

C.S.

LAND & SURVEY.
MISCELLANEOUS.
No. 120/32.

193

C.S.O.

SUBJECT.

193 2.

12th April.

TRANSFER OF CATHEDRAL GREEN TO GOVERNMENT ON THE OCCASION OF THE CELEBRATION OF THE CENTENARY OF THE COLONY.

Previous Paper.

SEE W.P.

412/30.

MINUTES.

Reg. for.

Please let me have

a description of the meets at

grounds of the Cathedral Green so

that the necessary deed of conveyance

to this plot may be made out

by the Managers of the B.I. Co.

J. M. [Signature]

Subsequent Paper.

H.C.S.

Description and boundaries herewith.

1.

SR 173
Reg General.
12 April 1932.

Letter to Manager, Falk. Is. Co. of 14/4/32.

2.

17/4/32
14.4.32.

Minute from Hon D of P.W. 15/6/33

(3-4)

J.E. Submitted. Will J.E. approve the inscription proposed, or would J.E. prefer to have the words "to the Government of the Falkland Islands" inserted.

Mr. Franjin Karkhan
as est
19.6.33

Hon Atty C.S.

See amendment + addition
on note

J.E.
19.6.33

Hon. Director Public Works.

Approved by H.E. the Governor

as amended.

Mr. Franjin Karkhan
as est
21.6.33

Hon. Col. Sec.

Noted and plan withdrawn
for record.

C. Roberts. 22.6.33.

P.A.
21/6/33

(5) Letter from Capt. Biggs. Esq. 24/6/33

Hon. Director Public Works.

To see. Can this work be temporarily postponed? So far as I am aware Mr Biggs cannot prove claim to the land in question. He may if he so desire's petition the Supreme Court for a title.

M. Luigi Hadden
by c.s.
24. 6. 33

This is the proper legal course where a person wishes to have a claim on any land

Hon. Col. Sec.

Instructions have been issued for the work to be temporarily postponed.

C. Roberts.
26-6-33.

K. Submitted. This matter deals with the land adjacent to the Cathedral, lately donated by the F. S. Coy to the Govt. for the purpose already recorded in these papers.

2. It appears to me that Mr. Biggs has no claim to the land in question it having been mortgaged by the widow of the late James Biggs to J. M. Dean. In due course the mortgage not having been satisfied, the land was sold by J. M. Dean to the F. S. Coy. Ltd. The F. S. Coy. Ltd. still holds that mortgage document in their London office.

3. With regard to "A" of Mr. Biggs' letter, the transfer in question was registered 44 years ago. In my opinion the Govt. cannot be held responsible for the correctness or otherwise of documents which are registered by the public, the onus must fall on the persons who execute the deed. If land is incorrectly or illegally transferred then the aggrieved party can take action in court.

M. Langin Harder
By es.
28.6.33

Hon Atty C.S.

Your reasoning in this matter seems to me, on the face of it, accurate.

However it is very natural that a man should contest that property in which he claims to have rights, should be disposed of without his consent. If Mr. Biggs insists that the case should come before the Court I assume there can be no objection. On this latter point I would
traces your advice 20.9 29.6.33

(6)

Letter to Mr. V. A. A. Biggs of 8/4/33.

Hon. Director Public Works.

To see.

Mr. Craigie Halliday
as est.
6.7.33

Hon. Col. Sec.

Noted.

C. Roberts.
4.4.33.

PA.
10/17/33

Hon. Col. Sec.

Please inform
Hon. Director of Works
that he may proceed
with the work.

WCA
as 4000
13.8.33

Hon. D. P. W.

to note.

C. J. J. J.
14/8/33.

Hon. Col. Sec.

Noted. Thank you
W. Roberts
14-8-33.

PA
15/8/33

Letter from Hon. R. L. Cheverton 14/10/36. (1)

Y.E.

Submitted.

There has been no restrictions placed on the
piece of grounds which was presented to Govt.
by the F. I. Co. as an open space - see (14) in 410/30.

2. The sense in which this term "open space" has been
used in recent years is that the ground is available for
recreation.

3. If it is intended that football should not be played
on this ground a suitable notice to this effect can
be erected after which the Police can take action
and prosecute offenders.

4. I should be glad to receive Y.E. instructions

Rob.
15/10/36

Football should be forbidden in this
space. I do not know that a notice board
is necessary. It should be sufficient to ask
the Supt./Ed. to warn the boys advising them
at the same time that a fine of 40/- can be inflicted
for damage caused vide 49 (d) of Summary Jurisdiction Act.
The Police shd. be informed in the same way
H.H.H. 16/10/36

⑧ Minute to Supt of Education 16/10/36
Chief Constable.

To note His Excellency's minute to do (8)

J.S.C. 17/10/36

Hon. Secy

Noted thanking you action will be taken.

SMH

cc

17/10/36

⑨ Letter to Sec. and Churchwarden, C.C. Cathedral, 20.10.36.

BA
20/10/36

120/32.

14th April, 32.

Sir,

In accordance with your verbal request I am directed to enclose herewith a description and boundaries of the land known as the Cathedral Green which land your Company has been good enough to donate to this Government on the occasion of the celebration of the Centenary of the Colony

I am,

Sir,

Your obedient servant,

WJ

Colonial Secretary.

p.s. 1 enclosure also - Conyance Co.

The Manager of the
Falkland Islands Company, Limited,
STANLEY.

(1)

Description and boundaries of land known as Cathedral Green.

All that ~~part~~ of land comprising part of the land in Section 0, Lot 10, included in Crown Grant No. 11, and part of the land in Section 0, Lot 9, included in Crown Grant No. 26, bounded, as follows:-

- | | |
|--------------|---|
| On the North | By Ross Road, 150 links. |
| " " South | By land held by the Trustees of Christ Church Cathedral, Lot 10 Section 0, 50 links. |
| | By land in the possession of Henry Harry Roberts, Lot 10, Section 0, 50 links. |
| | By land in the possession of the Falkland Islands Company, Limited, Lot 9, Section 0, 50 links. |
| " " East | By the west boundary of the land included under Crown Grant No. 303, as the site of Christ Church Cathedral, 250 links. |
| " " West | By Dean Street, 250 links. |

the whole comprising .375 acres, more or less.

(4)

414/30

MINUTE.

15th June, 1933

To

THE COLONIAL SECRETARY,

Stanley, Falkland Islands.

From Director Public Works,

Stanley.

In connection with the erection of the whale bone arch on the Church Green it is proposed to place a tablet, which will be made locally, under one of the seats facing Ross Road. It is suggested that the following inscription be made on the tablet:-

To the Government

"THIS PLOT OF LAND WAS GIVEN BY THE

"FALKLAND ISLANDS COMPANY, ~~LTD.~~ ^{Limited} TO

"COMMEMORATE THE CENTENARY OF ~~THIS~~ ^{The} COLONY *as a* ^{British Possession.} 1833 - 1933".

2. Submitted for approval or any comments, please. A sketch of the archway etc. is attached.

G. Roberts.

Director Public Works.

5

Stanley, Falkland Islands.

June 22nd. 1933.

Sir,

In referance to our conversation on Thursday the 15 th. pf June 1933, when I put forward a protest against the Govern-ment workmen interference with the piece of land in the Town of Stanley, being Lot 10 S, O. (Crown Grant 11).

You informed me that the said piece of land was given to the Colonial Government, by the Falkland Islands Co. Ltd. The F.I.Co.Ltd. stating that it was their property according to the Official Records, and further that the land had been conveyed by deed of transfer to the Colonial Government.

After leaving your Office I called at the Registrar Generals Office, and asked permission to see the Official Records of Crown Grant 11 . I was convinced that no transfer of Lot 10 S, O. had been made from James Biggs to any other person, the Registrar General stated he wished to make further search of the Records, and would inform me later, on the 17th. of June I received a letter, confirming that no record could be found of the land being conveyed by deed of Transfer.

Official Records show as follows:- land in Lot 19/Sec 0 (Crown Grant 11) was conveyed to James Biggs by original grantee by a deed dated the 11th May 1846. The records further show that by a deed dated the 17th. May 1889 the land was conveyed by Messrs J.M. Dean & Sons to the Falkland Islands Co. Ltd. by a deed dated the 19th. of October, 1932 by the Falkland Islands Company ltd. to the Colonial Government.

In view of the above facts I fail to see that Messrs Dean & Sons had any legal rights to the land in question, or how it was permitted, that a deed of Transfer was allowed to be made and Registered in the Official Records.

"A" I as Executor of the Estate of the late William Biggs, who Being the eldest son of James Biggs, became heir to the land in question, therefore wish that this dispute be put before His Excellency the Governor for his consideration, I further request, that the continuation of any further erection of any kind on the land Lot 10/Sec. O. be discontinued, pending a satisfactory settlement, of the title rights to the land, are arrived at.

I have the honour to be,

Sir,

Your obedient servant,

W. J. Biggs

Executor of Estate William Biggs

The Honourable Colonial Secretary,

Stanley.

120/32.

6th July,

33.

Sir,

With reference to your letter dated the 22nd inst: relative to Town Lot No. 10, in which you claim a right in your capacity as Executor of the Estate of the late Mr. William Biggs, I am directed by the Governor to inform you that further enquiries have elicited the fact that the lot of land referred to was mortgaged to Mr. J. M. Dean by the widow of the late Mr. James Biggs, and further that the Mortgage remained undischarged since it was transferred by Mr. Dean to the Falkland Islands Co., Ltd., who it is understood still hold the original document.

2. I am to say that at the time the Mortgage Deed was executed - over seventy years ago - registration was apparently not compulsory which no doubt explains why the document does not appear in the record of transactions relative to lot No. 10.

3. I am further to say that from the facts disclosed His Excellency is of opinion that the Falkland Islands Co., Ltd., held good title to the Lot in question, but I have to add that if you still consider you have a right in this land it is open to you to institute an Action.

I am,

Sir,

Your obedient servant,

M. Gungji Parthasarathy

Acting Colonial Secretary.

Mr. V. A. H. Biggs,
STANLEY.

Stanley,

14th October, 1936.

The Honourable Colonial Secretary,

Sir,

I beg to bring to your notice that on Saturday the 10th inst. certain boys playing football on the Church Green kicked a ball, which broke one of the stained glass windows in the Cathedral.

2. The Police have been requested to take the matter up with a view to stopping the playing of football on this area, which was obviously constructed to beautify the place and not to be used as a play ground. The Police refuse to take any action beyond enquiring into the affair. The boys continue to play and endanger the surrounding property.

3. It is proposed that the boy or boys concerned be asked to contribute towards the repair of the window.

4. Would it be possible to decide the exact usage of this green?.

5. Would it be possible for the Government in conjunction with the Cathedral Authorities to take up the question of completing the boundary fence along the eastern side of this green.

I am,

Sir,

Your obedient servant,

W. H. Overton

Secretary and Churchwarden.

No. 120/32.

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

MINUTE.

16th October, 19 36.

To The Superintendent of Education,


STANLEY,

From

THE COLONIAL SECRETARY,

Stanley, Falkland Islands.

I am directed by the Governor to request you to bring to the notice of school children that football is forbidden on Cathedral Green; and at the same time to issue a warning that a fine of 40s/- can be inflicted, under Section 49 (d) of the Summary Jurisdiction Ordinance, for any damage caused.


Acting Colonial Secretary.

120/32.

20th October,

36.

Sir,

Red 7

With reference to your letter dated the 14th of October, 1936, I am directed by the Governor to inform you that henceforth the playing of football will be prohibited on the open space adjacent to the Cathedral. The Superintendent of Education has been advised to warn all school children and the Police have been instructed to institute proceedings against offenders.

I am,

Sir,

Your obedient servant,



Acting Colonial Secretary.

The Secretary and Churchwarden,
Christ Church Cathedral,
STANLEY.