Legislative Council

Monday - 17th January 1853.

Present,
All the Members.

The Council met pursuant to adjournment.

The minutes of the last preceding meeting were read and confirmed.

On the motion of the Governor the Ordinance to extend to the Colony certain acts of Parliament was then read a third time.-

Mr. Montagu moved that the blank at the end of clause 4 be filled by the words "first of February." Agreed to.

The bill was then passed.-

After some discussion on the Ordinance to appoint a person to perform certain duties under the Mercantile Marine Act and Merchant Seamans Act, the third reading of that Ordinance was adjourned to Saturday next the 22nd instant.

The Alien Ordinance was then on the Governor's motion read a third time and passed.

The Governor said Gentlemen, since the last meeting of the Council, Mr. Montagu has reconsidered the Land Conveying Ordinance and has sent me in a draft which appears to

to me to embody several amendments of so important a character as make it I think desirable that I should withdraw the former Ordinance submitted to the Council, and I therefore propose, if no objection be made to that withdrawal, to substitute this Ordinance, and move that it be now read a first time.—

The Ordinance being read accordingly,

The Governor moved that in Schedule 1, the words "of the Falkland Islands" be inserted after the words "Conveying "Ordinance".—

Mr. Montagu not agreeing to this amendment, the Council divided—

Ayes—	Noes
The Governor	Mr. Montagu
Mr. Dale	

Carried in the affirmative.—

The Governor moved that the second reading of this Ordinance be fixed for Saturday next at 11 o'clock, to which day the Council adjourned.—

J. H. Rowlands
Clerk to the Councils.

Legislative Council.

Saturday - 22nd January 1853

Present,-
All the Members

The Council met pursuant to adjournment.-

The minutes of the last meeting were read and confirmed

The Governor moved the reconsideration of the Ordinance to appoint a person to perform certain duties under the Mercantile Marine Act and Merchant seamans act.

A discussion arose as to the first clause of the Ordinance, which the Governor subsequently withdrew with a view to its being amended in detail and brought under consideration at the next meeting of the Council.

The Governor then moved that the Land Conveying Ordinance be now read a second time.-

The ordinance being read accordingly the Governor moved that in clause 1 the words "ambassador, "envoy, consul, or vice consul" be razed and the words "accredited representative" substituted. Agreed to.

Mr. Montagu moved that the words "other or" in clause 11 be omitted.- Agreed to.

Mr.

Mr. Montagu moved that the words "the Falkland Islands" in schedule 1 after the words "Conveying Ordinance" be erased; and that after the word "All" there be inserted "that parcel of land in the Falkland Islands situate" — Agreed To.

The Governor moved to insert the words "and maps" in the margin of schedule 1 after the words "Registrar's books." Agreed To.

The Governor moved that in clause 1 the words "on parchment" be struck out and that in schedule 3 the words "on paper" be added after the words "on parchment" —

The Council divided —

Ayes	Noes
The Governor	Mr. Montagu
Mr. Dale	

Carried in the affirmative.

Mr. Montagu moved that the blank in clause 13 be filled by the word "inconvenience" Agreed To

On the motion of the Governor the Ordinance was ordered to be engrossed and brought up for third reading on the 29th instant —

The Governor laid on the table certain Standing Rules and Orders which he had prepared for the consideration of the Council.

The Council adjourned To Saturday the 29th instant.

J. Thompson

Clerk To the Council.

Legislative Council.

Saturday - 29th January 1853.

Present
All the members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read and confirmed.

The Governor laid on the table "An Ordinance to appoint a Shipping "master to perform the duties committed "to Officers of customs by the mercantile "marine act and merchant seamans "act" which had been ~~prepared in lieu~~ amended in accordance with the views of the majority ~~of the Ordinance as drawn by the Gov-~~ ~~ernor at the last meeting~~ of the Council) and moved that it should now be read a first time. -

(amended 3 Feb 1853 WH)

The Ordinance was read a first time accordingly. -

On the motion of the Governor the said Conveying Ordinance was then read a third time. -

The Governor moved that the word "part" be inserted in clause 1 before the words "of Her Majesty's dominions." Agreed to.

Mr Montagu moved the insertion of the word "therefore" after the words "Be it" in clause 13. Agreed to.

The Governor moved that the blank at the End of clause 13 be filled by the words "first of February. - Agreed to.

The

Amended 3rd Feby 1853.

The Governor moved that the Ordinance do pass. Carried unanimously.—

~~the words "first of February 1853" agreed to.~~

~~The Ordinance was then passed.~~

The Governor then said that as the "Ordinance to appoint a Shipping master" had been under the consideration of the Council on two previous occasions, and as Mr. Montagu had now amended it to his Entire satisfaction, he should move that the standing rules and orders relative to the reading of a bill be suspended, and that the Ordinance be now read a second time.

This being agreed to, the Ordinance was read accordingly a second time

The Governor moved that in clause 1, the words "would be" be erased, and the word "are" substituted, and that the words "and might be performed by" be inserted after the words "committed to."— Agreed to

Mr. Montagu moved the insertion in the same clause of the words "or would apply" after the word "apply", and of the words "if resident in the Falkland Islands" after the words "Officer of customs." Agreed to.

Mr. Montagu moved that the Ordinance be Engrossed and brought up for third reading on Thursday the 3rd of February next.

The Governor moved that the standing rules and orders which he had laid on the table at the last

meeting of the Council should be con-
-sidered, and the Clerk was accordingly
directed to read them. —

The proposed rules were then read and
discussed by the Council, and the further
consideration of them was adjourned to
the next meeting

The Council adjourned to Thursday
the 3rd February 1853

J Thompson

Clerk to the Councils

The minutes of this Council
to this date were enclosed in
the governor's dispatch to the
Duke of Newcastle, &c.
dated 10th March 1853 JTh

Legislative Council

Thursday — 3rd February 1853

Present
All the Members

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read, amended and confirmed. —

On the motion of the Governor the "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" was then read a third time.

The Governor moved that the blank at the End of the fourth clause be filled by the words "16th of February 1853." agreed to. —

The Governor moved that the Ordinance to appoint a Shipping Master do pass.

Carried unanimously.

The Governor then laid before the Council certain Standing Rules by which he proposed they should in future be guided. —

After some discussion on them, the Governor moved that the question of their confirmation be postponed till

the next meeting of the Council when if no more pressing business occurred the reconsideration of them would be resumed.

The Council adjourned sine die.

J. W. Langdon
Clerk to the Council

Legislative Council

Friday, - 1st July, 1853

Present,
All the Members.

The Council met pursuant to summons

The minutes of the last preceding meeting were read and confirmed.

~~The Council met pursuant to summons.~~

The Governor moved that the Auctioneers Ordinance be now read a first time.

The Ordinance having been read accordingly,

W. Montagu gave notice that he should on the second reading move the insertion of a proviso that no allowance shall be made in cases where the purchaser pays the duty.

The Governor after some remarks on the general character of the Ordinance proposed that the second reading should take place on Monday next the 4th instant.

The Council then on the motion of the Governor resumed the consideration of the Standing Rules and Orders of Council.

The rules proposed by the Governor were read and discussed clause by clause and after being amended a fair

copy was directed to be made and laid before the Council at their next meeting.

The Council then adjourned to Monday, the 4th instant.—

J. Chingden
Clerk to the Council.

Legislative Council,

Monday – 4th July 1853

Present,
All the Members

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read & confirmed.

The Governor laid before the Council the Standing Rules which had been discussed at the last meeting.

The Rules having been read,

On the motion of the Governor, it was resolved that the Standing Rules and orders which have hitherto served for the guidance of this Council be annulled, and that the following Standing Rules and Orders be adopted, and from this date be acted upon in all debates and proceedings of this legislature:—

Notice of meeting. 1. That except in cases of Emergency three days notice of the meeting of the Council shall be given to each member by the clerk under the special directions of the Governor;—

Punctuality and if two members exclusive of the Governor be not present within twenty minutes of the appointed hour of meeting the Clerk shall report

the

the circumstance to the Governor who may then adjourn the meeting.

Order. 2. That the Governor shall decide all disputed points of order.

Questions. 3. That the Governor shall put all questions and declare the sense of the Council thereon.

Speaking. 4. That every member shall in speaking address the Governor.

Ordinances. 5. That all Ordinances shall be laid on the table by the Governor.

Divisions. 6. That it shall be competent for any member to divide the Council upon any ordinance or question.

Adjournment. 7. That an adjournment of the discussion of any question may at any time be moved by any member, and adopted or not by the majority.

Copy of Ordinance. 8 That except in cases of Emergency each member shall be furnished with a copy of each intended Ordinance three days prior to its being proposed to be read a first time.

First reading. 9. That any ordinance proposed by the Governor shall be read a first time, after which reading notices of motion to amend may be given by any member for the second reading.—

Second reading 10. That excepting in special cases not less than three days' notice shall be given of the second reading of any Ordinance, and when moved, any member may address the Council on its general principles.- and if the second reading shall be carried

the

the Ordinance shall then be read clause by clause, and motions for amendment may be made - after which the whole ordinance if amended shall be read, and if approved of any member

Engrossing. may move that it be engrossed and brought up for the third reading and passing thereof

Third read. II. That when the Ordinance shall have

-ing and passing been engrossed and laid on the table by the Governor, any member may move that the Clerk shall read the whole of it with its title and Schedules (if any) and if it shall be found to be a correct transcript of the draft Ordinance as approved by the Council, the only further question will be that the Ordinance do pass, which may be moved by any member. -

Signature of Governor and Public Seal. 12. That if the motion for passing an Ordinance shall have been carried, the Governor will sign the Ordinance, and when the Public Seal shall have been affixed thereto, it shall be transmitted to the Magistrate's or other Superior Court in the Colony to be recorded, and the original sent back to the Governor. -

Suspension of Standing Rules. 13 That when it shall appear Expedient it may be moved by any member that the Standing Rules and Orders relative to the readings of an Ordinance be suspended, and if adopted it may be carried

carried through the several stages at one sitting.—

Minutes. 14 That the Clerk shall keep a Minute Book in which shall be entered in succession the subjects brought under discussion at each sitting, and how each member shall have voted in any division.—

Petitions.— 15. Petitions may be presented and read by any member after the confirmation of the minutes of the preceding meeting, and when read it shall be competent for any member to move that such petition or petitions be laid on the table and kept among the records of the Council.—

Private Ordinances &c.— 16. In cases of private ordinances or in any case where individual rights or interests may be peculiarly affected, any member may move that such party or parties may be heard either personally or by Counsel, in such manner and at such times as the Council may deem expedient.—

(Signed) George Rennie
Govr

4th July 1853.—

The Governor then moved that the Auctioneers' Ordinance be read a second time.—
The Council divided,—

Ayes 9

Ayes,-
The Governor,
Mr Dale,
Noes
Mr Montagu,
Carried in the affirmative.-
On the bill being read a second time, accordingly clause by clause, Mr Montagu moved that in the first the words "or such person as the Governor shall "from time to time appoint" be inserted after the words "lawful for the Governor". Agreed to.-

Mr Montagu also moved that the words "at discretion" be struck out of clause One.-

After some discussion the Council divided,
For the amendment,
Mr Montagu,
Against it,
The Governor,
Mr Dale.-
The amendment was, therefore, negatived.

In clause 3 the Governor moved that the words "with the exceptions hereinafter "mentioned" be inserted after the words "hereditaments or other interest therein"

The Council divided -
For the amendment,
The Governor
Mr Dale.-
Against it,
Mr Montagu

Amendment carried.-

The Governor moved that the following words be added to clause 3, "Provided always that no auction "duty shall be payable on the sale of "horticultural, pastoral, and agri-"-cultural implements, or on biscuit

"flour

"flour, wheat, maize, pulse, grain,
"fresh fruits, or seeds of any kind,
"or Cattle, sheep, horses, or any
"description of live animal, or
"birds, or fresh fish." -
The Council divided
For the amendment, against it,
The Governor Mr Montagu
Mr Dale. -
Amendment carried. -
The Governor moved that Claus
4 be omitted. Agreed to.
The Governor moved the insertion
of a clause in lieu of clause 4, to exempt
from duty lots bought in by the owner
provided that the reserved price be decla-
-red previously. -
Mr. Montagu moved that the con-
-sideration of the Ordinance be ad-
-journed to the next meeting which
was agreed to and
The Council adjourned to Friday
the 8th instant. -

J. H. Longden
Clerk to the Council.

Legislative Council

Friday – 8th of July, 1853

Present
All the Members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read and confirmed.

On the consideration of the Auctioneers' Ordinance being resumed, the Governor moved that the words "implements used "in grazing or Agricultural farms or in "horticulture" be substituted for the words "horticultural pastoral and agricultural "implements", in clause 3. Agreed to.

The Governor moved that the words "and any "agreement or condition of sale that the "purchaser shall pay the duty shall be "void" be inserted in clause 3 after the words "person by whom he shall have been "Employed". – Agreed to.

The Governor moved that the following clause be inserted in lieu of clause 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 former on the fact and

"fairness

"fairness of the transaction being proved to his
"satisfaction shall make an allowance to
"the Auctioneer of the duty in such case on
"the passing of his accounts." - Agreed to.

The Governor moved that the following clause be inserted after the preceding;-
"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 Board
"at the Stone yard and Market place respect-
"-ively, of any sale by auction intended to
"be holden by him in Stanley at least
"twenty four's previous to the commencement
"of such sale, and if elsewhere twenty four's
"additional notice for every twenty 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 of-
"-fence he shall pay a fine of fifty pounds."
Agreed to.

In clause 6, Mr. Montagu moved that after the words "within seven days", the words "or
"such further time as the Governor at
"discretion shall grant" be inserted. Agreed to.

In clause 7, Mr. Montagu moved that the words (~~a any~~) "licensed auctioneer" be substituted for the words "person holding a
"license or transfer." Agreed to.

Mr. Montagu also moved that the words
"in the Falkland Islands" be omitted. Agreed to.

The Governor moved that the word "fee" be instituted before the word "accept". - Agreed to. -

Mr

Mr Montagu moved that the ninth clause be omitted, and the following substituted. "That none of the aforesaid fines shall be "used for, except on the information of some "person appointed by the Governor by warrant "under his signature in the form C." Carried.

Mr Montagu moved that the words "or "to any sale of fresh fruit or fish or poultry "by the owner" be inserted in clause 10 after the word "rent" Agreed to.

Mr Montagu also moved that the words "or biscuit or flour" be inserted in clause 10 after the word "rent."-

The Council divided,

For the amendment,
Mr Montagu

Against it
The Governor
Mr Dale.

Amendment negatived.

The Governor moved that the words "first of August" be inserted in the blank in clause 12. Carried. -

The Ordinance was then again read as amended. -

Mr Montagu moved that the words "or rum" be struck out of clause 2, wherever it occurs. Agreed to

Mr Montagu moved to strike out of clause 3 the words "fresh fruit or "birds or fresh fish" Agreed to.

Mr Dale moved that the words "plants be inserted in the same clause after the word "seeds". - Agreed to.

The Governor moved that the Ordinance be engrossed and brought up for third reading and

passing

Paving as soon as it can be prepared.
The Council then adjourned sine die. —

Clerk & Ex Officio Council.

Legislative Council

Saturday — 23rd July 1853

Present,
All the members.

The Council met pursuant to adjournment.

The minutes of the last preceding meeting were read and confirmed.

On the motion of the Governor, the Auctioneer's Ordinance was read a third time. ——

The Governor then moved that the Ordinance do pass.

The Council divided,—

Ayes,	Noes,
The Governor—	Mr Montagu.
Mr Dale. —	

Carried.

The Governor moved that the Dog License Ordinance be now read a first time.—

The ordinance having been read accordingly, Mr. Montagu moved that the standing rules be suspended and the ordinance be read a second time.—

The motion being agreed to, the Ordinance was read a second time, and Mr. Montagu moved that in Clause 2 the amount of license for a dog, be "Eight shillings," and for a bitch "twelve

"shillings"

Shillings," and that those amount be inserted. - Agreed to

Mr. Montagu moved that the Ordinance commence on the first of September next. Agreed to.

The Governor moved the Ordinance be engrossed, and it was ordered accordingly

On the motion of the Governor the Alien Ordinance was read a first time. -

The Ordinance having been read, the Governor moved that the standing rules be suspended, and the Ordinance be forthwith read a second time. -

Mr. Montagu moved to omit the words "or engaged as a Servant" in clause 1. Agreed to.

Mr. Montagu moved that the words "without having such permission as "aforesaid" be inserted after the words "to land in the Falkland Islands" and the same words in the latter part of the clause be omitted. - Agreed to

Mr. Montagu also moved to insert the word "of" in lieu of the words "not exceeding" in clause 3. Agreed to

The Governor moved to omit from clause 3 the words "Provided always "that nothing herein contained shall "extend to any mariner employed "in the navigation of such vessels du- "ring the time he shall remain so "Employed"

"Employed" Agreed to.

Mr. Montagu moved that in Clause 8 the words "Land and Emplay" be omitted, and the word "import" be substituted. - Agreed to

The Governor moved that the words "for each alien whose name he shall "neglect or omit to register" be omitted from clause 8. Agreed to.

Mr Montagu moved to insert in clause 7 after the word "Falkland Islands" the words "unless he shall have been im- "ported by some person holding authority "from the Governor as aforesaid." Agreed to.

In the same clause the Governor moved to insert the word "after" in lieu of the word "of." Agreed to

Mr. Montagu moved that the Ordi- -nance come into operation on the first day of September next. Agreed to.

Mr. Montagu moved that the Ordinance be engrossed and it was ordered accordingly

On the motion of the Governor the Pilot and Harbour Ordinance was read a first time. —

The Council adjourned to Thursday the 28th. instant, - and subsequently to Monday 1st. August. —

J. Whingates

Clerk to the Council

Legislative Council

Monday 1st August 1853.

Present
All the Members

The Council met pursuant to adjournment.

The minutes of the last preceding Meeting having been read and confirmed,

The Dog License Ordinance was on the motion of the Governor read a third time and passed.

The Governor then moved that the Alien Ordinance be read a third time: the Ordinance was read accordingly and passed.

The Pilot and Harbour Ordinance was read a second time

In section 3, Mr. Montagu moved to insert the words "the deposit of the Ship's "papers and the return thereof to the Master "a reasonable time before his departure" after the word "harbours,"- and also the words "deposit or return" after the word "such declaration." Agreed to.

The Governor moved that the following clause be inserted to follow clause four and that the other clauses be renumbered accordingly -

"5 That if any unlicensed person shall act as Pilot on board of any Ship entering or leaving

"leaving the Harbour of Stanley without pro-
"viously 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 50£." Agreed to

Mr. Montagu Moved that an clause
& the words "or unlicensed person as
"aforesaid" be inserted after the word "Pilot"
Agreed to.—

The Governor moved that the blanks
in Clause 11 be filled by the words "first
of September."

Mr. Montagu moved that the
Ordinance be Engrossed and it was
ordered accordingly.—

The Registration Ordinance was
then read a first time on the motion
of the Governor.—

The Ordinance was then on the Gover-
nors motion ordered to be read a second
time on Saturday next, and the
Council adjourned to that day

J. Shergold
Clerk to the Council

Legislative Council,

Saturday 6th August 1853.

Present,
All the members.

The Council met pursuant to adjournment.

The minutes of the last preceding meeting were read and confirmed.

On the motion of the Governor the Pilot and Harbour Ordinance was read a third time and passed.

The Governor moved the 2nd read. ing of the Registration Ordinance, which was read to the end of the 21st Section, and then after an adjourned.

The Spirit Licensing Ordinance was read a first time, and the second reading was ordered for Wednesday next.

The Governor laid on the table the Administration of Justice Ordinance and stated he should move it be read a first time on Wednesday next.

The Council adjourned to Wednesday the 10th instant.

J. Montgomery
Clerk to the Council

Legislative Council.

Wednesday 10th August 1853.

Present,
All the Members

The Council met pursuant to adjournment The minutes of the last preceding meeting were read and confirmed.

On the motion of the Governor the Spirit Licensing Ordinance was read a second time.—

In clause 6 Mr. Montagu moved that the words "of his transfer" be omitted Agreed to.

In clause 11, Mr. Montagu moved that the words "or in his absence or "illness such person as the Governor "may appoint". ~~Agreed to~~ be struck out. Agreed to.

In clause 12, Mr Dale moved that the words "to one person" be inserted after the words "at one time". Agreed to.

In clause 16, the Governor moved that the words "or in his absence or illness such "person as the Governor may appoint" be omitted. Agreed to.

In clause 18, the Governor moved to insert the word "vessel" after the word "premises." Agreed to.—

In clause 21 Mr Montagu moved that the following words be inserted after the word "that"— "the words Stipendiary Magistrate

"Magistrate shall in case of the illness ab-
"-sence or incapacity of that officer be
"construed to include the person ap-
"pointed by the Governor to discharge
"the duties of his office for the time being
"and." — Agreed to.

In schedule B, Mr Montagu moved that the words "and it appearing thus" be struck out, and the words "the being" inserted in lieu - Agreed to

~~The Ordinance having been read through a second time,~~ Mr. Montagu then moved that the Standing Rules be suspended and the Ordinance be engrossed, and it was ordered accordingly.

The Governor moved the first read-
-ing of the Administration of Justice Ordinance.-

On the reading of clause 3, Mr. Montagu gave notice that he should move that informations be drawn in the name of the Stipendiary Magistrate only.-

In clause 26, Mr Montagu gave no-
-tice he should make a motion in reference to the objections therein mentioned to strike out the word "criminal".-

The Summary Jurisdiction Ordinance was laid on the table by the Governor, who gave notice that he should move the first reading at the next sitting of the Council.-

The Council adjourned to Monday the 15th. instant.-

J Montagu

Legislative Council.

Monday - 15th August 1853.

Present
All the members

The Council met pursuant to adjournment.

The minutes of the last preceding meeting were read amended and confirmed.

On the motion of His Excellency the Spirit Licence Ordinance was read a third time.

His Excellency moved that the words "in which they are contained" be struck out of clause 19. Agreed to.

The Ordinance was then passed.

His Excellency moved that the Administration of Justice Ordinance be now read a second time, which motion being carried the Ordinance being read clause by clause, Mr. Montagu moved that clause 3 be amended by omitting the words "in the name of Her Majesty's Attorney General "or other officer duly appointed for such "purpose by the Governor or in the name of "the committing justice or in the name of "the Chairman or Deputy Chairman of the "Court. Provided that no justice chairman "or deputy chairman as the case may be "shall preside upon the hearing upon the "trial of any information filed by him" and that

that the words "in the name of the Stipendiary Magistrate" be substituted -

The Council divided

For the amendment
Mr Montagu

Against it
The Governor
Mr Dale

Amendment negatived -

The Governor then moved that the third clause be amended by omitting the words "upon a coroners inquisition or by information "in the name of Her Majesty's Attorney General "or other officer duly appointed for such pur "pose by the Governor or in the name of the "Committing Justice or in the name of "the chairman or deputy chairman of the "Court; Provided that no Justice Chairman "or deputy chairman as the case may be, "shall preside upon the bench upon the "trial of any information filed by him", and that the following words be substi tuted "by information in the name of "the Committing Justice or in case of his "unexp absence or incapacity in the name "of such person as the Governor may ap "point for that purpose, or upon a Coroners "inquisition." -

The Council divided

For the amendment
The Governor
Mr Dale

Against it
Mr Montagu

Carried. -

The Governor afterwards moved that the words "in the name of the committing "Justice or in case of his unexp absence

or

"or mahacity" be omitted. -

W Montague moved that the discussion on the third clause of the Ordinance be adjourned to the next meeting of the Council, which was agreed to, and on the Governors motion the Council adjourned to Wednesday the 17th instant

J Montgomery
Clerk to the Council

Legislative Council

Wednesday 17 August 1853.

Present
All the Members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read & confirmed.

On the reconsideration of the third clause of the Administration of Justice Ordinance being proceeded with, Mr. Montagu moved that the words "in "the name of the committing Justice or "in case of his illness absence or incapacity "in the name of such officer as the Gover "nor may appoint for that purpose" be struck out and that the words "in "the name of the Justices as hereinafter "provided," be substituted. —

The Council divided

For the amendment, — Mr Montagu

Against it, The Governor Mr Dale.

Negatived

The Governor then put the motion adjourned at the last meeting that the words "in the name of the committing Jus "tice or in case of his illness absence or incapacity" be omitted, which was carried, and the whole clause as finally amended was then read and agreed to. —

In

In clause 16, Mr Montagu moved to insert the words "upon information" after the word "punished" Agreed to

In clause 26, Mr Montagu moved to omit the word "either" and the words "or a "criminal." Agreed to.

In clause 52, Mr Montagu moved that the word "duties" be inserted after word "monies." Agreed to

Mr Montagu moved that clause 58 be struck out which was agreed to.

Mr Montagu moved that after the word "respectively" in Clause 63 the following words be inserted "the words Stipendiary "Magistrate shall in case of the illness absence "or incapacity of that officer be construed to in- "-clude the person appointed by the Governor "to discharge the duties of the office for the "time being." - Agreed to.

After the Ordinance had been read through clause by clause, the Governor recalled the attention of the Council to clause 3, and moved that the following words be inserted after the word "such appointment" "Provided that the person so appointed by "the Governor shall not preside upon the bench "upon the trial of any information filed by him" Agreed to.-

Mr. Montagu moved that the Ordinance as amended be engrossed and it was ordered accordingly.

On the motion of the Governor the Summary Jurisdiction Ordinance was read a first time

Mr

Mr Montagu gave notice of his intention to move the omission from Section D in clause 19 also that he should call the attention of the Council with reference to section B in clause 20 to the substitution of fines for imprisonment of seamen: and that he should move the omission of clause 37.

On the motion of the Governor the Council adjourned to Monday the 22nd instant.

Clerk of the Council.

Legislative Council.

Monday – 22nd August 1853.

Present
All the Members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read and confirmed.

On the motion of the Governor the Summary Jurisdiction Ordinance was read a second time.

In clause 15 the Governor moved that the blanks be filled by the words "the Governor" and the words "Twenty pounds" Agreed to.

In clause 17, The Governor moved that the words "or annoyance" be inserted after the word "danger" in section C. Agreed to. Also to insert the words "place or" in section C after the word "public" Agreed to. Also, in section I to substitute the words "matter taken therefrom" for the words "offensive matter" and the words "ten" for the word "eight" and to insert the word "public" before the word "place" and omit the word "such". Agreed to. Also in section P to insert the words "owner or" before the word "occupier" and the words "or land" after the word "tenement" and strike out the words "occupied by him". Agreed to.

In clause 18, section C, the Governor moved

D

to omit the words "with a pit not less than "five feet deep and four feet square" Agreed to.

After some discussion sections D and F of clause 17 were adjourned to be amended before the next meeting of the Council.

After clause 19, Mr Montagu moved to insert ~~two clauses~~ - the first restricting the quantity of Gunpowder to be kept in private houses or stores in Stanley, and the second imposing a fine on persons smoking in boats loaded with Gunpowder. The clauses were read and agreed to.

The Governor moved that section C of clause 20 be struck out and the following clause substituted:-

"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 ha- "ving a written pass from the master of the "vessel to which he belongs shall pay a "fine not exceeding one pound." - Agreed to

The Governor moved to omit from clause 27 the word "either" and the words "or in "addition to any" Agreed to.

In clause 29 the Governor moved to omit the words "and if the Justice shall think fit also to discharge him from his contract or service as aforesaid Agreed to.

After the reading of clause 31 the Council on the Governor's motion adjourned to Thursday the 25th. instant.

J W Moffatt

Clerk to the Council

Legislative Council.

Thursday, - 25 August 1853

Present,
All the Members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read and confirmed.

On resuming the consideration of the Summary Jurisdiction Ordinance, Sections 2 and 3 of clause 5 (adjourned for amendment at the last meeting) Mr. Montagu moved that they be omitted and also sections 2. 6. and part of 8, beginning at the words "or throwing," and that a clause be inserted after Clause 19, ~~containing all the regulations necessary~~ with respect to Public Roads. Also that clauses 25 and 26 be omitted as they were contained in the new clause. The clause prepared by Mr Montagu, No. 20, was then read, and the alterations moved by him were adopted.

In clause 34 the Governor moved that the words "Provided that no Inspector be "required to enter into a bond or recogni- "zance as required by the said act," be struck out. Agreed to

In clause 35, the Governor moved that the following words be struck out "Whereas "by a contract lately Executed Her Majesty "has granted to Samuel Fisher Esqre the

right

"right to hunt and capture the wild cattle
"pigs goats and horses in the Falkland Islands
"for a limited time and under certain
"restrictions, and whereas the rights of the
"said Samuel Fisher Lafone under the said
"contract have been transferred to the
"Falkland Islands Company, Be it enacted
"that if any person after the determination
"of the said contract without being duly
"authorized by the Governor for the time
"being or pending the duration of the said
"contract portion being authorized by the
"Falkland Islands company or their agent"
and that the following words be inserted
in lieu thereof "That if any person on
"til the first 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." Agreed to

Also in clause 36, His Excellency moved that the words "Constable" be substituted for the words "person authorized by him" Agreed to.

Mr. Montagu moved that Clause 37 be struck out. Agreed to.

The Ordinance was then read as amended.—

Mr Montagu moved that section M in clause 17 relative to sweeping footpaths drains and watercourses be struck out.

The Council divided,—

For the amendment	Against it
Mr. Montagu	The Governor
	Mr Dale.

Amendment negatived

The Governor moved that the word "public" be inserted in that section after the word "all". Agreed to.

Mr Montagu moved that the second Paragraph of Clause 2 be omitted and the following paragraph be substituted;—

"That in any case where a Justice may "order any person to be imprisoned in "default of the payment of any fine, for- "feiture, 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 afore "said Scale the imprisonment to be deter- "minable on payment of the amount and costs"

Agreed to.

Mr Dale moved that the Ordinance be engrossed and brought up for third reading, and it was ordered accordingly.

The Council adjourned to Monday the 29th. instant

J H Congdon
Clerk to the Council

Legislative Council

Monday - 29th. August 1853

Present
All the Members

The Council met pursuant to adjournment.
The minutes of the last preceding meeting were read amended and confirmed.
On the motion of the Governor the Administration of Justice Ordinance was read a third time.-
The Governor moved that the blanks in Clause 64 be filled by the words first of October 1853 Agreed To.
The Ordinance was then on the Montagu's motion passed.-
The Governor moved the reconsideration of the Registration Ordinance on the second reading.-
The Ordinance being read clause by clause beginning at clause 24,
The Governor moved that in clauses 26 and 28 the words "upon being requested so to do" be inserted after the word information. Agreed to.
In clause 32 the Governor moved to omit the words "since the 31st. day of December preceding" and substitute the words "during the preceding year" and to substitute the word "tenth" for the word "fifth."- Also in clause 33 to substitute the word "fifteenth" for the word "tenth."
Clause 42 was adjourned to be amended.-
In clause 43, the Governor moved that the words "relating

"relating To his office as Registrar" be in-
serted after the word "Inspection" Agreed
to. —

The Council then adjourned to Thursday
the 1st of September next. —

[illegible]
Clerk of the Council

Legislative Council.

Thursday 8th 1st September 1853.

Present
All the Members

The Council met pursuant to adjournment the minutes of the last preceding Meeting were read and confirmed.

On the motion of the Governor the consideration of the Summary Jurisdiction Ordinance was resumed, and the Governor moved that in clause 20 the blank in section B, be filled by the words "Five pounds" Agreed to.

Mr Dale moved that in the same clause the blank in section C be filled by the words "five pounds," and the blank in section D by the words "forty shillings" Agreed to.

The Governor moved that the blank in section E be filled by the words "Twenty Shillings. Agreed to

Mr Montagu moved that the word "duty" be inserted in clause 1 after the word "money" and the word "ship" in clause 33 after the word "house" — Agreed to.

The Ordinance as engrossed was then on the Governor's motion read a third time.

In clause 17 Mr Montagu moved to insert the words "or dune" after the word "side" Agreed to.

In clause 20, section A, the Governor moved that the words "more than may be necessary for the clean-ing thereof" be inserted after the word "drain" Agreed to

In clause 25, Mr Montagu moved Dissent

the

the words" or from Land "after word "Gullet".
Agreed to.

The Coroner then moved that the Ordinance do pass. Agreed to.

The Council adjourned to Monday the 5th of September next, and subsequently to Tuesday the 6th.

J Whingden

Clerk to the Council

Legislative Council.

Tuesday - 6th September 1853.

Present
All the Members.

The Council met pursuant to adjournment

The minutes of the last preceding meeting were read and confirmed.—

The Governor moved the re-consideration of the Registration Ordinance on the second reading

In clause 4, the Governor moved that the following words be inserted after the word "at Stanley,"— "for the registration of all "deeds affecting land and for the registration "of Births Deaths and Marriages" Agreed to.

The Governor then moved that Clauses 2 to 21 inclusive be struck out, and that 14 clauses prepared at his request by Mr. Montagu for the purpose of making registration compulsory be substituted.— The clauses were accordingly read and agreed to

The Governor moved that the following words be struck out of clause 42 "and every "instrument registered under the authority "of either of the said Ordinances shall be "deemed and taken to have been registered under this Ordinance, and shall "have the same force and effect to all intents "and purposes the same as if such Instrument had been registered under the au- "thority of this Ordinance." Agreed to.—

The Governor moved that the following words be added to clause 44, "except as to "each and every deed, contract, voluntary con "-veyance, 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 "Deed and instruments affecting Real Property" "N° 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" Agreed to.

Mr Montagu moved that the blanks in clause 44 be filled by the words "first of January 1854." Agreed to.

In clause 23, Mr Montagu moved to omit the words "Crown Grant." Agreed to.

The Governor moved to omit Schedules A and B, and insert in lieu form schedules of forms prepared by Mr Montagu. Agreed to.

Mr Montagu moved to strike out of Schedule E. the words "For every certificate of acts by different parties - 5 shillings." Also to insert the words "For registering every birth - 2s 6d." Agreed to

Mr Dale moved that the Ordinance be engrossed and it was ordered accordingly

The minutes of Council to this date were enclosed in the Governor's despatch to the Duke of Newcastle N°: 41, 8 Sept 1853 G.V.

J. J. Stanger
Clerk of the Executive Council

Legislative Council

Monday - 13th September 1853

Present
All the Members.

The Council met pursuant to summons
The minutes of the last preceding
Meeting were read and confirmed. —
On the motion of the Governor the Re-
-gistration Ordinance was read a third time
Mr Montagu moved that the words
"in his own use" be inserted after the words
"one shilling" in clause 21. Agreed to.
Mr Dale moved that the Ordinance
do pass. - Which being agreed to
The Council adjourned sine die. —

J Whingates
Clerk to the Councils.