 17th Clause of the Royal
Marriage Ordinance No 1. 1855 doth
not provide as to Marriages contracted
in the Falkland Islands other than
Marriages according to the Rites of
the Church of England.

It is hereby enacted that any Marriage
performed by any Minister of Religion
within the Falkland Islands whose name
has been gazetted by the Governor for
the time being shall be as valid as
if performed by a Clergyman of the
Church of England.

All such Marriages to be registered
according to the Ordinance No 1. 1855,
which has been given as is wanted
in the Marriage Ordinance No 1. 1855.

That

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That in section F. No 25 of the
Registration Ordinance, A.D. 1853 in
cases of Marriages by Ministers of
other Denominations the words
"according to the rites and ceremonies"
of that Church of England
shall be left out.

That Clause 26 of Registration Ordinance
shall be applicable to such Ministers
provided -

That this Ordinance be taken as part
of the Marriage Ordinance 1853, and
Registration Ordinance 1853 as if incorporated
therin.

Noting the delay incident to a previous
communication with Mr. Deputy Commissioner Royal
it was resolved may be practicable to amend.
Consequently, be it therefore enacted that this
Ordinance shall take effect and come into operation
on the 1st of May 1872."

Signed by Legislative Council
the 1st day of May
Anno Domini eighteen hundred and
seventy two

W. R. Grey
Colonial Secretary

W. R. Grey
Colonial Secretary

Registration Amendment Ordinance

In the year 1873.

Number One.

- Clause 1. Governor to appoint a Registrar in any district
- 2. Registrar to send annual certificates at or before the 15th January in each year.
 - 3. Amendments
 - 4. Ordinance to be part of Registration Ordinance.
 - 5. Commencement of Ordinance.

By His Excellency Colonel G. D'Grey Governor and Commander-in-Chief for and over the Falkland Islands and the Dependencies thereof with the advice and consent of the Legislative Council thereof.

Whereas it is expedient to extend to other districts within the Falkland Islands so much of the first clause of the Registration Ordinance No 13 of 1833 relating to Births Deaths & Marriages Recital

Be

Be it enacted:

Governor to
appoint a
Registrar in
any District.

1. That it shall be lawful for
the Governor to appoint any qualified
person who resides in any District
within the jurisdiction of the Falkland
Islands to be Registrar for the said
purposes, and be subject to all the
provisions of the Registration Ordinance
No 12 of 1853.

Registrar to
send annual
certificates on
or before the
15th January in
each year

2. And that every district Registrar
shall on or before the 15th day of
January of each year forward to
the Register-General's Office at Stanley
one copy of all entries contained
in the register book of births and
deaths for the preceding year accompanied
by the certificate as required from the
Registrar in clause 16 of this
Registration Ordinance.

Amendment

3. And furthermore it is enacted that
the first line of the first clause in
the Registration Ordinance be hereafter
and

"that there shall be a"
Register-General's Office at Stanley"

instead of
"that there shall be an"
"Office at Stanley."
and moreover that in the 27th
clause the word "Registrar"
shall be taken to mean "Register
General"

4. That

4.- That this Ordinance be deemed
and taken to be a part of the
Registration Ordinance of 12 of 1853
as fully and effectually as if
incorporated therein.

Ordinance to
be part of
the Registration
Ordinance.

5. Whereas the delay incident to
a previous communication with Her
Majesty to know Her Royal pleasure
hereupon may be productive of serious
inconveniences; be it therefore enacted
that this Ordinance shall take effect
and come into operation from the
day of the passing thereof.

Operation
of ordinance.

(Signed) G. T. Tracy
Colonel and Governor

Signed by the Legislative Council
the first day of February
one thousand eight hundred
and seventy three.

(Signed) G. T. Tracy.
Colonel and Governor.

An Ordinance to extend to
the Colony certain Act of Parliament.

In the year 1853.-

A.D. -

Clause 1. Certain Act of Parliament extended
to the Colony.

2. Commencement of Ordinance.

By His Excellency Colonel George
D'Arcy Governor and Commander
in Chief in and over the
Falkland Islands, and the
Dependencies thereof with the
advice and consent of the
Legislative Council thereof

Be it enacted

Certain Act 1. That the following Act of
Parliament shall be applied in the
extent to administration of justice in the Falkland
Islands and Dependencies thereof so
far as the same can be applied viz:-

"36 & 37 Victoria Cap. 114. An Act
to amend the Shipping Act of 1852."

Commencement 2. Whereas the delay incident to a
previous communication with Her Majesty
to know Her Royal pleasure wherein

may

may be productive of serious inconveni-
ence. Be it enacted that this
Ordinance shall take effect and
come into operation from the day
of the passing thereof.—

(Signed) G D'Arcy
Robert Rodman

Passed the legislative council
this first day of February
One thousand eight hundred
and seventy three.

(Signed) G Dravis
Clerk with Council.

Naturalization Ordinance).

In the Year One thousand eight-hundred and seventy three.

Number Three

By His Excellency Colonel G. D'Arcy Governor and Commander in Chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

Recital Whereas Charles Lewis, a native of the Island of Martinique, and Cacimiro Piango a native of Montevideo, Banda Oriental, have prayed that they the said Charles Lewis and Cacimiro Piango may be admitted to enjoy the privileges of British born Subjects. Be it enacted by the Governor with the advice and consent of the Legislative Council as follows:

1. That the said Charles Lewis and Cacimiro Piango when and so soon as they shall have taken the Oath of Allegiance before the Governor, which oath the Governor is hereby authorized to administer, shall be to all intents and purposes whatsoever entitled within the limits of this Colony to all the privileges of British born Subjects of Her Majesty.
2. That the Governor shall immediately after such Oath shall have been taken before him certify the same and cause such certificate to be recorded in the Office of the Registrar General of this Colony.
3. Whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon may be productive of serious inconvenience be it therefore enacted that this Ordinance shall take effect and come into operation from the day of the passing thereof.

Passed the Legislative Council
this twenty second day of
September one thousand eight
hundred and seventy three.

(Sd) G. G'Arcy
Colonel Governor

(Sd) J. F. T.
Kt. to the French

An Ordinance
for limiting the Right of the Queen's
Majesty to sue for Lands Tenements and
Hereditaments.

No 1. 1874

Whereas it is expedient to quiet possessions and titles against the Crown in the Falkland Islands, Be it enacted by the Governor and Council of the Falkland Islands as follows;

1 - The Queen's Majesty Her Heirs and Successors shall not at any time hereafter commence any action suit or other legal proceeding against any person or persons or body politic or corporate for or in anywise concerning any Lands Tenements Rents or Hereditaments whatsoever (other than Liberties or franchises) by reason of any right or title which hath not first accrued and grown or shall not hereafter first accrue and grow within the space of sixty years next before the commencement of such action suit or other legal proceeding.

Provided that nothing herein contained shall extend to any action suit or other legal proceeding commenced before the passing of this Ordinance, but every such action suit or other legal proceeding shall be prosecuted and proceeded with as if this Ordinance had not been passed.

2 In the construction of this Ordinance the right or title of the Queen's Majesty, Her Heirs or Successors, to any Lands Tenements or Hereditaments which are now or shall at any time hereafter be subject to or comprised in any demise or lease for any term or terms of years, or for any life or lives granted by or on behalf of Her Majesty or any of Her Royal Predecessors or Successors shall not be deemed to have first accrued or grown until the expiration or determination of such demise or lease as against any person or persons whose possession holding or enjoyment of such lands Tenements or Hereditaments or whose receipt of the rents

Limitation of
the right of
the Crown to
sue for lands

Reserving the
right to
reversionary
Interests

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issues or profits thereof shall have commenced during the term of such demise or lease or who shall claim from by or under any person or persons whose possession holding or enjoyment of such lands tenements or hereditaments or whose receipt; of the rents issues or profits thereof shall have so commenced as aforesaid.

Set out
to apply
to existing
suits

3 Nothing in this Ordinance shall extend to any legal proceeding instituted or commenced before the passing of this Ordinance and now pending.

(Sgd) G D'Arcy
Colonel & Governor

Passed the Legislative Council
this Twenty first day of May
one thousand eight hundred
and seventy four.

G. Davis Clerk to the Council

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Unseaworthy Ships Ordinance

16th Feb 1874

By His Excellency Colonel George
F. Amy, Governor and Commander
in Chief of the Falkland Islands
and its Dependencies thereof with
the advice and consent of the
Legislative Council thereof,

Be it enacted:

1 That where the Board of Trade have received a complaint or have reason to believe that any British Ship is by reason of the defective condition of her hull, equipments, or machinery, or by reason of overloading or improper loading, unfit to proceed to sea without serious danger to human life, they may if they think fit, appoint some competent person or persons to survey such ship, and the equipments, machinery, and cargo thereof, and to report thereon to the Board.

Any person so appointed may, for the purposes of such survey, require the unloading or removal of any cargo, or ballast, or tackle, and shall have all the powers of an inspector appointed under the Merchant Shipping Act, 1854.

Any person who (having notice of the intention to hold such survey) wilfully does or causes to be done any act by which the person appointed to make such survey is prevented from or obstructed in ascertaining the condition of the ship, her equipments, machinery, and cargo, shall be liable to a penalty not exceeding fifty pounds.

The Board of Trade may, if they think fit, order that any ship be detained for the purpose of being surveyed under this section, and thereupon any officer of customs may detain such ship until her

Survey of
ships suspected
of being
unseaworthy

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her release be ordered either by the Board of Trade or by any court to which an appeal is given under this Act.

Upon the receipt of the report of the person making any such survey, the Board may, if in their opinion the ship cannot proceed to sea without serious danger to human life, make such further order as they may think requisite as to the detention of the ship or as to her release, either absolutely or upon the performance of such conditions with respect to the execution of repairs or alterations, or the unloading or re-loading of cargo, as the Board may impose. They may also from time to time vary or add to such order.

A copy of any such order and of the report upon which it was founded, and also of any variation of or addition to such order, shall be delivered as soon as possible to the owner or master of the ship to which it relates.

When a ship has been detained under this section she shall not be released by reason of her British Register having been closed.

2 If upon the survey of a ship under this Act she is reported to have been at the time of the survey, having regard to the nature of the service for which she was then intended, unfit to proceed to sea without serious danger to human life, the expenses incurred by the Board of Trade in respect of the survey shall be paid by the owner of the ship to the Board of Trade, and shall without prejudice to any other remedy, be recoverable by them in the same manner as salvage is recoverable.

If upon such survey the ship is not reported to have been unfit to proceed to sea, having regard to the nature of the service for which she was intended, the Board of Trade shall be liable to pay compensation to any person for any loss or damage which he may have

Cost of Survey.

With thanks

²² sustained by reason of the detention of
the ship for the purpose of survey, or otherwise
in respect of such survey.

Where a complaint has been made to
the Board of Trade that a ship is not fit
to proceed to sea, they may, if they think fit,
before ordering a survey of the ship, require
the complainant to give or provide such
security as they may think sufficient for the
payment of the costs and expenses which
they may incur in respect of the survey
of the ship and of the compensation which
they may be rendered liable to pay for loss
or damage caused by her detention for the
purpose of such survey, or otherwise in
respect of such survey.

Where a ship has been surveyed under
this Act in consequence of a complaint made
to the Board of Trade, if upon such survey
being made it appear that such complaint
was made without reasonable cause, the
expenses incurred by the Board in respect
of the survey of the ship and the amount,
if any, which the Board may have been
rendered liable to pay in respect of any
loss or damage caused by her detention
shall be recoverable by the Board from
such complainant.

All moneys payable by the Board of
Trade in respect of or by reason of the survey
or detention of a ship under this Act
shall, subject to the right by this section
provided of recovering such moneys from
the complainant, be paid out of moneys
to be provided by Parliament.

Pased the Legislative Council
this Twenty ninth day of (Spt), G D Arrey
June one thousand eight
hundred and seventy four
Colonel & Governor

G. Travis, Clerk to the Council

An Ordinance

to give a preferable lien on Wool, from
Season to season, make Mortgages of sheep,
Cattle and Horses valid, without delivery
to the Mortgagee.

In the year 1875 No 1.

By His Excellency Colonel
George D'Arcy Governor and
Commander in Chief in and
over the Falkland Islands and
the Dependencies thereof with
the advice and consent of
the Legislative Council thereof.

To be

Whereas it is expedient to give a
preferable lien on wool from season to season
and to make mortgages of sheep, cattle and
Horses valid without delivery to the mortgagee.

1. Any person making a
bona fide advance to the Falkland Islands, with the advice and consent of
any proprietor of sheep the Legislative Council thereof; that in all cases
on condition of receiving where any person shall make any bona fide
in payment or as advance of money or goods, or give any valid
security of such advance, promissory note, or bill, to any proprietor of
the wool of the then not sheep, on condition of receiving in payment, or as
receiving clip, and duly security only for such money, Goods, promissory note,
registering the agreement or bill, (as the case may be) the wool of the then
receiving clip of such proprietor, and where the
entitled to the whole of agreement relating to such purchase or
the wool mentioned
in such agreement,
whether such advance
be made before, at,
or after the granting
of effect in Schedule A, appended to this Ordinance
and shall be duly registered within ten days
after the date of such agreement the person
making such purchase or advance, shall be
entitled -

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entitled to the whole of the wool mentioned
in such agreement, whether such advance of
money or goods, or of such note, or bill,
be before, at, or after the granting of any
such preferable lien, so long as the registered
agreement relating thereto shall purport on the
face of it to have been made in payment,
or as security for such advance, and the
possession of such wool by the said proprietor,
shall be to all intents and purposes in the law,
the possession of the person or persons making
such purchase or advance: Provided, that when,
at any time, such advance be repaid, with
such interest and commission as may be
specified in any such agreement, the possession
and property of the said wool shall revert
to such proprietor.

2. And be it enacted, that when
any person shall make any such bona fide
advance or purchase as aforesaid, the preferable
lien of the person making the same, on the wool
of the same next ensuing clip of such proprietor,
shall not be in any wise extinguished,
suspended, impaired or otherwise prejudicially
affected by any subsequent sale, mortgage,
or other incumbrance whatsoever of the sheep
mentioned and described in the registered
agreement relating to any preferable lien, nor
by the subsequent bankruptcy of the lessor, but
shall be as valid and effectual to all intents
and purposes whatsoever, against any such
subsequent purchaser, mortgagee, incumbrancer,
or against the claimant or possessor of the said sheep,
bankrupt lessor or against the original
proprietor thereof, who granted such preferable
lien.

Granting of such
preferable lien.
When advance repaid
property and possession
of the wool to revert
in the proprietor of
the sheep.

2. Agreement in form
herein specified, for
any bona fide advance
or security of money
clip of wool, registered
as herein mentioned,
valid against subsequent
purchaser to of that.

bein. Provided that if any such licen,
subsequent mortgagor, incumbrancer, trustee,
or other claimant or possessor of such sheep,
shall neglect or refuse to shear and
deliver the wool of any sheep for which
any such preferable licen shall have been granted
as aforesaid, in pursuance of the agreement
in that behalf contained in such preferable
licen, it shall be lawful for the licen, his
executors, administrators, or assigns to take
possession of the sheep bearing such wool, for
the purpose of washing and shearing the same,
and all expenses attending such shearing, and
the conveyance of that wool to the place of
abode of such licen, shall be incorporated
with, and deemed in law part of the amount
secured by such licen.

3. And be it Enacted. That all

3. Mortgage of live stock bona fide made Mortgages of sheep, cattle and horses which shall hereafter be made bona fide, and for valuable consideration, for valuable consideration, and where executed and registered, the names of the parties thereto, and the as herein mentioned, particulars thereof shall be duly registered valid although the within ten days, after the date thereof, in principal sum not the office of the Registrar General in the form presently payable, and mentioned in Schedule B, appended to this although stock remain Undischargeable, shall be valid in the law, to all intents in possession of the said purchasers whether the money secured by the Mortgage.

Said Mortgage be payable presently or not, and notwithstanding the said mortgaged live stock shall not be delivered over to the Mortgagor, but shall remain and continue, in every respect as heretofore, in the possession, order, and disposition of the said Mortgagor; and though the said Mortgagor may afterwards be adjudicated a bankrupt. Provided that no

mortgage

Mortgage shall protect the same from the operation of any such law, unless such mortgage shall have been executed at least sixty days before the date of any fiat in Bankruptcy or where the consideration of any such mortgage shall be an advance or loan not payable presently then the same shall only be valid to the extent of the amount actually advanced or the bills or notes actually given by the mortgagor at the date of such fiat with such interest and commission as may be due in respect thereof.

4. And be it Enacted, That the Registrar General or Deputy Registrar shall keep a separate and distinct Registry, from year to year, of all such agreements for such purchases of wool, or advances thereon, and shall also keep a separate and distinct Registry of the particulars of all such mortgages of sheep, cattle, and horses as aforesaid; and shall be entitled to demand for every such Registry therof, the fees payable under the Registration Ordinance of this Colony.

5. And be it Enacted, That the Registrar General, or his Deputy, at any time after the Registration of any such preferable lien as hereinbefore provided, may, at the request of both parties to any such preferable lien, enter satisfaction for the same on the records of the office.

6. And be it Enacted, That in every case where, before or after the passing of this Ordinance, the amount of principal and interest, or of the balance of principal or interest, due upon any mortgage of live stock, shall have been, or shall be paid to the person entitled to receive

4. Separate and distinct Registry from year to year, to be kept of agreements for purchases of, or advance on wool, and of mortgages of live stock.

5. When and how preferable liens on wool may be cancelled.

The

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the same; or his agent in that behalf, and a receipt in writing for the amount so paid shall have been, or shall be given, signed by the party so entitled, or by his agent, acknowledging such payment to be in satisfaction of the mortgage it shall be lawful for the mortgagor, his executors, administrators, or assigns, to cause a copy of such receipt, duly verified by affidavit, to be registered at Stanley, in the Office of the Registrar General, on production to this Officer, or his Deputy, of the shall have been paid, original receipt, and of the mortgage deed to mortgagor may register which the same shall relate; and from and the receipt but without after the time of the registration of any such prejudice to any particular receipt, such payment shall operate previous sale or as an extinction of the mortgage, and of the subsequent mortgage right and interest thereby created, to all intents and purposes whatsoever, but without prejudice nevertheless to any previous sale or sales, or any conveyance in fee simple thence under such mortgage deed, the particulars whereof shall be duly endorsed thereupon and without prejudice to any second or subsequent mortgage affecting the same fine stocks, or any part thereof, then duly registered, unless every party thereto shall, by writing under his or her hand, at the foot of such receipt so endorsed have signified his or her assent to the registration of such receipt.

7. Rights of the Crown
as to waste lands
not affected.

7. And be it Enacted, That nothing in this Ordinance contained, shall be construed to affect in any way the rights or prerogative of the Crown, as to any of the waste lands described in any such leases or mortgages, as the lands or stations where any such sheep, horses, or cattle, may be depasturing.

8. And be it enacted, That this Ordinance shall take effect from the passing thereof and shall continue in force until the thirty-first day of December, in the year One thousand eight hundred and seventy six, and no longer.

8. Duration of
Ordinance

9. And whereas it is expedient, with a view to increase the public confidence in the validity of such preferable liens on wool and mortgages of live stock to surround them with the penal provisions necessary for the punishment of frauds: Be it enacted, that any grantor of any such preferable lien on wool, or of any mortgage of sheep, cattle, or horses, or of their increase and progeny, under this Ordinance, whether this grantor shall be principal or agent, who shall afterwards by the sale or delivery of the wool under any such lien without the written consent of the licensee, to any purchaser, trustee, or other person, or by selling, steaming, or boiling down, or causing to be sold, steamed, or boiled down, without such written consent as aforesaid the sheep wherein the same shall be growing with a view to deprive such licensee of such wool, or of the value thereof; or who shall after the due execution and registry of any such mortgage, thereof, sell and dispose of, or steam, or boil down, or caused to be sold and disposed of, or to be steamed or boiled down, any sheep, cattle, or horses, or their increase or progeny (with intent in any such case to deprive the licensee or mortgagee) shall be

9. To increase public
confidence in liens
on wool and mortgages
of live stock sufficient
to punish frauds.

be severally held and deemed guilty
of an indictable fraud and misdemeanor,
and being thereof duly convicted, shall be
severally liable, in the discretion of the
Judge or Court before whom any such
offender shall be so convicted, to fine or
imprisonment, for any period not exceeding
three years, with or without hard labour, at
the discretion of such Court or Judge.

W. G. D. Gray

Colonel & Governor
Passed the legislative
Council this thirtieth day of
April one thousand eight
hundred and seventy five.

W. G. Harris
Clerk to the Council.

Schedule referred to.

A

In consideration of [here set out in full the
consideration moving from A.B of — the
mortgagee whether money or goods, or whatever
else, and if it be money state whether such money
is payable present or not and if in fixed
installments, set out the dates] I do hereby
give the said A.B a preferable lien to the
extent of £ " with interest thereon at
the rate of £ " per centum per annum
and such sums by way of commission, as
shall be due to him from time to time
according to the ruling rates amongst merchants
for the sale of such wool, and in respect of other
sales and purchases made on my behalf, on the
wool of the ensuing clip to be shorn from
my flocks of sheep, consisting in number
of _____ or thereabouts and now depasturing
at _____ in the said Colony under the
superintendance of _____.

It is further agreed that the said
sheep shall be shorn by me, or at my expense,
and that the wool thereby shall be delivered by
me at — to the order of the said A.B.

Dated — day of — A.D.

Witness — (signed) C.D.

N.B. If the money or goods, promissory note,
or notes, bill or bills, advanced be for the
absolute purchase of the wool, instead of the
words "to the extent of £ " insert the words "
for the absolute purchase and whole value thereof."

B

B

Date of Deed or Agreement or Lienor	Name of Mortgagor or Lienor	Name of Mortgagor or Lienee	Consideration if for a lease or other particular of Bill or Notes if any given	Number & description of sheep whose wool is pledged, or of mortgaged sheep, Cattle, or Horses and the brand or other distinctive mark, and stations where the same are depasturing, as also the name of the principal Superintendent or Overseer.
Name of Witness or Witnesses				

STANLEY FALKLAND ISLANDS No. 2. 1875.

An Ordinance relating to unseaworthy Vessels, and to provide for surveys of Vessels in certain cases.

By His Excellency Colonel GEORGE D'ARCY, Governor and Commander-in-chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

WHEREAS it is desirable to provide for the survey of vessels Preamble. deemed or suspected to be unseaworthy, and to enable the detention of such vessels: Be it therefore enacted by the governor of the Falkland Islands, with the advice and consent of the legislative council thereof as follows:

1—Where the governor has received a complaint, or has reason to believe, that any ship is, by reason of the defective condition of her hull, equipments or machinery, or by reason of overloading or improper loading, unfit to proceed to sea without serious danger to human life, he may, if he think fit, appoint some competent person or persons to survey such ship, and the equipments, machinery and cargo thereof, and to report thereon to him.

2—Any person so appointed may, for the purposes of such survey, require the unloading or removal of any cargo, ballast or tackle, and shall have all the following powers, that is to say:

1. He may go on board any ship, and may inspect the same, or any part thereof, or any of the machinery, boats, equipments or articles on board thereof to which the provisions of this Law apply, not unnecessarily detaining or delaying her from proceeding on any voyage:
2. He may enter and inspect any premises the entry or inspection of which appears to him to be requisite for the purpose of the report which he is directed to make:
3. He may, by summons under his hand, require the attendance of all such persons as he thinks fit to call before him and examine for such purpose, and may require answers or returns to any enquiries he thinks fit to make:
4. He may require and enforce the production of all books, papers or documents which he considers important for such purpose:
5. He may administer oaths, or may, in lieu of requiring or administering an oath, require every person examined by him to make and subscribe a declaration of the truth of the statements made by him in his examination.

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And every witness so summoned as aforesaid shall be allowed such expenses as would be allowed to any witness attending on subpoena to give evidence before any court of record, and in case of any dispute as to the amount of such expenses the same shall be referred by the inspector to the clerk of the supreme court who, on a request made to him for that purpose under the hand of the inspector, shall ascertain and certify the proper amount of such expenses; and every person who refuses to attend as a witness before any such inspector, after having been required so to do in the manner hereby directed, and after having had a tender made to him of the expenses, if any, to which he is entitled as aforesaid, or who refuses or neglects to make any answer, or to give any return, or to produce any document in his possession, or to make or subscribe any declarations which any such inspector is hereby empowered to require, shall, for each such offence, incur a penalty not exceeding ten pounds.

Penalty on obstructing inspector.

3—Any person who (having notice of the intention to hold such survey) wilfully does, or causes to be done, any act by which the person appointed to make such survey is prevented from or obstructed in ascertaining the condition of the ship, her equipments, machinery and cargo, shall be liable to a penalty not exceeding fifty-pounds.

Power to detain ship for survey.

4—The governor may, if he think fit, order that any ship be detained for the purpose of being surveyed under this Law, and thereupon any officer of customs may detain such ship until her release be ordered by the governor.

Powers to detain or release ship after report of inspector.

5—Upon the receipt of the report of the person making any such survey, the governor may, if in his opinion the ship cannot proceed to sea without serious danger to human life, make such further order as he may think requisite as to the detention of the ship, or as to her release, either absolutely or upon the performance of such conditions with respect to the execution of repairs or alterations, or the unloading or re-loading of cargo, as the governor may impose. He may also from time to time vary or add to such order.

Delivery of copy of report and order to owner, consignee, or master of ship.

6—A copy of any such order and of the report upon which it was founded, and also of any variation of or addition to such order, shall be delivered as soon as possible to the owner, consignee or master of the ship to which it relates.

Closing of register not to affect detention.

7—When a ship has been detained under this Law, she shall not be released by reason of her British or colonial register having been closed.

Expenses of survey of ship reported unsatisfactory.

8—If upon the survey of a ship under this Law she is reported to have been at the time of the survey, having regard to the nature of the service for which she was then intended, unfit to proceed to sea without serious danger to human life, the expenses incurred in

respect of the survey shall be paid by the owner of the ship to the treasurer, and shall, without prejudice to any other remedy, be recoverable by suit or other proceeding at the instance of the Stipendiary Magistrate in the same manner as salvage is recoverable.

Expenses of survey & damages if ship not reported unfit.

9—If upon such survey the ship is not reported to have been unfit to proceed to sea, having regard to the nature of the service for which she was intended, the treasurer, on the warrant of the governor, shall out of the general revenues pay compensation to any person for any loss or damage which he may have sustained by reason of the detention of the ship for the purpose of survey, or otherwise in respect of such survey, and shall also pay in like manner the expenses of such survey.

Power to demand security for expenses and damages.

10—Where a complaint has been made to the governor that a ship is not fit to proceed to sea, he may if he think fit, before ordering a survey of the ship require the complainant to give or provide such security as he may think sufficient for the payment of the costs and expenses which may be incurred in respect of the survey of the ship, and of all compensation which may be payable for loss or damage caused by detention for the purpose of such survey, or otherwise in respect of such survey.

As to expenses and damage if complaint made without reasonable cause.

11—Where a ship has been surveyed under this Law in consequence of a complaint made to the governor, if upon such survey being made it appear that such complaint was made without reasonable cause, the expenses incurred in respect of the survey of the ship and the amount, if any, which may have become payable out of the general revenues in respect of any loss or damage caused by her detention, shall be recoverable from such complainant by action at the instance of the Stipendiary Magistrate, which may in form be for moneys paid out of the treasury of this colony at the request of such complainant.

Expenses &c. incident to survey how payable.

12—All moneys payable in respect of or by reason of the survey or detention of a ship underthis Law shall, in the first instance, and subject to the right by this Law provided of recovering such moneys from complainant, or owner of the ship, be paid out of the general revenues of this colony, on warrant of the governor.

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Meaning of
"ship."

13—The term "ship" in this Law shall include the colonial schooners, and all decked vessels of whatsoever tonnage and howsoever propelled, having a British or British colonial register.

(Signed) G. D'ARCY, *Colonel and Governor.*

Passed the Legislative Council this twentieth
day of September, One thousand eight
hundred and seventy-five.

(Signed) G. TRAVIS, *Clerk to the Council.*



QUARANTINE ORDINANCE.

In the year 1875.—No. 3.

By His Excellency COLONEL GEORGE D'ARCY, Governor and Commander-in-chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

Preamble.

WHEREAS it is desirable to pass a law relating to Quarantine.

BE it enacted—

Title of Ordinance.

1. This Ordinance may for all purposes be cited as The Quarantine Ordinance, 1875.

Interpretation of terms.
"Infected places,"

2. In this Ordinance the term "infected place," means any port or place where yellow fever, the plague, cholera, or any epidemic disease of a contagious or infectious character, in fact prevails, or any port or place which the Governor in Council may declare to be an infected port or place.

"Vessel."

The word "vessel" means any ship, vessel, or boat; and the word "Master" means the Master, Officer, or other person for the time being in charge or command of such vessel. The word "Governor" means the Officer for the time being lawfully administering the government of this Colony, and the word "Justice" means any Police Magistrate or Justice of the Peace within the Colony.

Appointment of Officers.

3. The Governor is hereby authorized to appoint such Officers as may be necessary to carry out the laws, rules, and regulations relating to Quarantine.

Power to Governor to make rules.

4. The Governor in Council may from time to time make such rules and regulations to be enforced by such fines and penalties as to him shall seem fit, for the more effectual carrying out the provisions of this law, and to secure the due performance of Quarantine, and for the government of all vessels or persons coming from any infected place. Such regulations shall be duly published in the usual manner and form, and after such publication shall have the same force and effect as if the same had been herein particularly specified.

Governor may declare "infected places."

5. Whenever it shall appear to the Governor in Council that any disease of a contagious or infectious character prevails at any port or place, or that it is probable that any such disease might be brought into the colony from any port or place, it shall be lawful for him to declare by Public Notification that such port or place is an infected port or place.

Vessels and persons liable to quarantine.

6. All vessels arriving at this colony, together with all persons, goods, and merchandize whatsoever thereon, coming from any infected place, or having on board any person who has come from such infected place, or who is ill of any contagious or infectious disease,

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or on board of which vessel any person shall have died from any such disease during the passage to this colony, shall be liable to perform Quarantine in such place for such time and in such manner as hereinafter provided.

7. Every vessel arriving at any of the ports of this colony from Vessels to be any infected place shall immediately on arrival, and before having visited by Health Officer. any communication with the shore, be visited by the Health Officer of the port to which such vessel shall come, who is hereby authorized and required at a convenient distance from such vessel to put the following questions, or such of them as may be necessary, and any other questions which he may consider desirable.

1. What is the name of the vessel and of the Master ?
2. To what port or place does she belong ?
3. From whence do you come ?
4. To what port or place are you bound ?
5. At what ports or places have you touched in the course of the voyage ?
6. What vessels have you had any intercourse or communication with during your voyage, and from whence did they come.
7. Have you any and what Bill of Health ? Produce it.
8. Did you carry any bill of Health with you to the port or place where you took in the cargo or passengers you now have on board ? From what place ? Were the said Bills of Health clean, unclean, or suspected ?
9. Did any contagious or infectious disease, prevail in any degree at the port or place from which you sailed, or at any of the ports or places at which you touched ? If yes, say what disease prevailed and at which port or place ?
10. What number of officers, crew, passengers, or other persons have you on board ?
11. Were any of these taken on board at any port or place during the voyage to this colony ? If yes, who were so taken on board, and at what port or place, and on what day or days ?
12. Are any persons on board your ship suffering under any contagious or infectious disease, or have any persons died or been ill of a disease of that nature in your passage to this colony ; and if any, what number ?
13. If any have died or been ill of any such disease, were their bedding and clothes destroyed ?
14. In the course of your voyage have any persons on board suffered from sickness of any kind ? What was the nature of the sickness and when did it prevail ? How many persons were affected by it ?

15. How had the persons attacked been employed before they came on board? Had they been employed in loading or unloading the vessel?
16. Did the persons who were ill fall sick nearly about the same time or within a few days of each other, or did the disorder spread successively from one to another and increase considerably?
17. What is the number of persons now ill on board your vessel? Are the convalescents able to be on deck? If so parade them on the gangway.
18. Have there been any deaths on board during the voyage? If yes, what were the causes of the deaths, and when did such deaths take place?
19. Have you any person on board who has left (name of infected port or place) within fourteen days?
20. Where did you take in the cargo now on board, and when? If at more than one place state the places.
21. Was any cargo, or were any letters, parcels or articles of any kind put on board at (name of infected port or place)? If yes, state what was put on board, and when and whether any special precaution was taken with respect to such things.

Health Officer 8. The said Health Officer may, if he thinks it necessary, go on board any such vessel and examine the master, officers, crew, and passengers thereof respectively, as to their state of health then and during the voyage, and demand to see the journal or log and ship's papers of such vessel, and put any of the questions set forth in the preceding section, or any other questions which he shall think desirable.

Penalty for concealment or untrue answer. 9. Any Master or other person who shall conceal from any such Health Officer the true state of the health of the crew or other persons on board of such vessel, or shall give an untrue answer to any inquiry made by such Health Officer under the authority of this law, shall be liable to a penalty not less than £5, and not exceeding £100.

Penalty for quitting vessel before visit of Health Officer. 10. No Master or other person belonging to or on board of any such vessel, and no pilot or pilot's assistant, who shall have proceeded on board such vessel, shall quit the same for the purpose of landing or communicating with the shore before such vessel shall have been visited by the Health Officer, unless permission to do so be granted in writing by the Health Officer.

Proceeding on board without permission. 11. No person, the pilot or his assistant excepted, shall proceed on board such vessel before she shall have been visited by the Health Officer, unless permission to do so be granted to him in writing by the Health Officer.

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12. Any person offending against the provisions of either of the two preceding sections, shall be liable to a penalty not less than £5, and not exceeding £50.

Vessels from infected places may be ordered to Quarantine ground until further directions.

13. If any vessel shall have arrived from or touched at any infected place, or have on board any person who has come from such place, or on board which any person may have died during the passage to this colony, or may be ill of any contagious or infectious disease, or if the Health Officer shall have good grounds to suspect that such vessel or some person on board thereon, has arrived from or touched at any such place, the said Health Officer is required to cause the said vessel to hoist the Quarantine Flag, and to anchor at the Quarantine ground until further directions from the Governor.

Health Officer to report to Governor.

14. The Health Officer shall forthwith after making such inquiry and examination as aforesaid, report thereon to the Governor, who shall upon such report, or upon further inquiry, if thought necessary, decide whether the said vessel is to remain in Quarantine, and for how long.

Duration of Quarantine

15. Subject to any special rules and regulations of the Governor in Council, the following rules as to the duration of Quarantine shall be observed :—

1. All vessels on board of which any person shall be sick, or shall have been sick of any contagious or infectious disease, or shall have died of such disease within fourteen days before her arrival at this colony, shall remain in Quarantine until the expiration of fourteen days from the day when such sickness shall cease, or shall have ceased, or from the day when such death shall have occurred.

2. All vessels that shall have sailed from or touched at any infected place, or shall have any person on board who shall have come from any such place, shall remain in quarantine for such time, not being less than two days not exceeding fourteen, as shall be directed by the Governor in consultation with the Health Officer on a due investigation of all the circumstances of the case.

3. If, during the continuance of a vessel in Quarantine, any person on board such vessel falls sick of any contagious or infectious disease, such vessel shall be liable to remain in Quarantine for a further period of fourteen days from the day when such sickness shall cease.

Selection of Quarantine grounds.

16. The Governor shall appoint suitable places for Quarantine grounds, and shall have power from time to time to change such places.

Removal of vessel to Quarantine ground.

17. Any Master of a vessel liable to the performance of Quarantine who shall not, after notice, cause such vessel to proceed to the

Quarantine ground, shall be liable to a penalty of not less than £10 and not exceeding £50; and it shall be lawful for the Health Officer, or any person called to their assistance, to enforce the removal of any such vessel to the Quarantine ground, and to use all necessary means for that purpose.

18. The Master of every vessel subject to Quarantine shall, during the day, hoist and keep flying a yellow flag, which shall be provided by the Government, and shall, during the night, hoist and keep alight a signal lantern, which, when necessary, shall be provided by the vessel, and every Master offending herein shall be liable to a penalty not less than £5 and not exceeding £50.

19. Until any vessel as aforesaid shall have performed and been duly discharged from Quarantine, no person on board of or belonging to such vessel, nor any part of the cargo, stores, or lading of the same, nor any articles or things belonging to the passengers, Master, officers, or crew thereof, shall be permitted to leave or be removed or taken from such vessel, either to go or be put on shore, or on board of any other vessel in any port of this colony, unless by the direction of the Governor, in consultation with the Health Officer, and every such vessel, and all persons, goods, and merchandize thereon, and all vessels and persons having communication with the same, shall be subject to such rules and regulations as may be made by the Governor.

20. Until any vessel as aforesaid shall have performed and been duly discharged from Quarantine, no person, except the Health Officer, or such other person as may be authorized by the Governor, shall go on board such vessel; and no article or thing shall be taken or received on board such vessel except by the direction of the Governor.

21. Any person offending against the provisions of sections 19 and 20 shall be liable to a penalty not less than £5 and not exceeding £50.

22. If, during the time that any vessel is in Quarantine, the Master thereof shall, without the permission of the Governor or of the Health Officer, quit or knowingly suffer any passenger, seaman, or other person on board to quit such vessel, or any goods, articles, or things whatsoever, to be taken from such vessel, he shall be liable to a penalty not less than £10 and not exceeding £100.

23. Any person who, during the continuance of Quarantine, leaves the vessel without proper permission in that behalf, may, in addition to the penalty, hereinbefore mentioned, be apprehended by any Constable or other person, and compelled to return to the said vessel, or be taken before a Justice, who may order that such person be returned to the said vessel, or be confined in some lazaretto or other

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suitable place of confinement, for such period not less than two days nor exceeding fourteen, as he may think fit.

Unlicensed person may be compelled to remain on board.

24. Any person who goes on board a vessel in the performance of Quarantine without permission as aforesaid may be compelled to remain on board the said vessel, and be subject to the rules and regulations thereof, during the continuance of the Quarantine, or until such time as the Governor shall seem fit.

Governor in Council empowered to provide lazarettos.

25. The Governor in Council is hereby authorized, whenever it shall be thought necessary, to provide, at the public expense, one or more vessel or vessels, or buildings, and to cause the same to be fitted up as lazarettos for such use and purposes as the Governor shall, with the approval of the Health Officer, from time to time order and direct.

Governor to frame rules for lazarettos.

26. The Governor in Council is authorized to frame such rules and regulations as may be deemed expedient for the government and direction of the lazaretto or lazarettos, and of such persons as may belong thereto or be placed therein.

Penalties for entering or leaving lazarettos without permission.

27. Any person, except the Health Officer, who enters or leaves any lazaretto, without permission from the Governor and Health Officer, may be dealt with in the manner hereinbefore provided in the case of a person, without permission, going on board or leaving a vessel in the performance of Quarantine, and shall be liable to like penalties.

Misconduct of Quarantine Officers.

28. Any Officer or person appointed to enforce the performance of Quarantine, who shall desert from duty, or shall infringe, or knowingly suffer or permit any person to infringe the provisions of this Ordinance, and of any rules and regulations in force concerning Quarantine, shall be liable to a penalty not less than £5 and not exceeding £50, and shall be subject to immediate dismissal.

Concealment or conveyance of property from vessel or place in Quarantine.

29. Any person who shall knowingly conceal or clandestinely convey any letters, goods, wares, or merchandize from any vessel liable to, or in the performance of the Quarantine, or from any vessel, house, or other place where any persons or goods shall be subjected to Quarantine, shall be liable to a penalty of not less than £10, and not exceeding £50.

Release from Quarantine.

30. As soon as any Quarantine shall have been fully performed by any vessel or person, the Health Officer, or other person appointed by the Governor in that behalf, shall grant a certificate to that effect; whereupon every such vessel or person, and all cargo and goods on board such vessel, shall be liberated from all detention on the ground of Quarantine.

Recovery of penalties.

31. All Penalties incurred under this Ordinance may be recovered before the Stipendiary Magistrate or his Deputy, who, in default of payment, is hereby authorized to commit the offender to the common

gaol for any period not exceeding six months. Provided always that upon payment by the offender of the penalties and costs after commitment his imprisonment shall cease.

32. All penalties which shall be recovered and paid under this Appropriation of Ordinance shall be paid to Her Majesty, Her heirs and successors, ^{penalties.}

for the public use of this colony.

33. For the protection of persons acting in the execution of this Protection of Ordinance, all actions and prosecutions against any person for any ^{persons acting under this} thing done in pursuance of this Ordinance shall be commenced within Ordinance. six calendar months after the act committed, and not otherwise, and notice in writing of such action, and the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action; and in any such action the defendant may plead the general issue and give this Ordinance and the special matter in evidence at any trial to be had thereupon: and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become non-suit, or discontinue any such action after issue joined, or if, upon demurrer, or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and shall have the like remedy for the same as any defendant hath by law in other cases; and although a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Judge, before whom the trial shall be, shall certify his approbation of the action and of the verdict obtained thereupon.

34. It shall be lawful for the Governor to draw upon the Treasurer for any expenses incidental to the execution of this Ordinance. Expenses of Ordinance provided for.

35. Nothing in this Ordinance contained shall extend, or be construed to extend, to prevent the delivery by the officers in charge of Her Majesty's mails, or officers of the Royal Mail, or any other steam packet Company, of any mails that may from time to time be on board of any such steam packet under such rules and regulations for the prevention of the introduction of any of the beforementioned diseases as may from time to time be made by the Governor, who is hereby empowered to make such rules and regulations in regard to the landing and receipt of the said mails, and in regard to the coaling of the said steamers in any port within this Government.

Proviso with
regard to Royal
Mail Steam
Packet Com-
pany and other
vessels
carrying mails.

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Suspension and
revival of Ordin-
nance.

36. It shall be lawful for the Governor in Council from time to time to suspend the operation of this Ordinance, or any part thereof, and for such period of time as may be thought expedient, and again to revive the same, or any part thereof.

The Ordinance
to be applicable
to Her Majesty's
Ships.

37. That Her Majesty's vessels, and vessels-of-war belonging to other nations are subject to this Ordinance in the same manner as merchant ships.

(Signed) G. D'ARCY, *Colonel and Governor.*

Passed the Legislative Council this twenty-seventh
day of September, One thousand eight
hundred and seventy-five.

(Signed) G. TRAVIS, *Clerk to the Council.*



SPIRIT LICENCE AMENDMENT ORDINANCE.

In the year 1875.—No. 4.

By His Excellency COLONEL GEORGE D'ARCY, Governor and Commander-in-chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

Preamble.

WHEREAS it is expedient that an Amendment Ordinance be passed for regulating the issue of Licences. Be it enacted:—

Stipendiary Magistrate to issue notice in form of Schedule A.

Licensed Victuellers to act as Special Constables & Warders of the Gaol.

To provide bed and board for one Traveller.

Commencement of Ordinance.

1. That on the occasion of granting any new licences or refusing the extension of any licence granted previously, it shall be necessary for the Stipendiary Magistrate to issue a notice in the form of Schedule A.

2. That all Licensed Victuellers on or after the 1st day of September 1876. shall be liable to act as Special Constables and Warders of the gaol and perform such duties for the necessary aid to the administration of justice which the Stipendiary Magistrate may (confirmed by the Governor) order from time to time, and all Licensed Victuellers shall be compelled from the promulgation of this Ordinance to provide the accommodation of bed and board for one Traveller.

3. And whereas the delay incident to a previous communication with Her Majesty to know Her Royal Pleasure hereupon would be productive of inconvenience, be it therefore enacted that this Ordinance shall take effect and come into operation on the passing thereof.

SCHEDULE A.

You are hereby summoned to appear as a Magistrate at the Magistrate's Court to be holden at o'Clock in the morning on the day of next and there attend from day to day until you shall be discharged from the said Court.

N. B. The penalty for disobedience hereto is any sum not exceeding ten pounds.

(Signed) G. D'ARCY, *Colonel and Governor.*

Passed the Legislative Council this twenty-seventh day of September, One thousand eight hundred and seventy-five.

(Signed) G. TRAVIS, *Clerk to the Council.*

Naturalization Ordinance.

In the Year 1876.—No. 1.

By His Excellency Colonel G. D'ARCY, Governor and Commander-in-Chief in and over the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof,

WHEREAS Edward Nilsson, a native of Sweden, and Charles Bender, a native of Germany, have prayed that they the said Edward Nilsson, and Charles Bender, may be admitted to enjoy the privileges of British-born Subjects,
Recital. Be it enacted:

1. That the said Edward Nilsson, and Charles Bender, when and so soon as they shall have taken the Oath of Allegiance before the Governor, which Oath the Governor is hereby authorized to administer, shall be to all intents and purposes whatsoever entitled, within the limits of this Colony, to all the privileges of British-born Subjects of Her Majesty.

2. The Governor shall immediately after such Oath shall have been taken before him, certify the same, and cause such certificate to be recorded in the office of the Registrar-General of this Colony.

(Signed.)

G. D'ARCY, *Colonel and Governor.*

Passed the Legislative Council the 11th. day of May 1876.

(Signed.) G. TRAVIS, *Clerk to the Council.*

An Ordinance to make further provision for the Administration of Justice in the Falkland Islands.

In the Year 1876.—No. 2.

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SCHEDULE.

Form of Summons to Assessors.

By His Excellency Thomas Fitzgerald Callaghan, Lieutenant Governor and Commander-in-Chief in and over the Falkland Islands and the Dependencies thereof with the advice and consent of the Legislative Council thereof.

Whereas it is expedient to reconstitute the Magistrate's Court and the Police Court, established under Ordinance No. 10. of 1853, and to make further provision for the administration of Justice in the Falkland Islands:—

Be it enacted by the Governor with the advice and consent of the Legislative Council as follows:—

- Short Title.** 1. This Ordinance may be cited for all purposes as "The Administration of Justice Ordinance 1876."
- Interpretation of terms.** 2. The following terms and expressions shall be understood as hereafter defined or explained, unless there be something in the subject or context repugnant to such definition or explanation; that is to say:—
 The expression "principal Ordinance" shall mean Ordinance No. 10. of 1853 entitled "An Ordinance for the Administration of Justice."
 "The Court" shall mean the Court or the presiding Judge.
 "The Colony" shall mean the Colony of the Falkland Islands.
 "Gazette" shall include any publication in which Government notifications are usually inserted in the Colony.
 "Secretary of State" shall mean one of Her Majesty's Principal Secretaries of State.
 "The Chief Justice" shall include the person for the time being discharging the functions of that office.
- Commencement of Ordinance.** 3. This Ordinance shall come into force and operation on such day after the passing thereof as shall be fixed by the Governor and shall be notified in a proclamation under the hand of the Governor to be published in the Gazette or in such other manner as the Governor shall direct.
- The Magistrates Court to be styled the Supreme Court and to be held before a Chief Justice,** 4. From and after the commencement of this Ordinance the Magistrate's Court established by the principal Ordinance shall be styled "The Supreme Court of the Falkland Islands" and shall be held before one judge who shall be styled the Chief Justice.
 5. The Chief Justice shall be a member of the Bar of England Scotland or Ireland of not less than seven years standing and except in cases provided by the next following section shall be appointed by letters patent under the seal of the Colony by the Governor in accordance with such instructions as he may receive from the Secretary of State and he shall hold the said office of Chief Justice during the pleasure of Her Majesty, and receive such Salary as the Secretary of State may from time to time direct.
- Governor may be Chief Justice if qualified.** 6. It shall be lawful for the Governor to fill the office of Chief Justice concurrently with that of Governor of the Colony, if he shall possess the professional qualification specified in the last preceding section, and shall have been appointed to the said Office by Her Majesty; and the assumption of the said office and the exercise of the duties thereof by the Governor shall be conclusive evidence of his qualification for and of his appointment to the said office.
 7. In case the Office of Chief Justice shall become vacant by death or otherwise it shall be lawful for the Governor ex officio to fill the said office or to appoint some other person to fill the said office until Her Majesty's pleasure be known; and in case of the temporary illness or absence of the Chief Justice it shall also be lawful for the Governor ex officio to fill the said office or to appoint some person to fill the said office until the Chief Justice shall resume the duties thereof. Provided always that in case the Governor so
- Provision in Case of Illness or absence of Chief Justice or Vacancy of office.**

acting ex officio or the person so appointed by him to act as Chief Justice temporarily shall not be a member of the Bar of England Scotland or Ireland, the Court shall be held before the Governor or other acting Chief Justice as Chairman in conjunction with three or more Justices in accordance with the provisions in that behalf contained in the principal Ordinance which said provisions shall for such purpose only be deemed to remain in force; but such Acting Chief Justice may exercise alone all the powers vested by this Ordinance in the Chief Justice other than the trial of causes Civil and Criminal.

8. All the Powers and Authorities vested by the principal Ordinance in the Chairman of the Magistrate's Court and three or more Justices or in such Chairman alone or in such Chairman with the approval of the Governor are hereby transferred to and may be exercised by the Chief Justice.

9. It shall be lawful for the Chief Justice if he shall in his discretion think fit, to summon any Justices of the Peace to sit with him as Assessors on the Trial of any Cause or the hearing of any Proceeding, Civil or Criminal.

10. The Assessors shall be summoned by notice in the Form in Mode of Summoning Assessors, and Penalty and any Assessor who without reasonable cause shall fail to attend for neglect or the Court in pursuance of such notice, or refuse to act as such Assessors, or, unless excused or discharged by the Court, shall be liable to a Fine not exceeding £10, which Fine may be imposed by the Court summarily.

11. The Assessors shall have no voice in the Decision of any case, but the name of every Assessor who shall dissent from the Judgment of the Court together with a note of the grounds of such dissent shall be recorded on the Proceedings and signed by the Assessor so dissenting.

12. There shall be no appeal from the Supreme Court to the Governor in Council, except when the Court shall be held before an acting Chief Justice as Chairman together with three or more Justices as provided by Section 7.

The Police Magistrate's Court.

13. From and after the commencement of this Ordinance the Police Court to be styled Police Magistrate's Court and to be styled Stipendiary Court and to be Magistrate sitting alone who shall be styled "The Police Magistrate" held before and shall have all the usual Powers and Authorities of a Justice of Stipendiary Magistrate of the Peace.

14. The Police Magistrate shall be appointed by the Governor and His appointment shall receive such Salary as the Secretary of State shall direct.

15. The Police Magistrate shall have Jurisdiction to try summarily Criminal all crimes and offences mentioned or referred to in Section 14 of the Jurisdiction, principal Ordinance, but he shall not have Power to impose a longer Term of Imprisonment than six months with or without hard labor, or a larger Fine than £20 and in case he shall be of opinion that the

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crime or offence with which a person is charged before him deserves a greater punishment by way of Imprisonment or Fine or both than is hereinbefore limited, or that such crime or offence ought to be tried before the Chief Justice, he shall commit the accused for Trial at the Supreme Court.

Civil Jurisdiction.

16. The Police Magistrate shall have and exercise a summary Jurisdiction without the intervention of a Jury in all Suits where the claim debt or damages or balance sought to be recovered shall not exceed the sum of £20 and in all Suits for the recovery of the possession of tenements where the annual rent or value thereof shall not exceed the said amount and every such Suit shall be originally instituted in the Police Magistrate's Court unless the Chief Justice shall on the application of the Police Magistrate or of either party to the Suit permit the same to be instituted in the Supreme Court.

Power to remove Suits from one Court to another.

17. It shall be lawful for the Chief Justice on such application as aforesaid, by Summary Orders to remove into the Supreme Court any Suit instituted in the Police Magistrate's Court, and also of his own motion to remove from the Supreme Court into the Police Magistrate's Court any Suit which shall involve directly or indirectly any claim, demand or question to or respecting property or any Civil right amounting to or of the value of not more than £50, and which can in his opinion be properly tried in the Police Magistrate's Court: and thereupon such last mentioned Suit shall be tried Summarily by the Police Magistrate in manner aforesaid.

General powers of Police Magistrate.

18. All the powers and authorities vested in the Chairman of the Police Court established under the principal Ordinance, or in the said Chairman and two or more Justices, are hereby transferred to the Police Magistrate so far and to such extent as may be necessary for the exercise of the Jurisdiction conferred on him by this Ordinance and subject to all the provisions thereof and all other Jurisdiction vested in the Police Court by the principal Ordinance is hereby transferred to the Supreme Court.

Power to summon Assessors.

19. It shall be lawful for the Police Magistrate if he shall in his discretion think fit to summon two Justices of the Peace to sit with him as Assessors on the Trial of any Civil or Criminal cause or proceeding, and the provisions of Sections 10 and 11 of this Ordinance relating to Assessors Summoned by the Chief Justice shall apply to Assessors summoned by the Police Magistrate under this Section.

Appeal to Supreme Court.

20. Either of the parties may by petition within ten days from any Judgment or Order of the Police Magistrate or within such further time as the Chief Justice shall allow either before or after the expiration of such period of ten days, appeal to the supreme Court, which Court on hearing the petition and the evidence taken in the Police Magistrate's Court (unless the Court shall think fit to examine further in the matter) shall make such Order as justice shall seem to require. And where the case involves any questions of fact the same may be tried *de novo* by the Supreme Court either with or without a Jury, as the Court shall determine.

Miscellaneous Provisions.

21. It shall be lawful for the Chief Justice to make General rules ^{Power to make General Rules.} for regulating the practice and procedure of the Supreme Court and of the Police Magistrate's Court, the forms to be used and the fees to be payable therein, the fees of Council and the costs of Attorney, and also to define the duties of the Officers of the said Courts and such Rules from time to time to alter, amend or revoke, as occasion may require: Provided always that no such rules or any alteration, amendment or revocation thereof, shall be deemed binding until the same shall have been approved of by the Legislative Council and shall have been published in the "Gazette," but all such Rules and all such alterations amendments and revocations thereof when so approved and published as aforesaid, shall have the same force and effect for all purposes as if the same had been made by Ordinance, and shall in like manner come into immediate operation, subject to disallowance by Her Majesty.

22. The Governor may from time to time appoint such Officers as ^{Power to appoint Officers.} shall appear to be necessary for the administration of Justice and the due execution of the powers and authorities which are granted and committed to the said Courts by this Ordinance and such Officers shall receive such salaries as shall be fixed by the Governor in Council with the approval of the Secretary of State.

23. All causes, matters or proceedings whatsoever whether Civil ^{Pending Suits.} or Criminal, pending at the date of the commencement of this Ordinance shall be continued and concluded in the Supreme Court or in the Police Magistrate's Court according as the Chief Justice shall direct, and under the provisions of this Ordinance.

24. Section 58 of the principal Ordinance is hereby repealed and ^{Notarial Powers of Chief Justice.} in lieu thereof the person for the time being discharging the functions of Chief Justice under this Ordinance shall have and may exercise within the Colony all the powers and authorities and shall be entitled to receive for his own use such and the like fees, as a notary Public appointed by the Law of England: and for the purpose aforesaid a separate Seal shall be provided for the Court, with the inscription "Supreme Court of the Falkland Islands, Notarial Seal."

25. All provisions contained in the principal Ordinance which may be repugnant to or inconsistent with this Ordinance shall be deemed ^{The two Ordinances to be read together,} to be hereby repealed or suspended, but subject thereto the principal Ordinance and this Ordinance shall be read and construed together as one Ordinance with such verbal modifications in the principal Ordinance not affecting the substance as may be necessary for the purpose aforesaid.

SCHEDULE.**Form of Summons to Assessors under Section No. 9.**

In the Supreme Court of the Falkland Islands.

To

You are hereby summoned to appear and serve as an Assessor to the Chief Justice at the Supreme Court on the Trial of a certain cause or proceeding therein depending on the day of at the hour of in the forenoon and there to attend from day to day until you shall be discharged by the Court-

(Signed.)

By order of the Court.

N. B. The Penalty for disobedience hereto is a Fine not exceeding £10.

Passed the Legislative Council this
twenty-ninth day of June, One thousand eight
hundred and seventy-six.



*An Ordinance for making certain verbal alterations in the
Summary Jurisdiction Amendment Ordinances and other Ordinances.*

In the Year 1876.—No. 3.

By His Excellency Thomas Fitzgerald Callaghan, Lieutenant Governor and Commander-in-Chief in and over the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof as follows:

WHEREAS in consequence of the passing of Ordinance No. 2. Recital. 1876. it becomes necessary to amend the Ordinances in the Schedule hereunto annexed by making certain verbal alterations therein. Be it therefore Enacted that the said Ordinances are hereby amended as follows.

1. That wherever the words "Magistrate's Court" occur in any of the provisions of the said Ordinances the words "Supreme Court Islands" to be substituted for "Magistrate's Court." "Supreme Court Islands" to be substituted for "Magistrate's Court."
2. That in Section 1. of Ordinance No. 2. of 1862. the words "Police Magistrate" shall be substituted and used for the words "Chairman of the Courts." "Police Magistrate" to be substituted for "Chairman of the Courts."
3. That save and except as to the alterations hereby made the said Ordinances shall remain and be in force as hitherto. Ordinances to remain in force as before save as herein altered.
4. That this Ordinance shall take effect and come into operation on the third day of July 1876. Commencement of Ordinance.

Passed the Legislative Council this
twenty-ninth day of June, One thousand eight
hundred and seventy-six.

SCHEDULE.

No. 2. of 1857.

Entitled Summary Jurisdiction Amendment Ordinance.

No. 1. of 1868.

Entitled Marriage Ordinance.

No. 2. of 1862.

Entitled Summary Jurisdiction Amendment Ordinance.

No. 3. of 1867.

Entitled Sheep Ordinance.

No. 1. of 1869.

Entitled An Ordinance to provide for the appropriation of the Casual Revenues of the Crown arising from Escheated Estates.

No. 2. of 1871.

Entitled An Ordinance to declare the Law and Practice in cases of Escheat

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PENAL SERVITUDE ORDINANCE.

In the year 1876.—No. 4.

By His Excellency Thomas Fitzgerald Callaghan Esquire, Governor and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof; Be it enacted:—

Repeals sections 28 and 29 of
No. 10 of 1853. 1. That sections 28 and 29 of The Administration of Justice Ordinance No. 10 of 1853. shall be and are hereby repealed and the two following sections substituted in lieu thereof.

Sentence of
Penal Servitude
declared legal. 2. That when any person shall be convicted of any offence for which in England such person would now be liable to be sentenced to Penal Servitude for any term it shall be lawful to pass the same sentence in these Settlements for the same term, and every such sentence of Penal Servitude or order of Penal Servitude as hereinafter mentioned shall subject the Convict during the term of such sentence to be imprisoned with hard labour and to be otherwise dealt with under such sentence in the same manner as if sentenced to imprisonment with hard labour for the same term; and every Convict under any sentence or order of Penal Servitude or under any sentence of imprisonment with hard labour, either with or without whipping may by order of the Governor be worked in any part of the Settlements or any of the Dependencies thereof without the precincts of any gaol or in any hulk or on the

Convicts may be
worked in any
part of the
Settlements
Governor may
order. sea within the limits of the Settlements, or in any Gaol or House of Correction now established or in any Penitentiary or other building or buildings in these Settlements which shall hereafter be appointed for that purpose by the Governor by Proclamation and in any employment within the same and be under the custody and management of any person the Governor shall direct.

The Court to
make an order
of Penal Servi-
tude when the
Crown intends
mercy in a capi-
tal case. 3. That whenever Her Majesty or the Governor having lawful authority shall be pleased to extend mercy to any offender convicted of any crime punishable with death on condition of Penal Servitude and such intention of mercy shall be signified by the Governor to the Court before which such offender shall have been convicted such Court shall allow to such offender the benefit of a conditional pardon, and shall accordingly make an immediate order of Penal Servitude regarding such offender and which order shall have the same force and effect as any sentence of Penal Servitude.

Amends section
30 of Ordinance
No. 10 of 1853. 4. That Section 30 of the aforesaid Ordinance No. 10 of 1853 shall be and is hereby amended by expunging the words "and shall be liable to be transported beyond the sea for the term of seven years" and substituting therefor the words "and shall be liable to Penal Servitude for the term of seven years" and the said section as hereby amended together with the other sections of this

Ordinance shall be deemed and taken to be a part of the said Administration of Justice Ordinance as fully and effectually as if incorporated therein.

5. That this Ordinance shall come into operation from the day of Commencement of Ordinance.
the passing thereof.

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An Ordinance to extend to these Settlements certain Acts of Parliament in force in England relating to the Criminal Law.

In the year 1876.—No. 5.

By His Excellency Thomas Fitzgerald Callaghan Esquire, Governor and Commander-in-Chief, of the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof; Be it enacted.

Certain acts of Parliament extended to the Colony.

1. That the Acts of Parliament specified in the Schedule hereunto annexed shall be in force in these Settlements and shall be applied to the administration of Justice as far as they can be applied and as local circumstances will permit.

Commencement of Ordinance. 2. That this Ordinance shall take effect and come into operation from the day of the passing thereof.

SCHEDULE.

16 and 17 Vict. cap. 83. 20th August, 1853.	An Act to amend " An Act of the 14 and 15 Vict. cap. 90.
18 and 19 Vict. cap. 91. 14th. August 1855.	An Act to facilitate the Erection and maintenance of Colonial Lighthouses and otherwise to amend the Merchant Shipping Act of 1854.
24 and 25 Vict. cap. 66. 1st. August, 1861.	An Act to give relief to persons who may refuse or be unwilling from alleged conscientious motives to be sworn in Criminal Proceedings.
24 and 25 Vict. cap. 94. 6th. August, 1861.	An Act to consolidate and amend the Statute Law of England and Ireland relating to accessories to and abettors of indictable offences.
24 and 25 Vict. cap. 96 6th. August, 1861.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Larceny and other similar offences.
24 and 25 Vict. cap. 97. 6th. August, 1861.	An Act to consolidate and amend the Statute Law of England and Ireland relating to malicious injuries to Property.
24 and 25 Vict. cap. 98. 6th August, 1861.	An Act to consolidate and amend the Statute Law of England and Ireland relating to indictable offences by Forgery.
24 and 25 Vict. cap. 99. 6th. August, 1861.	An Act to consolidate and amend the Statute Law of the United Kingdom against offences relating to the coin.
24 and 25 Vict. cap. 100. 6th August 1861.	An Act to consolidate and amend the Statute Law of England and Ireland relating to offences against the Person.
25 Vict. cap. 18. 16th. May, 1862.	An Act to amend the Law as to the whipping of Juvenile and other offenders.
30 and 31 Vict. cap. 35. 20th. June, 1867.	An Act to remove some defects in the administration of the Criminal Law.
32 and 33 Vict. cap. 68. 9th. August, 1869.	An act for the further amendment of the Law of Evidence.