

Copy of Commission appointing William Henry
Brooksbury and Richard Almond Williams
Esquire Members of the Legislative Council
of the Falkland Islands - dated 4th May 1847

Victoria by the Grace of God of the United
Kingdom of Great Britain and Ireland
Queen Defender of the Faith To Our Trusty
and Wellbelov'd Richard Almond Moody
Esquire Our Governor and Commander
in Chief in and over Our Settlements
in the Falkland Islands and in their
Dependencies and to William Henry Moore
Esquire and to Richard Almond Wil-
liams Esq^r And to such Person or Persons
as shall hereafter from time to time be
appointed as Members of Our Legislative
Council for the said Falkland Islands
and their Dependencies Greeting, Whereas
by Our Letters Patent bearing date at West-
minster the 23rd day of June 1843. in the
seventh Year of Our Reign And by Our
Instructions under Our Signet and
Sign Manual, bearing date at Buckingham
Palace the said 23rd day of June 1843 - in
the said seventh Year of Our Reign directed
to Our said Trusty and Wellbelov'd Richard
Almond Moody Esquire Our Governor and
Commander in Chief in and over our
Settlements in the Falkland Islands
We did Authorize the Governor or the
Lieutenant Governor for the time being
of Our said Settlements in the Falkland
Islands and their Dependencies and such
other

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The persons not being left than three
as were in the said Charter designated
& constitute and be a Legislative Council
for the said Falkland Islands and
their Dependences, And we did by
the said Charter further declare that
in addition to the said Governor or
Lieutenant Governor the said Council
should be composed of such Public
Officers and such other persons within
the said Settlements and their De-
pendences as should from time to
time be named or designated for
that purpose by us by our Instructions
or Constitutions, Warrant or Warrants,
Done by us for that purpose issued
under our Signet and Sign Manual
and with the advice of our Privy Coun-
cil, and that all such Councilors
should hold their place in the said
Council at our pleasure with full
power and Authority to make and
establish all such Laws, Institutions,
and Ordinances, as might be required
for the peace, order, and good Government
of the said Settlements and their
Dependences, and that in the
making of all such Laws, Institu-
tions, and Ordinances, the said
Legislative Council should conform
to and observe all such Rules and
Regulations as should be given and
prescribed in and by such Instructions
as we with the advice of our Privy
Council should from time to time
make for their guidance therein And
Whereas by our said Instructions
being

being the instructions referred to as last
 aforesaid; be by our said Instructions
 Under our Signet and Sign Manual
 as aforesaid with the advice of our
 Privy Council did nominate and
 appoint the Public Officers thereafter
 designated to be members of the said Leg-
 islative Council who should hold their
 Places in the said Council at our pleasure
 that is to say, the two Justices of the Peace
 whose names should be standing first
 in Order in any general Commission of
 the Peace issued by the Governor or Officer
 administering the Government of our
 Settlements of the Falkland Islands &
 their Dependencies, such Commission
 of the Peace being revocable and amendable
 from time to time by such Governor or
 Administrator of the Government as he
 may find occasion.

And whereas the said Richard
 Clement Moody Esquire is now our Gov-
 ernor and Commander in Chief in
 and over our said Settlements in the
 Falkland Islands and their Dependencies
 and the said William Henry Moore Esquire
 and the said Richard Almond
 Williams Esquires

are now the two Justices of the Peace whose
 names are standing first in order, in
 the general Commission of the Peace
 issued by the Governor for that purpose
 bearing date the fourteenth day of May 1844
 Now we by these our Letters Patent
 do nominate, constitute, and appoint
 you the said Richard Clement Moody
 Esquire our Governor and Commander

in chief in and over the Falkland Islands and in their Dependencies and so long as you shall remain as such the said H. H. Moore & the said R. A. Williams being as aforesaid the two Justices of the Peace whose names stand first in order in the present general Commission of the Peace bearing date the said fourteenth day of May 1842 and so long as you shall continue as such and such persons as shall hereafter be appointed & be members of and form and constitute the Legislative Council for the said Falkland Islands and their Dependencies together with all the rights, privileges, appendances, and appurtenances therunto belonging or in any wise appertaining but upon, under, subject and according to the following Regulations for our guidance of our said Legislative Council in the making the Laws and Ordinances thereof. That is to say And we do declare our pleasure & be that the said Legislative Council shall not be competent to act in any case unless two members at the least of such Council in addition to the Governor for the time being or to the member who may preside therein in his absence shall be present at, and throughout the meetings of such Council. -

And we do authorize and require you the said Richard Clement Moody Governor or the Governor of

of our said Settlements in the Falkland Islands and their Dependencies for the time being to preside in the said Council and we do further declare our pleasure to be that all questions proposed for debate in the said Council shall be decided by the Majority of Votes, it being our pleasure that the Governor for the time being or the Member presiding in his absence, shall have an Original Vote in Common with the other Members of the said Council, as also a Casting Vote if upon any question the Votes shall be equally divided.

And for Ensuring punctuality of attendance of the Members of the said Council and for the preservation of Meetings of the said Council being holden without convenient notice to the several Members thereof, It is our pleasure and we do hereby direct, that you the said Richard Clement Moody Governor or the Governor of our Settlements in the Falkland Islands and their Dependencies for the time being do cause, and propose to the said Council for their adoption such Standing Rules and Orders as may be necessary for those purposes with such other Standing Rules and Orders as may be best adapted for maintaining order and method in the despatch of business, and in the conduct of all debates in the said Council, which Rules and Orders not being repugnant to the said Recited Act of Parliament and Charter or to these Instructions, or to any other Instructions, which you the said Richard Clement Moody Governor or the Governor

for

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for the time being may receive from God
shall at all times be followed and observed,
and shall be binding upon the said
Council, unless the same or any of
them shall be dissolved by us.

It is our pleasure and we do
hereby direct, that no Law or Ordinance
shall be made or enacted by the said
Council unless the same shall have been
previously proposed by yourself, and
that no question shall be debated at
the said Council unless the same
shall first have been proposed in that
purpose by you, Provided nevertheless,
and it is our pleasure that if any
member of the said Council shall
demon any Law to be enacted by
the said Council, or any question
proper to be there debated and shall
of such his opinion transmit
a written statement to you it shall
be lawful for any such member of
the said Council to enter upon the
minutes thereof, a copy of any such
statements together with the reasons
upon which such his opinion may
be founded.

And we do further direct
that minutes be regularly kept of
the proceedings of the said Council
by the clerk of the said Council &
that the said Council shall not
ever proceed to the dispatch of
business until the minutes of the
last proceeding have first been read
over and confirmed, or corrected as
may be necessary.

And we do further require

and enjoin you the said Richard Clement Moody, Governor or the Governor for the time being twice in each year to transmit to us through one of our Principal Secretaries of State, a full and exact Copy of the Minutes of the said Council for the last preceding half year. —

And it is our further pleasure that you the said Richard Clement Moody, Governor or the Governor for the time being do not propose or attempt to any Ordinance whatever, respecting the Constitution, proceedings, Numbers or mode of appointing or electing any of the members of the said Legislative Council or otherwise in relation to any of the matters mentioned or referred to in the said Charter, and in these our instructions which shall be in anywise repugnant to, or inconsistent with said Charter or Instructions or repugnant to the said Enacted act, or any other act of Parliament, but that any such Ordinance or pretended Ordinance shall be absolutely null and void to all intents and purposes. —

And you the said Richard Clement Moody, Governor or the Governor for the time being are expressly enjoined not to propose or attempt to any Ordinance whatever whereby any person may be impeded or hindered from celebrating or attending the worship of Almighty God in a peaceable and orderly manner although such worship may not be conducted according to the Rites and Ceremonies of the Church of England. —

And

And we do further require you Richard Clement Moody Governor or the Governor for the time being not to propose or assent to any Ordinance whatsoever whereby Our Revenue might be lessened or impaired, or whereby Our Prerogative might be diminished or in any respect infringed or whereby any increase or diminution might be made in the number, salary, or allowances of any Public Officers which have or shall have received our sanction, without Our special leave and Command therein first received.

And we do further direct that you the said Richard Clement Moody Governor or the Governor for the time being do not propose or assent to any Ordinance whatsoever whereby bills of Credit, or other negotiable Securities of whatever nature may be issued in lieu of money on the Credit of the said Settlements in the Falkland Islands and their Dependencies, or whereby any government paper Currency may be established therein, or whereby such bills, or any other paper Currency or any Coin, or any sub legal Coin of the Realm may be made or declared to be a legal tender, without special exemption from us in that behalf first obtained.

And it is our further pleasure that you the said Richard Clement Moody Governor or the Governor for the time being do not propose

or assent to any Ordinance whatever for raising money by the institution of any Public or Private Lotteries.

And it is our will and pleasure that you the said Richard Clement Moody Governor or the Governor for the time being do not propose or assent to any ordinance for the Naturalization of Aliens without our Special leave and Command therein first received, unless there be a clause inserted therein suspending and deferring the Operation of the same until our pleasure shall be signified thereupon.

And it is our further will and pleasure that you the said Richard Clement Moody Governor or the Governor for the time being do not propose or assent to any Ordinance whatever for the divorce of persons joined together in Holy Matrimony.

And we do further direct that you the said Richard Clement Moody Governor or the Governor for the time being do not propose or assent to any Ordinance whatever by which any Tax or Duty might be imposed upon the Trade or Traffick of the United Kingdom, or whereby any Tax might be imposed upon transient traders, or upon persons residing and carrying on business for a short time within our said Settlements in the Falkland Islands and their Dependencies, from which other traders and persons carrying on the said business would be exempt.

And we do further direct that you the said Richard Clement Moody Governor or the Governor for the time being, do not propose or assent to any ordinance whatever.

Whatever, whether any grants of money, or land, or other donation or gratuity, may be made by the said Legislative Council of you.

And we do further direct that you the said Richard Bennett Moody Governor or the Governor for the time being do not propose or assent to any private Ordinance whatever whereby the property of any individual may be affected, in which there is not a saving of the Rights of His Our heirs and Successors, and of all Bodies Politic, and Corporate, and of all other persons, seeing those at whose instance or for whose special benefit such Ordinance may be passed and those claiming by form, through and under them.

And it is our will and pleasure that you the said Richard Bennett Moody Governor or the Governor for the time being do not propose or assent to any ordinance whatever & which our assent has once been refused without express leave for that purpose first obtained from Us.

And it is our further will and pleasure that all Laws or Ordinances to be enacted by the said Legislative Council, shall hereafter be styled
" Ordinances enacted by His Governor
" of Our Settlements in the Falkland
" Islands and their Dependencies
" with the advice and Consent of
" the Legislative Council thereof " and that no other style or form shall ever hereafter be observed in any such enactments.

enactments and that all such laws and ordinances be drawn up in a simple and comprehensible form, avoiding as far as may be all prolixity and tautology.

And we do further direct that when any Ordinance shall have been passed by you the said Richard Clement Moody Governor or the Governor for the time being with the advice of the said Legislative Council the same shall forthwith be laid before you for our final assent, disallowance, or other direction thereupon to be signified through you for which purpose we do hereby require you with all convenient speed to transmit to us through our Principal Secretaries of State a transcript in Duplicate of every such Ordinance aforesaid duly authenticated under the Public Seal of the said Settlements in the Auckland Islands and their Dependencies and by your own signature. And we do direct that every such Transcript be so transmitted by the earliest occasion next after the enactment of the said Ordinance and that no such Ordinance be made to take effect until our Pleasure thereupon be first made known and signified to you, and by you to the Inhabitants of the said Settlements and their Dependencies, excepting only in the case of Ordinances for raising the annual supplies for the service of the said Settlements and their Dependencies, and in any other cases in which the delay incident to a previous communication with Us would be productive of serious injury or inconvenience in which several cases we do hereby

shall authorize you with the advice of
 the said Council to determine the
 time at which any such Ordinance
 shall take effect, and have its operation
 within the said Settlements and their
 Dependencies, which proceeding with
 the reasons thereof, you shall on the
 earliest occasion report & set through
 one of our Principal Secretaries of State,
 and we do hereby reserve to us, our
 Heirs and Successors full power and
 Authority to confirm and finally en-
 -act or to disallow any Ordinance
 which may be passed by you with the
 advice and Consent of the said Coun-
 -cil, either in whole or in part, such
 Confirmation or Disallowance being
 from time to time signified to you
 through one of our Principal Secretaries
 of State.

And we do further declare for
 Pleasure so be that in the month of
 January or at the earliest practicable
 period at the Commencement of each
 year, you the said Richard Clement
 Woods, Governor or the Governor for the
 time being do cause a complete Col-
 -lection to be published for general
 information of all Ordinances en-
 -acted during the preceding year.

And we do further declare that
 that all Ordinances made by you
 the said Richard Clement Woods,
 Governor or the Governor for the time
 being with the advice of the said
 Legislative Council be distinguished by
 Titles, and that the Ordinances

of each year be also distinguished by numerical marks commencing in each successive year with the number one, and proceeding in arithmetical progression to the number corresponding with the total number of Ordinances enacted during the year, and that every such Ordinance be divided into successive clauses or paragraphs distinguished in like manner by numerical marks, and that to every such clause be annexed in the margin a short summary of its contents.

And we do further declare our pleasure that in the passing of all laws each different matter be provided for by a different law without intermixing into one and the same act, such things as have no proper relation to each other, and that no clause or clauses be inserted, or be annexed to any act, which shall be foreign to what the title of such respective act imports, and that no collateral clause be part of any law; and that no act whatsoever be suspended, altered, continued, revised, or repealed by general words, but that the title and date of such act be suspended, altered, continued, revised, or repealed be particularly mentioned and expressed in the enacting part.

And it is our express will and pleasure that no law whatsoever be made to continue for less than two years, except only in cases where it may be necessary upon some unforeseen emergency to make provision by law for a service in its nature temporary and contingent.

you,

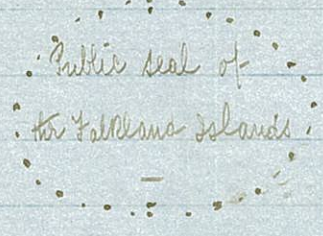
And the said Richard Clement
 Moody, Governor, are also to take care,
 that ~~no~~ ^{all} Law or Ordinances to be passed
 by the said Legislative Council in any
 Case for levying Money, or imposing
 Taxes, Duties and Penalties, or
 any Provision be made that the same
 are granted or reserved to the said
 and Successors for the uses of the
 said Settlements in the Falkland
 Islands and their Dependencies and
 the Support of the Government thereof,
 as by the said Law or Ordinances shall
 be directed. —

On testimony whereof we have
 directed these our Letters to be made
 Patent by causing the Public Seal of
 the said Settlements and their De-
 pendencies to be affixed hereto this
 fourteenth day of May One Thousand
 eight Hundred and Forty Seven. —

Witness Richard Clement
 Moody, Governor and
 Commander in Chief in the
 Falkland Islands and their De-
 pendencies at Government House
 Stanley this fourteenth day of May
 One Thousand eight Hundred and
 Forty Seven. —

Signed,

R. C. Moody
 Governor



Stanley Gazette Auckland Islands.

His Excellency the Governor and Com-
mander in Chief has this day been
pleased in Her Majesty's name to
appoint and direct the Honorable William
Henry Groom and Richard Edmund
Williams Esquire to constitute and form
the Legislative Council of and for the
Auckland Islands and their Dependencies
pursuant to the Queen's Commission and
the Instructions Under the Great Seal and
Sign Manual for that purpose un-
derwritten

By His Excellency's Command

J. Signa

J. E. Longden
Clerk to the Councils

Wm. Groom
Stanley 4th May 1844

God save the Queen!

Copy of Oath taken by Mr. Williams
Member of the Legislative Council.

I Richard Edmund Williams do swear
that I will truly and faithfully and to the
best and utmost of my Skill and Knowledge
discharge the duties of a Member of the
Legislative Council for Her Majesty's Settlement
in the Falkland Islands and their Depen-
dencies—

So help me God—

Council Room
2nd August 1847—

Legislative Council

Monday 2nd August 1847

Present
all the members

The Council met pursuant to summons. Mr's Scully informed the Council that he had on that day administered the Oaths to Mr Williams the newly appointed Member who took his seat accordingly.

Prayers having been read by the Chaplain to the Council.

The Minutes of the last preceding meeting were read, amended, & confirmed.

The Governor moved the order of the day for the first reading of the Cattle Trafficks Bill.

Mr Williams gave notice of his intention & move that the word "probably" be inserted before the word "forced" in the 1st Clause.

Also that the fine do not exceed one third of the value of the animal trespassing.

Mr Morse gave notice of his intention & move that the word "alone" be inserted after the words "Superior Magistrate" and the word "together" after the words "Justices of the Peace" in Clause 1.

also/

also in Clause 1. That the following
 words be appended to the clause
 "The words 'Properly fenced' shall
 be construed as follows, namely;
 " a fence made of stone, Brick,
 " or Turf sods, feet high and
 " feet broad; a fence con-
 " structed of a ditch feet
 " wide and feet deep a watercourse
 " feet broad and feet deep
 " and any wooden construction
 " such as rails, or Palings, Iron
 " or wood Fences, or battening
 " fences feet high and the
 " rails posts or hurdles to be
 " feet apart - of not less than
 " Inch scantling or three
 " set wedges or wedges of any
 " shrubs or trees feet high
 " and feet broad."

Mr. Williams stated his intention
 to move that the second clause
 be entirely omitted. —

The Governor then moved
 that the cattle trespass bill be
 read a second time on Tuesday
 August 3rd 1847.

The Governor then moved that the
 tipping Bill be read a first time
 Mr. Colclough stated that the object
 of the Bill was to check ^{the practice of} tipping
 a very prevalent evil in the colony
 and also to check the equally ground
 practice of obtaining spirits on
 credit to any extent. —

Bill read a first time accor-
 -dingly. —

Mr. Moore

Mr. Moore gave notice that he should move that the words "with the exception of the wharves, in Port William, Stanley Harbour, or Sparrow Cove" be inserted after the words "Two Gallons" in the first clause. -

The Governor then moved that the Tipping Bill be read a second time on Tuesday August 3rd 1847

Council adjourned to Tuesday 3rd August 1847. -

J. Whonghu
Clerk to the Council.

Orders of the day Tuesday August 3rd 1847

1. Cattle Trespass Bill - Second reading
2. Tipping Bill - - - - -

Legislative Council.

Tuesday August 3rd 1847

Present
All the Members.

The Council met pursuant to adjournment Prayers having been read by the Chaplain of the Council, The Minutes of the last preceding meeting were read and confirmed.

The Governor stated that before moving the Order of the day for the second reading of the Cattle Trespass Bill he wished to address a few words to the Council on its general principles. His Excellency observed that the object of this bill was not only to provide a proper punishment for certain offences when committed, but by the second clause in the Bill as much as possible to prevent such offences ever being committed. To attain these ends power was given by the first clause of the bill to the Stipendiary Magistrate or any Justice of the Peace to hear and determine any cases summarily, and to award to the sufferers any sum as compensation for the damage done by Cattle or pigs trespassing on their enclosures which might appear just - not exceeding however 20^s. and by the second clause giving power to inflict a fine not exceeding 5^s on the owners of any Hounds or Great Cattle, Goats or pigs running at large in the Town. The latter animals being by habit intractable trespassers and the first liable to become dangerous to

of the Community. It would be almost impossible to construct fences sufficiently secure to keep out goats and for the injury they might do no compensation could be obtained as it frequently would occur without the sufferer being able to identify the animal. The Governor called the attention of the Council to the entire destruction of all the trees brought from the Straits of Magellan by Sir James Cook all of which were thriving well but were finally destroyed by the goats though placed in an enclosure secured in the best manner. Pigs also do much damage in rooting up the ground in public places and in that and other ways their being suffered to wander at large retard all endeavours to give a neat and respectable appearance to the town. Continually also angry feelings are excited between parties both among and between occasioned by the present state of things which it is the duty of the Government to prevent as far as lay in their power. The Governor stated the reasons of his dissenting from and moved from the operation of the second clause of the bill and his motives for having delayed so long bringing any Ordinance of this nature before the Council as for some time after the removal of the seat of Government to Port William the Colonists had sufficient to occupy them in constructing their own

own houses but that labour having been accomplished he considered the proper time had arrived for passing an Ordinance of this nature. His Excellency concluded by moving that the Cattle Trespass Bill be now read a second time.

Mr. Moore moved that the words "or any Justice of the Peace" be substituted for the words "of the County or any two Justices of the Peace" in the first clause. Agreed to.

Mr. Williams moved that the following words be inserted after the word "sued" in the same clause. "The sufficiency of such" "sum to be determined by two" "Residents Capable of Judging" "thereof one to be named by the" "party seeking redress for damage" "sustained and the other by" "the owner of the Cattle causing" "such damage and in the" "event of their disagreeing on" "the matter the Justice of the" "Peace before whom such complaint" "is tried to pronounce such award" "as to him shall seem best which" "award shall be final and con-"
 "clusive on the parties concerned."
 Carried

Mr. Williams then moved that the following words be substituted for the words "Twenty Pounds Sterling" also in clause 1. —

"Or third the value of the animal"
 "by which such damage shall be done"
 Mr. Moore

Mr Moore observed it appeared to him Mr Williams was under the impression that the compensation must be 20£.

Mr Williams stated that he was aware that any sum from our having up to 20£ might be awarded, but that as the ordinance stood no poor man would take a cow or a pig in the town on account of his liability to pay such sum.

The Governor stated that in passing the ordinance he had endeavoured to make it just to all parties that neither should a law be made in favour of the poor to the prejudice of other classes nor in favour of the latter to the prejudice of the former. It appeared to him Mr Williams' Amendment would favour the parties who possessed stock to the injury of others.

Not being seconded the motion dropped.

Mr Williams then moved that the second clause be entirely changed. He stated his object was to encourage Wharfedale & Dear live stock and he considered the clause in question would entirely defeat that object. That such a clause might hereafter become necessary but that in his opinion that time had not yet arrived.

The Governor replied that such might probably be the immediate but temporary result of the measure and it might also have the effect of inducing parties possessing or

who might wish to possess stock
 & settle a little way in the country
 but at the same time it offered
 no obstacles to persons establishing
 dairies in the town but merely
 rendered a personal attention
 necessary in bringing the cattle
 into the town & the place of milking
 and driving them beyond its
 limits.

Motion not being seconded dropped.

Mr. Moore moved that the following
 words be inserted after the word

"Stanley" in the same clause
 "except while said cattle are in
 'transit' passing into or out of
 the town in charge of their keeper
 or while they remain in said town
 in charge of their keeper for the
 purpose of being milked or otherwise"

The Governor observed that it
 appeared to him that the object
 of the amendment was met
 by the words "transit or charge".

In consequence of the Governor's
 observation Mr. Moore withdrew
 his motion.

On the motion of the Governor
 it was ordered that the Cattle
 Trespass Bill be read a third time
 on Wednesday August 24th 1874

The Governor then moved the
 second reading of the tripling
 bill. He remarked that the
 reasons which would lead him
 to oppose the only amendment
 to the bill of which notice had
 been

given was that he considered it might give an opening for the Ordinance to be swayed and that the original clause could not affect the Masters of Merchant Vessels whose temporary stay at the Islands would render it imperative on them to pay at once for any spirits they might need and the words "on Credit" would therefore suffice to protect them from any inconvenience.

In consequence of the Governor's observation Mr. Howe begged leave to withdraw his amendment the object of which was met by the words "on Credit".

After a short discussion relative to a proposal made by Mr. Williams to render the tavern keepers liable to a fine for selling spirits or fermented liquors to persons in a state of intoxication.

The Governor moved that the Tipping Bill be read a third time on Wednesday 4th August 1847 to which day the Council adjourned.

W. Haigh
Clerk of the Council

Orders of the day for Wednesday 4th August 1847
 Cattle Trespass Bill - Third Reading
 Tipping Bill - Third Reading

Legislative Council

Wednesday 4th August 1847

Present
all the Members

The Council met pursuant
to adjournment. -

Prayers having been read
by the Chaplain to the Council.

The Minutes of the last
preceding meeting were read
and confirmed. -

The Cattle Vaccination Ordinance
and the Fippling Ordinance
were then read a third time
and passed. -

Council adjourned " sine die " -

W. H. W. W.
Secy to the Council.

Legislative Council

Monday 4th October 1847

Present
All the members.

The Council met pursuant to summons.
Prayer having been read by the Chaplain to
the Council.

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

On the motion of the Governor the Militia
Bill was read a first time.

After the reading of the Bill had been con-
cluded the Governor made a few observations
relative to it and moved that the second read-
ing take place on Tuesday the fifth instant.

The Governor then moved the first reading
of the Land Registration Bill - he stated that the
object of the Bill was to provide that all in-
struments of whatsoever nature relating to
land should be registered, that an ordinance
of this nature had been passed in most of the
British Colonies and he thought its adoption in
this would be a great benefit to all the settlers.

Bill read a first time accordingly.

On the motion of the Governor it was ordered
that the Land Registration Bill be read a second
time on Tuesday 5th inst.

After a short discussion relative to the
Bill generally, Council adjourned to Tuesday 5th
October 1847

W Hong Ken
Clerk to the Council

Orders of the Day - Tuesday 5th October 1847

1. Militia Bill - - - - - Second Reading

2. Land Registration Bill - - - - - Second Reading

Legislative Council.

Tuesday 5th October 1847

Present

All the Members

The Council met pursuant to adjournment. — Prayers having been read by the Chaplain of the Council,

The Minutes of the last preceding meeting were read and confirmed —

Mr. Kerrie gave notice he should move an amendment to the 12th clause of the Militia Bill: that the following words be inserted after the words "house of such Militiaman."

"Such certificate to be supplied gratis provided that the party applying for the same report himself to his commanding officer and be sent by him for inspection to a Surgeon."

Mr. Williams gave notice that he should move that the following words be added to clause 1.

"Provided that the Militiamen of the several Counties and districts be not removed out of their ^{respective} Counties and districts"

On the motion of the Governor the Militia Bill was then read a second time.

Mr. Williams in rising to move his amendment clause one stated that the head manager of Mr. Leppes establishment (of which he Mr. Williams was the agent) was a British subject and that it would be a very serious inconvenience if he were called away from the establishment 70 miles to Stanley to be drilled as a Militiaman — so serious indeed as

probably to cause a considerable loss of property to
 Mr. Ligon. Independently also of this it would be
 extremely serious to Mr. Whittington and to many
 persons who might possess landed or other property
 which they were compelled to superintend them-
 selves. Mr. Williams further stated he considered
 it might prove a very great evil and would
 be decidedly impolitic that either the Place
 custom or any other settlement that might be
 formed should be left entirely in the hands of
 foreigners as would be the case if the principle
 of the Bill were carried out to its full extent.
 He concluded by moving that the following
 words be added to clause 1. -

" provided that the Subalterns of the dif-
 ferent Counties and Districts be ~~not~~ called and
 drilled in such counties and districts and be
 not ~~to~~ compelled to proceed to Stanley for that
 purpose and only to be compelled to leave the
 Counties and districts in which they reside in
 cases of emergency."

Mr. Moore observed that he was fully
 alive to the difficulties set forth by Mr. Williams
 but that under the circumstances of the Colony
 he considered it would be advisable to place a
 great latitude in the hands of the Governor
 as it would be impossible to legislate in a
 manner that would meet properly all these
 details.

The Governor stated with respect to Mr.
 Williams' motion that he entirely acquiesced
 in the sentiments expressed by Mr. Moore and
 fully admitted the evils urged by Mr. Williams
 as possible to arise - but that with the lati-
 tude granted him in the Bill it would
 be in his power and he should certainly

endeavour to make such arrangements as would greatly mitigate those inconveniences: he considered such a power at present unnecessary but when from the increase of the British population the existing circumstances of the Colony were changed he should propose to the Council an Ordinance to amend the provisions in so far as regards the unusual powers bestowed on him of obliging people to proceed to the chief town to be drilled if he found it advisable.

Not being seconded Mr. Williams's motion dropped. Mr. Brown then moved that the following words be inserted in clause 12 after the words "person of such Militiaman"

"such certificate to be supplied gratis provided the party applying for the same report himself to his commanding officer and be sent by him for inspection to a Surgeon"

Seconded by Mr. Williams and Carried.

The third reading of the Bill was ordered to take place on the 8th October 1847

The Governor then moved the second reading of the Land Registration Bill.

No amendment being proposed to this Bill it was ordered to be read a third time on the 5th Oct: 1847 to which day the Council adjourned.

J. M. Thompson
 Clerk to the Council

The Minutes of Council Orders of the Day - Wednesday 8th Oct: 1847
 to this date were forwarded home in despatches
 Res. dated 2nd Dec: 1847

1. Militia Ordinance - Third Reading
 2. Land Registration Ordinance - Third Reading

J. M.

Legislative Council

Wednesday 5th October 1847.

Present
All the Members.

The Council met pursuant to adjournment.
Prayers having been read by the Chaplain of the Council,

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

On the motion of the Governor the Political Ordinance and Land Registration Ordinance were then read a third time and passed.

Council adjourned sine die.

J. Chapman

Clerk of the Council.