

Legislative Council

Tuesday 4<sup>th</sup> July 1848

Present  
All the Members

Council met pursuant to summons.  
Prayer having been read by the Chap-  
lain to the Council.

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

Governor Moody stated he had as-  
sembled the Council to inform them of the  
arrival of his successor, and addressed them  
as follows.

"My successor His Excellency Governor  
"Nunnie having arrived I have now to take  
"my leave of you. In doing so I wish to express  
"my thanks for the advice and assistance you  
"have afforded me. It is peculiarly gratifying  
"to me to bear away with me the remem-  
"brance that our discussions and debates  
"have been conducted with so much tem-  
"per and good feeling. Freedom of debate is  
"the glory of Englishmen, but, unfortunately,  
"in the heat of argument one is apt to be led  
"away and to transgress bounds. Such, how-  
"ever, has never been the case with us and  
"I feel assured never will be. I must resign  
"the office entrusted to me by my Sovereign,  
"and heartily wish you and the Colony  
"for whom you legislate every success."

Captain Moody then retired and the  
Council adjourned sine die.

J. Whingden  
Clerk of the Councils.

End of Minutes of  
Legislative Council  
under Presidency  
of Mr. Governor Murray

The Minutes of the Legislative Council  
at this date were forwarded home in  
Governor Murray's despatch to Earl Grey  
No. 20 dated 14<sup>th</sup> September 1848.

Commencement of Minutes  
of the Legislative Council  
under the Presidency of  
His Excellency Governor Dennis

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Copy of Commission appointing His Excellency  
Governor Rennie, William Henry Moore  
Esquire, and John Bull Whittington  
Esquire, to constitute the Legislative Coun-  
-cil of the Falkland Islands; dated  
the 29<sup>th</sup> of August, 1848.

Victoria by the Grace of God of the United  
Kingdom of Great Britain and Ireland Queen Defender of the  
Faith To our Trusty and well-beloved George Rennie Esquire  
Our Governor and Commander in Chief in and over our Settle-  
ments in the Falkland Islands and in their Dependencies  
and to William Henry Moore Esquire and to John Bull Whi-  
tington Esquire 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  
Westminster the 23<sup>rd</sup> 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 Pa-  
-lace the said 23<sup>rd</sup> day of June 1843. in the said Seventh  
Year of our Reign, directed to our Governor and Commander-  
-in-Chief in and over our Settlements in the Falkland Is-  
-land, We did authorize the Governor or the Lieut-tenant  
Governor for the time being of our said Settlements in the  
Falkland Islands and their Dependencies and such other  
persons, not being less than Three as were in the said  
Charter designated to constitute and be a Legislative Coun-  
-cil for the said Falkland Islands, and their Dependencies.  
And we did by the said Charter further declare that in addi-  
-tion to the said Governor or Lieut-tenant Governor the said  
Council should be composed Public Officers or of such other  
persons within the said Settlements and their Dependencies  
as should from time to time be named or designated for  
that purpose by Us, by our Instruction or Instructions

Warrant/

Warrant or Warrants, to be by Us for that purpose issued, under our Signet and Sign Manual and with the advice of our Privy Council, And that all such Councillors should hold their place in the said Council at our pleasure, with full Power and Authority, to make and establish such Laws, Institutions and Ordinances, as might be required for the peace, Order, and good Government of the said Settlements and their Dependencies, and that in the Making of Laws, Institutions, and Ordinances the said Legislative 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 to hereas by our said Instructions (being the Instructions so referred to as last aforesaid) We 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 therein after designated to be Members of the said Legislative 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 in the Falkland Islands and their Dependencies, such Commission of the Peace being revocable and renewable from time to time by such Governor or Administrator of the Government)

Government as he may find occasion. —

And whereas the said George Rennie Esquire is now our Governor and Commander-in-Chief in and over our said Settlements in the Falkland Islands and their Dependancies, and the said William Henry Moore Esquire and the said John Bull Whittington Esquire 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 Twentieth Ninth day of August One Thousand Eight Hundred and Forty Eight.

Now, We by these Letters Patent do nominate, constitute and Appoint You the said George Rennie Esquire Our Governor and Commander-in-Chief in and over the Falkland Islands and in their Dependancies and so long as you shall remain as such the said William Henry Moore Esquire and the said John Bull Whittington Esquire being as aforesaid the Two Justices of the Peace, whose names stand first in order in the general Commission of Peace bearing Date the said Twentieth Ninth day of August 1848 as aforesaid and so long as You shall Continue as such (and such persons as shall hereafter be appointed) to be Members of and Form and constitute our Legislative Council for the said Falkland Islands, and their Dependancies, together with all the Rights, privileges, Appurtenances and Appurtenances, thereunto belonging or in any wise appertaining, but upon, under subject and according to the following Regulations for the

the guidance of our said Legislative Council in the making the Laws and Ordinances thereof, that is to say, And We do declare our pleasure to 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 ~~George Resnic~~ the Governor or the Governor 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, and 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 prevention 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 ~~George Resnic~~ Governor or the Governor of /

of our Settlements, in the Falkland Islands and their Dependencies for the time being, do frame 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 adopted 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 ~~George Rennie~~ Governor or the Governor for the time being may receive from Us, 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 disallowed 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 for that purpose by You, Provided Nevertheless, And it is our pleasure that if any Member of the said Council shall deem any Law fit 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/



ments 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, and that the said Council shall not ever proceed to the despatch of business until the Minutes of the last preceding Meeting shall first have been read over and confirmed or corrected as may be necessary.

And we do further require and enjoin you the said ~~George Rennie~~ 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 ~~George Rennie~~ Governor or the Governor for the time being, do not propose or assent 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 any wise repugnant to, or inconsistent with such Charter or Instructions or repugnant to the said recited Act, or to 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

And you the said Governor or the Governor for the time being are expressly enjoined not to propose or assent 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 we do further enjoin You the said 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 Governor or the Governor for the time being do not propose or assent to any Ordinance whatever 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 any such Bills, or any other Paper Currency or any Coin, save only the legal Coin /

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Coin of the Realm may be made or declared to be a legal tender, without special permission from us in that behalf first obtained.

And it is our further pleasure that You the said 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 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 or 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 there upon.

And it is our further will and pleasure that You the said 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 Governor do not propose or assent to any Ordinance whatever, by which any Tax or Duty might be imposed upon the Trade or Shipping 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 )

Galkland Islands, and their Dependences, from which, other Traders or Persons carrying on the like business, would be exempt.

And we do further direct that You the said Governor or the Governor for the time being do not propose, or assent to any Ordinance whatever, whereby any Grants of Money or Land, or other donation or gratuity may be made by the said Legislative Council to You.

And we do further direct that You the said 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 Us, Our Heirs, and Successors, and of all bodies Politic, and Corporate, and of all other persons excepting those at whose instance, or for whose especial benefit such Ordinance may be passed, and those claiming by, from, through, and under, them.

And it is our will and pleasure that You the said Governor or the Governor for the time being, do not propose or assent to any Ordinance whatever to 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 and Ordinances, to be enacted by the said Legislative Council, shall henceforth be styled "Ordinances enacted by the Governor of our Settlements in the Galkland Islands and their Dependences with the advice and consent of the Legislative Council thereof"

and

and that no other Style or Form shall ever henceforth be observed in any such enactments, And that all such Laws and Ordinances be drawn up in a simple and compendious Form, avoiding as far as may be all Prolivity and Tautology.

And we do further direct that when any Law or Ordinance shall have been passed by You the said 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 one of Our Principal Secretaries of State a Transcript in Duplicate of every such Ordinance as aforesaid, duly authenticated under the Public Seal of the said Settlements in the Falkland 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

plies for the Service of the said Settlements and their Dependancies, 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 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 Dependancies, which proceeding with the Reasons thereof, You shall on the earliest occasion Report to Us 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 to enact or to disallow any Ordinance which may be passed by You with the advice and Consent of the said Council, 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 our pleasure to be, that in the Month of January or at the earliest practicable period, at the Commencement of each Year You the said Governor or the Governor for the time being do Cause a Complete Collection to be published for general Information of all Ordinances, enacted during the preceding Year.

And we do further direct that all Ordinances made by You, the said Governor or the Governor for the time being with the Advice of the said Legislative Council,

Council

Council be distinguished by Tittles, —  
 And that the Ordinances of each Year  
 be also distinguished by Numerical —  
 Marks Commencing in each successive  
 Year with the Number One, and proceed-  
 ing 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 Clau-  
 ses or Paragraphs distinguished in  
 like Manner by numerical Marks;  
 And that to every such Clause be an-  
 nexed in the Margin a short Sum-  
 mary of its contents.

And we do further declare our  
 pleasure to be, that in the passing  
 of all Laws each different matter be pro-  
 vided for by a different Law, without  
 intermixing into one and the same  
 Act, such Things as have no proper Re-  
 lation to each other, and that no Claus-  
 es or Clauses be inserted in or annexed to  
 any Act, which shall be foreign to what  
 the Title of such respective Act imports,  
 and that no perpetual Clause be part  
 of any Temporary Law, and that no  
 Act whatever be suspended, altered  
 continued, revived or repealed by  
 general words, but that the Title and  
 date of such Act so suspended, altered,  
 continued, revived, or repealed be par-  
 ticularly 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)

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 the said Governor are also to take Care, that in all Laws or Ordinances to be passed by our said Legislative Council in any Case for levying Money, or imposing Fines, Forfeitures and Penalties, express Mention be made that the same are granted or reserved to Us, our Heirs, and Successors, for the public uses of the said Settlements in the Falkland Islands and their Dependancies, and the Support of the Government thereof, as by the said Law or Ordinance shall be directed.

In testimony whereof we have directed these Our Letters to be made Patent by Causing the Public Seal of our said Settlements and their Dependancies to be affixed hereto this Twentieth day of August One Thousand and Eight Hundred and Forty Eight.

Witness George Rennie Esquire our Governor and Commander in Chief in and over our Settlements in the Falkland Islands and their Dependancies at Government House Stanley, this Twentieth day of August One Thousand and Eight Hundred and Forty Eight.

(Signed) George Rennie  
Gov<sup>r</sup>.



## Legislative Council

Friday 22<sup>nd</sup> September 1848

### Present

His Excellency Governor Denison  
William H. Moore Esquire, J.P.  
John B. Whittington Esquire, J.P.

Council met pursuant to summons  
Mr Whittington the newly appointed  
Member took the oath after which,

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

The Governor then moved that the  
Topping Amendments Bill be now read  
a first time -

Bills read a first time accordingly.

The Governor then moved that the  
Bills for continuing ~~Courts of Justice~~ the ~~ordi-~~  
nances passed two years ago for the formation  
of Courts of Justice be now read a first time -

Bills read a first time accordingly.

On the motion of the Governor the  
above Bills were then read a second time.

The Governor then moved the first  
reading of the Alien Impatriation Bill and stated  
that a large number of foreigners had been  
introduced into the Colony and were now in  
a state of destitution, or dependent on the  
Government employment for support.

That this bill provided that the Emigrants  
themselves, or the persons in whose charge they  
were brought, should satisfy the Governor that  
they were able to support themselves or if

The  
Council  
date

brought in the employment of other persons, such employers should give security that the Emigrants imported by them will not become chargeable to the Government of the Colony. The Bill was then read a first time.

The Governor then moved the first Reading of the Court of Requests Ordinance.

In moving there was no legal means at present in the Colony for the summary recovery of small debts, and that this bill had been framed with a view to meet that exigency.

The Currency Bill was then laid on the table, but it was considered inexpedient to proceed with it at present.

The Governor then moved that the Alien Importation Bill and Court of Requests Bill be now read a second time and that the discussion on them take place tomorrow. Bills read a second time accordingly.

The Governor then stated that, as no amendments whatever had been proposed to the Amending Amendments Bill and the Bills for <sup>the former more than</sup> continuing the Courts of Justice Ordinances. Bills be now read a third time and passed.

These Bills were accordingly read a third time and passed - after which Council adjourned on Saturday morning the 23<sup>rd</sup> Instant at 10 o'clock.

J. Whymper  
Clerk to the Council

Orders of the day - Saturday 23<sup>rd</sup> September 1848

The Minutes of Alien Importation Bill - Adjourned discussion Council to this Court of Requests Bill Adjourned discussion. date was for.

warded home in the Governor's despatch No. 1 dated

Legislative Council

Saturday - 23<sup>rd</sup> September 1878 -

Present  
All the Members

Council met pursuant to adjournment  
The Minutes of the last meeting having  
been read and confirmed.

The Council resumed the discussion  
of the Alien Importation Bill, during  
which discussion several amendments  
were made in the preamble and  
in the first and second clauses.

The Council then proceeded to the  
consideration of the Court of Requests Bill  
but after some discussion the further  
consideration of it was postponed in-  
definitely -

The Alien Importation Bill was  
then read a third time and passed, and  
the Council adjourned sine die -

J. H. M. S. S.  
Clerk to the Council