

WAR OFFICE,

29 April, 1889.

Sir

I am directed by Mr. Secretary Stanhope to transmit
herewith, for your information, a copy of the Army (Annual) Act, 1889.

I have the honour to be,

Sir,

Your obedient Servant,

RALPH THOMPSON.

*The Governor
Falkland Isles.*

Army (Annual) Act, 1889.

[52 VICT. CH. 3.]



ARRANGEMENT OF SECTIONS.

A.D. 1889.

Section.

1. Short title.
2. Army Act (44 & 45 Vict. c. 58.) to be in force for specified times.
3. Prices in respect of billeting.

Amendments of Army Act, 1881.

4. Amendment of s. 135 as to classification of prisoners.
5. „ „ s. 91 as to lunatics.
6. „ „ s. 146 as to exemption from service as sheriff, &c.
7. Recreation rooms.

SCHEDULE.



CHAPTER 3.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army. A.D. 1889.
[11th April 1889.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law :

And whereas it is adjudged necessary by Her Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and fifty-two thousand two hundred and eighty-two men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions :

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid :

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea :

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of

A.D. 1889. this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict.
c. 58.

And whereas the Army Act, 1881, will expire in the year one thousand eight hundred and eighty-nine on the following days:

- (a.) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and
- (b.) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July; and
- (c.) Elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1889.

Army Act
(44 & 45
Vict. c. 58.)
to be in force
for specified
times.

2.—(1.) The Army Act, 1881, shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament; that is to say,

- (a.) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand eight hundred and eighty-nine to the thirtieth day of April one thousand eight hundred and ninety, both inclusive; and
- (b.) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and eighty-nine to the thirty-first day of July one thousand eight hundred and ninety, both inclusive; and
- (c.) Elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and eighty-nine to the thirty-first day of December one thousand eight hundred and ninety, both inclusive;

and the day from which the Army Act, 1881, is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

[52 VICT.]

Army (Annual) Act, 1889.

[CH. 3.]

(2.) The Army Act, 1881, while in force shall apply to persons subject to military law, whether within or without Her Majesty's dominions. A.D. 1889.

(3.) A person subject to military law shall not be exempted from the provisions of the Army Act, 1881, by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned. 44 & 45 Vict. c. 58.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act, 1881, the prices specified in the schedule to this Act. Prices in respect of billeting.

Amendments of Army Act, 1881.

4. Whereas by section one hundred and thirty-five of the Army Act, 1881, provision is made for a difference between the treatment of prisoners convicted of breaches of discipline and the treatment of prisoners convicted of offences of an immoral, dishonest, shameful, or criminal character, and it is expedient to make provision for treating persons sentenced to be discharged from the service with ignominy in the same manner as the latter class of those prisoners: Be it therefore enacted, that in the said section after the words "criminal character" shall be added the words "or sentenced to be discharged from the service with ignominy." Amendment of 44 & 45 Vict. c. 58. s. 135, as to classification of prisoners.

5. Whereas doubts have arisen as to the effect of certain provisions of section ninety-one of the Army Act, 1881, and it is expedient to remove those doubts; be it therefore enacted as follows: s. 91, as to lunatics.

(1.) In sub-section three of the said section for the words "and shall be subject accordingly to the provisions of that section" shall be substituted the words "and the like proceedings shall be taken thereon as on an order under that section."

(2.) In sub-section four of the same section for the words "section eighty-five of the Act of the session of the twentieth and twenty-first years of the reign of Her present Majesty, chapter seventy-one, intituled, 'An Act for the regulation of the care and treatment of lunatics, and for the provision, maintenance, and regulation of lunatic asylums in Scotland,' and shall be subject accordingly to the provisions of that section," shall be substituted the words "section fifteen of the Act of the session of the twenty-fifth and twenty-sixth years of the reign of Her present Majesty,

A.D. 1889.

“ chapter fifty-four, intituled ‘An Act to make further
 “ ‘provision respecting lunacy in Scotland,’ and the like pro-
 “ ceedings shall be taken thereon as on an order under that
 “ section.”

(3.) In sub-section five of the said section for the word “soldier” shall be substituted the word “lunatic.”

” ”
 s. 146, as to
 exemption
 from service
 as sheriff,
 &c.

6. Whereas by section one hundred and forty-six of the Army Act, 1881, it is enacted as follows :

“ A person who is commissioned and in full pay as an officer in Her Majesty’s regular forces, shall not be capable of being nominated or elected to be sheriff of any county, borough, or other place, or to be mayor or alderman of, or to hold any office in, any municipal corporation in any city, borough, or place in the United Kingdom ;”

And it is expedient that this section should apply to all commissioned officers in Her Majesty’s regular forces whilst on the active list, although not on full pay: Be it therefore enacted, that in that section for the words “A person who is commissioned and in full pay as an officer in Her Majesty’s regular forces,” shall be substituted the words “An officer of the regular forces on the active list within the meaning of any Royal Warrant for regulating the pay and promotion of the regular forces.”

Recreation
 rooms.

7. After section one hundred and seventy-four of the Army Act, 1881, the following section shall be inserted and numbered 174A :—

Notwithstanding anything in the Act of the twenty-fifth year of the reign of His Majesty King George the Second, chapter thirty-six, intituled “An Act for the better preventing theft and robberies and for regulating places of public entertainment and punishing persons keeping disorderly houses,” or in the Act of the session held in the sixth and seventh years of Her Majesty, chapter sixty-eight, intituled “An Act for regulating theatres,” where a recreation room is managed or conducted under the authority of a Secretary of State or the Admiralty, it may be used for public dancing, music, or other public entertainment of the like kind or for the public performance of stage plays, without any licence in pursuance of those Acts, or either of them.

SCHEDULE.

A.D. 1889.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Twopence halfpenny per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act, 1881.	One shilling and one penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

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T. DIGBY PIGOTT, Esq., Printer to Her Majesty of all Acts of Parliament.

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HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

Sec^y. Customs.No. $\frac{\checkmark}{158}$

CUSTOM HOUSE, LONDON.

3rd April, 1889.

Sir,

With reference to the 152nd section of the Act 39 and 40 Victoria cap. 36, which prohibits the importation into the British Possessions abroad of "Any books wherein the Copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other country," provided due notice has been given to the Commissioners of Customs of the subsistence of Copyright therein,

I am desired by the Commissioners of Customs to transmit herewith ⁶
⁶ Copies of Supplement No. ~~30~~ to the compiled List of Works, issued on the 28th of April, 1887, in respect of which such Notice has been given.

I am,

SIR,

Your obedient Servant,

R. T. PROWSE.

*The Controller of Customs
at Stanley*

M. & A. 1,000. 3-88. 6-576.

Falkland Isles

Secretary, Customs.

No. $\frac{7439}{1889}$ $\frac{7513}{1889}$ $\frac{7693}{1889}$

COPYRIGHT WORKS.

SUPPLEMENT No. 30.

List of Copyright Works to be added to the Compiled List (corrected up to the 1st of March, 1887,) issued by the Board of Customs on the 28th of April, 1887. (General Order $\frac{27}{1887}$.)

CUSTOM HOUSE,
LONDON, E.C.,
26th March, 1889.

Name of Work	Name of Author	Name of the Proprietor of the Copyright	Date when Copyright will expire.
Her Majesty's Army	Walter Richards	J. S. Virtue & Co.	19th September, 1930.
Medical Vocabulary, A	R. G. Mayne and W. W. Wagstaffe	J. & A. Churchill	24th January, 1931.
Operations of Surgery, The	W. H. A. Jacobson	J. & A. Churchill	5th January, 1931.
Lady Car: the Sequel of a Life	Mrs. Oliphant	Longmans, Green & Co.	1st June, 1931.

Minute Paper. No.

From

Purport.

G. O.

*(4) Four letters respecting
remission of School fees*

Action Taken.

Minute Paper. No.

From Malvern School Inspector

Purport.

Recommending the remission of certain
School fees.

G. O.

Action Taken. C. S. letter 20144 of 22.3.89 to Govt School Insp

HE
Malvern
 Submitted.
 S. Hakenham Smith,
 22.3.89. Col. lect.

Approved

MK

22^d March 1889



The Parsonage

Port Stanley

March 22, 1889

Sir

In accordance with Section 2 of
 "The School Attendance Ordinance 1889",
 I most respectfully recommend the
 remission of the School Fees of the children
 of the following parents, viz.

Mr. Ryan	3	Children	Widow.
" Gleadell	2	"	"
" Perry	4	"	Deaf.
John Belts	5	"	Blind

I have the honor to be

The Hon.

E. Baker Can. Revd.

Sir

to, to to, your obedient servant

Lowther E. Beaman

Government School Inspector

Minute Paper. No.

From The Government School Inspector.

Purport. Asking the school fees for Mrs Stewart's four children may be remitted.

G. O.

Action Taken. C.S. letter No 168 of 15.4.89 to Govt School Inspector

RE
The Governor.
Submitted.
S. LaLonde Sr. M.
15.4.89 Col. Decy

Approved.

M.
15th April 1889



The Parsonage

Port Stanley

April 15, 1889

Sir

In accordance with Section 2
of The School Attendance ^{Ordinance} 1889 I most respect-
fully recommend the remission of the
school fees of Mr Stewart's four children.

I have the honor to be

Sir

your obedient servant

Lawrence E. Beaman

Government School Inspector

The Hon.

E. Parker Van Brooks

Et. Et. Et.



Administrator's letter to No 409 Wym School Dist.
dated 11-9-89.

The Passmore

September 11. 1889

Sir

In accordance with Section
2 of Ordinance No 5, 1889, I most respectfully
recommend that, Mrs. Helway, being a
widow, the school fees payable by her two
children Edith and Fred, be remitted.

I have the honor to be

Sir,

your obedient servant

Lawter E. Braender

Government School Inspector

Yours honor

The Administrator

Administrators letter n^o 411 of 13.9.89 Govt School Dind

The Parsonage

September 12. 89

Sir

In reply to Letter n^o 409 of this day's date I hereby certify that Mrs Halway, Senior, being a widowed woman, is unable ^{from poverty} to pay the school fees for her two children.

Remission sanctioned I have the honour to be

E. Patankar
Administrator

13.9.89

Sir

your obedient servant

Lawrence E. Brandon

Government School Inspector

this to our

The Administrator

to to to

Minute Paper. No.

From *W. C. Bender.*

Purport. *Relative to the putting up in Public Auction of the license of occupation for Moody Valley farm.*

G. O.

Administrator's letter 20483 of the 4.12.89 to W. C. Bender

Action Taken *Administrator's letter 20486 of the 5.12.89 to W. C. Bender*

To the Right Honourable Lord Howland,

G. C. M. G. Her Majesty

Principal Secretary of State for the Colonies

Sir

14 Years ago I leased a piece of Ground from Government a dispute arose between Governor Darcy Capt. Pack and Mr Bailey about the legality of the Lease. I being a Labouring Man I saved up a small sum of Capital which I intended to lay out in Farming. but hearing of the dispute I payed the first years rent without making any use of the Ground thinking that at the end of Term they would come to a fair decision

The Colonial Secretary asked me what was I waiting for I told him as a Wealthy Neighbour like Capt Pack was disputing about the Ground it was not verry safe to put Stock upon the Ground. He told me not to mistrust the Government and if I did not stock the Ground I would have to give up the Lease. I then proceeded to stock the Ground and built upon it trusting to the good Faith of the Government helping me in the strugle against Capt Pack but to my great surprize I was mistaken. Governor Darcy being recalled Home, and Governor Collegan taken up the Administration as Governor He had not been here many Months before He broke my Lease which I had for 3 Years & gave to me for a Term of 3 years which I thought was verry unjust after me laying out $\pounds 740$ I pleaded against the unjustness to the Governor but no Notice was taken and through it I lost a large number of my Stock & wool and through it I had to put up with a great many hardships not being able to meet with my expenses I have several times put up my Farm for sale given Capt Pack every opportunity to act upright and Honourable but at the end of 4 years Governor Collegan demanded a higher rent instead of \pounds

He wanted 30£ I refused to pay pointing out to him
 the Ground I was renting was proclaimed by Capt Pack
 and Mr Mailey as useless and that I have not gained
 anything of it but going farther into debt and also
 me knowing that Capt Pack held 4 sections of Suburban Land
 at the rate of 5£ a section and also having Port Harriet
 section renewed at the rate of 10£ a Year which is far super-
 erior land than mine Governor Callezan let the matter
 drop for the rest Governor to decide Governor Ferr taken
 the Administration the Governor demanding me to pay
 25£ a Year I pleaded about the unjustness for I was then
 in great want through the great destruction my Neighbours
 upon my Stock my pleading was of no use I toiled on
 patiently untill Mr Blissd came I pointed out to him
 the great unjustness I was receiving from Capt Pack
 and that he was continually disputing my Western Boundary
 and that I had asked Mr Collins to show me my Boundary
 He showed me a Chart which I told him it was a fraud
 for the line of Boundary marked upon this Chart gave Capt Pack
 half of my Ground Mr Blissd advised me to write to the Governor
 my complaints which I did and in my letter I stated the
 small amount of Labour Capt Pack employed upon all his
 Land working the greatest portion from Stanley through
 my Ground and through it inflicted severe losses upon my
 Flock so that Yearly I was losing the increase of my Wool
 also pointing out to His Excellency the unjustness of Capt Pack
 erecting a House upon my Land I pointed out to him
 that Capt Pack had administrated the Government for 6 months
 and therefor he would have been duty bound to rectified
 all errors in his Leases as he repeatedly stated he had
 no Land within 6 miles of Stanley by Land
 His Excellency told me it could not be decided here
 and that His Excellency had to send the letter Home
 to the Colonial Secretary of State

The answer to my letter was according to Governor Kerr's statement at the meeting of Council in the year 1883 my rent should be at a fixed figure and I should meet Capt. Pack in erecting a fence round our boundaries & the lease should be in my name only & not Coulson these minutes of Council have never been carried out 5th of March 1888 I sent a letter to His Excellency Governor Kerr stating 5 years ago at a meeting of Council which sat to enquire upon a better method of conducting and forming boundaries of the Suburban Farm; it was given to understand that fencing would have to be complied with by the Lessee as soon as convenient and Mr Mansell agreed to meet me as regards both fencing and boundary but up to this day he has done nothing the reason is obvious

It is 12 years in May next that I stocked my ground with 700 sheep I have had a very fair increase considering the nature of the land I find when shearing every year I am from two to three hundred short now as the outside section of Capt. Pack's are fenced in. it is impossible for my sheep to stray beyond those flocks. a very few are exchanged between us but very insignificant as to the number I lose every year. My Farm is not actually out of debt yet, owing to the deficiency in my flock and the many improvements I have placed upon it, whereas neither Capt. Pack or Mr Dettliff's have laid out one penny for any improvements since they have rented the ground I consider being a Tenant under the Crown the Governor as my Landlord, should take my view in enforcing fencing and improvements else how is one poor Tenant, to compete with his more fortunate neighbour who as no outlay I fenced the head of the way in. at a great expense which as proved a benefit for the Common and people in Stanley. but find after doing so Mr Dettliff has the monopoly of the whole Common. No answer did I receive to this letter I again in Dec 1888 sent a letter of complaints to His Excellency

His Excellency the Governor Storr pointing out after having
800 of an increase I had 700^{lb} of Wool less than the Year previous
so that He could from that fact estimate the severe
losses I have to struggle with. whereas my Neighbour Pettiffs with
an increase of 500 only had four Bales of Sheep Skins more than
the Year before besides exporting Three and half bales of Sheep skins
I layed all these complaints before His Excellency Governor Storr
thinking He would force my Neighbours to come to some
arrangement with me concerning fencing and also knowing
that William Caulson the Government Messenger sent me in
a Fraudulious Claim of 48 $\frac{1}{2}$ and also sent me a Intimidate
letter of which I have enclosed a copy off to Your Lordship
His Excellency Governor Storr knowing the severe struggle I have
to carrie on the Farm He had the Farm advertise for Auction
through it. it as injured my credit to great extent so far so.
I had great difficulty in getting my Rent

Your Lordship after seeing my Ground advertise for Auction
I wrote to the Administrator C. P. Brooks telling him it was
verey unjust according to Lord Derby despatch He then said
He would defer the Auction if I wished to write to the Right
Honourble Secretary of State for the Colonies I have never received a
Lease therefor I humbly pray that you will grant
me a Lease for a long Term so that I may regain my
losses and also that my Neighbours should meet me in a
reasonable way of Fencing according to Lord Derby despatch
Your Petition therefor humbly pray
that this may be seen into

Charles Gender

Feb 13 / 1890

In Chancery

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Between William Coulson... Plaintiff

and

Charles Bender ... Defendant
Partners

Take notice that this Honourable Court will be moved before His Honour Thomas Kerr Esq C M G Governor and Commander in Chief and Chief Justice of the Falkland Islands in Chambers at 11 o'clock in the forenoon of Thursday 11th day of July 1889 by the above named plaintiff in person that the defendant Charles Bender may be restrained by the order and injunction of His Honourable Court from possessing himself of getting in or receiving and from disposing of charging or incumbering any part of the Monies, Credits, property, assets, estate or effects of or belonging to the partnerships business in the bill mentioned and from incurring any debts or debt in respect of

the Said business and from carrying
in or in any manner interfering in or
intermeddling with the Said business
or any of the Monies property assets
or affairs thereof without the Consent
of the Plaintiff untill further orders

Dated this 4th day of July 1889

William Coulson Plaintiff
To Charles Bender Defendant

Moody Valley Farm Dec 3rd 1889

Administrative's letter No 4030, the 4.12.89. Ed. Bender

To The Honourable The Administrator

Sir

In regard to an Official -
intimation on the Stanley Gazette board
advertising the proposed sale by -
auction of Moody Valley Farm on
the 23rd Dec 1889.

I would respectfully call your
attention to the Dispatch No 339
of Lord Derby of the 9th July 1883
in which the Home Government
sanctioned the renewal of the
license to myself and the fixing of
the rent

and in consequence the ordinary
course of putting the lease up at
auction was discarded and discontinued
It is a matter of great surprise to
me to discover the Moody Valley Farm
lease suddenly advertised for auction

I have the honour to be

Sir
Your most obedient Servant
Charles Bender

Gazet Board. I had no Notice
given me I consider I should have
had proper Notice given me so that

I could have written Home before
the auction takes place.

I have the honour to be your
Humble Servant

Charles Bender

Moody Valley Farm Decth 1889

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To His Excellency the Administrator

Dear Sir

I received your letter yesterday

Dec 5th 1889. I find by your letter

I made a mistake in my Statement
in Lord Derby dispatch approved
that my license should be renewed
in my name only and the rent

should be fixed at a figure.

In 1883 I sent in a plea to

The Governor Kerr he said it had

to be sent Home it could not be

decided here in 1883 there was a

Council held in referance to my

plea that had been sent Home

and at that Council I was

there myself it was in Dec 26th 1883

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at that Council I was told

that was the answer to my letter

what was sent home

Never since then Moody Valley

Farm lease as been put up for

auction it is a great surprise

to me to discover it on the

Moody Vale Farm
Dec 11. 1889

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To His Excellency the Administrator

Dear Sir

I received your letter yesterday Dec 11
Sir you state in your letter I have not
been the loser had the Statement of the
Council been carried out no instruction was
mentioned the words of the Governor -
Kerr. was that my rent should be
raised and I was to meet Capt Pack
in erecting a fence around our Bound-
aries had the Statement of that
Council been carried out in regard
of fencing I should have been well
able to meet the demands of the Govern-
ment for a higher rental.

Sir I intend writing to the Right
Honourable the Secretary of State for
the Colonies.

Sir I shall be much oblig'd if You
will please defer the action of Auction
untill I hear from Home.

I am Your Humble Servant
Charles Bender

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C.S. Inform Mr C Baudin, ~~that Lord has~~ with reference
to his Memorial to the Secretary of State praying that he may be
granted a long lease of Annaly Valley Farm and that Captain
Parker the lessee of the adjoining land should be required to meet
him on putting up a boundary fence. Lord Knutsford will not
object to his having a renewal of his licence for three years from
last December. if the Governor thinks he has any moral claim for
a further renewal on the ground of the loss he has suffered through the
failure to erect a fence as arranged in 1883. and that as Captain
Parker's lease of Station 58 expires in 1893 it may be well to want
anted them for effecting the rectification of the boundaries
proposed in 1883

M
19th June 1890