

Legislative Council.

Monday February 3rd 1862.

Present all the Members.

Mr. Goodlake Stipendiary Magistrate, was sworn in a Member of the Legislative Council.

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

His Excellency then laid on the Table a draft of an Ordinance to regulate the expenses of Seamen in Stanley Gaol copies of which had been previously furnished to the Members, together with a representation from Mr. Lane the Agent of the F. & S. Company dated 18th Novr 1861, called forth by the Public Notice of 16th Novr. proclaiming the proposed Meeting of the Legislative Body and inviting the opinions and suggestions of the Colonists.

The Governor then moved the first reading of the bill, seconded by Mr. Dean.

Bill read accordingly.

On the reading of the first clause Mr. Dean moved that the words "prison maintenance" be substituted by the words "prison expenses thus incurred" which amendment was carried.

After some discussion on the subject the word "apply" in the 2nd clause was omitted & the word "obtain" inserted.

Mr. Goodlake then moved that the Ordinance should come into operation on the 10th February 1862.

Seconded by Mr. Dean.

His Excellency then laid on the Table a draft of an Ordinance relating to the Branding of Wild Cattle, and moved for the first reading

Seconded by Mr. Goodlake.

Bill read accordingly

Mr Goodlake moved for any documents which His Excellency might have received on the subject before the Council.

Mr Dean moved the following amendment in the first clause of the bill. "That from and after the 1st June 1863 all neat Cattle upon the main of the East and West Falklands outside the district of Safonia without a regular brand mark made with a heated iron shall be deemed to belong to the herds of Wild Cattle which are the property of the Crown &c.

Seconded by Mr Goodlake.

Mr Goodlake proposed the following additional clause " (clause 2).

Provided that in all districts on which neat Cattle may in future be placed the branding as aforesaid shall be completed within one month for the Cattle so being placed, and this shall take effect immediately from and after the passing of this Ordinance.

Seconded by Mr Dean.

His Excellency also gave notice that he would lay before the Council an Appeal he had received from McLane the Agent of the F Company addressed to the Governor in Council.

Mr Goodlake then moved the following resolution "that the appeal of McLane against a decision of the Magistrates Court be taken into consideration
Seconded by Mr Dean.

Council adjourned till 11. o'clock on Tuesday the 4th instant.

W. R. W. G. G.
Clerk to the Council

Legislative Council

February 4th 1862.

Present. H.E. The Governor.
 W. Goodlake Esq.
 J.M. Dean Esq.

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

H.E. moved the 2nd reading of the Summary Juris.
 Amendment Ordinance No. 1. 1862.

Seconded by Mr. Dean.

Bill read accordingly and passed the 2nd reading
 H.E. then moved the 2nd reading of the Sum: Juris:
 Amendment Ordinance No. 2. 1862.

Seconded by Mr. Dean.

Bill read accordingly
 Mr. Goodlake moved for any letters or documents
 H.E. might have received relating to the subject in hand.
 H.E. directed the Clerk to read Mr. Lane's letter of
 the 21st November 1861.

Which having been considered

Mr. Goodlake moved the 3rd reading of these 2 bills
 be deferred till Monday the 10th instant

Seconded by H.E. the Governor.

H.E. then laid on the Table an appeal he had
 received from Mr. Lane, the Agent of the F. Company
 against a decision given in the Mag. Court on the
 14th November 1861 as notified to the Council at a
 previous meeting.

H.E. stated that Mr. Lane had requested to be
 heard in support of this appeal and that he
 had been duly informed of the meeting some
 days previous. Letter read.

H.E. to Mr. Lane of the 1st instant.

Mr. Goodlake inquired whether Mr. Lane was in
 attendance. The Clerk of the Council reported
 that he was not.

Mr Goodlake moved that the appeal be read
seconded by Mr Dean.

Appeal Read accordingly

By direction of the Governor the Clerk read all the
various documents connected with the case

After a due consideration of the Appeal the Council
decided that there was no necessity to examine any
further into the matter and resolved as follows,

The Governor in Council having heard the appeal of Mr
Lane and the evidence taken in the Mag. Court have
resolved that the decision ^{given} in the Mag. Court be affirmed
that Mr Lane must be directed to pay into the Court
under the decree of the Governor in Council the sum of
£162. being 150 £ claim

10. 10 Cost of appeal

1. 10 Costs

£162.

And it is further resolved that the Governor will, after
the order of the Court has been complied with, make the
following allowances to Mr Lane.

£45. being £25 the usual subsidy paid for
the carriage of one months mails &
£20, being freight of specie (2000 £)
at one per cent.

£45

The Council are unanimously of opinion that no deduc-
tions should be made from the original order
of the Court until that order shall have been complied
with, and that Mr Lane should be first called upon
to fulfil that order

Mr G. moved that the following clause be added
to the Standing Rules of the Council.

"That in future all draft Ordinances be posted on
the Government Gazette Board for not less than
4 days before they are brought before the Council"
Agreed to

Council adjourned till Monday the 10th Inst.

See Original of the and
of this book (under red)
B.
Mis: letter Book

Legislative Council.
Monday, 10th February 1862.

Present A. E. Governor Moore
E. W. Goodlake
J. M. Dean.

Council met pursuant to adjournment.

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

A. E. moved the third reading of Bill No. 1. of 1862.

Bill read accordingly.

The Governor moved that this bill do pass.

Seconded by Mr Goodlake.

Mr Goodlake said that the Agent of the F. Company considered the length of their brand, vizt. 3 inches to be quite sufficient, after some discussion it was decided that the alteration of a brand was a very trifling expense & that for the sake of the better distinction of animals at a distance it would be better to require the brand to be 4 inches.

A. E. then moved for the 3rd reading of Bill No. 2. 1862.

Read accordingly.

The Governor then moved that this Ordinance do pass.

Seconded by Mr Goodlake.

A. E. directed the clerk to read Mr Goodlake's letter of the 8th instant with its enclosures.

read accordingly.

Council then adjourned.

W. R. W. G.
Clerk to the Council

Legislative Council

Tuesday. August 19th 1862.

Present. H. E. Governor Moore
E. W. Goodlake Esq^r.
J. M. Dean Esq^r.

The Council met pursuant to summons.
The Minutes of the last preceding Meeting were read
and confirmed.

H. E. proposed to the Council a Bill to amend
the 39th clause of the Sum: Jurisdⁿ Ordinance
N^o. 11. 1853. and moved the first reading of the Bill
agreed. Read accordingly.

Sum: Jur: Ordinance
N^o 3. 1862

M^r. Dean gave notice that he should speak of
the general principles of the Bill at the second
Reading.

H. E. then adjourned the Council until Thursday
next the 21st instant at 11. a. m.

H. J. Ryne,
Clerk to the Council

Legislative Council

Thursday August 21st 1862

Present. H. D. Governor Moore
L. W. Fordlake Esq.
J. M. Dean Esq.

The Council met pursuant to adjournment
The Minutes of the last preceding Meeting were
read & confirmed.

His Excellency the Governor moved the Second Reading
of the Sum: Jur: Amendt. Ordinance N^o 3. 1862
Seconded by Mr. Fordlake. Read accordingly
Mr. Dean stated that he considered the sum
of £50 too much to leave to the discretion of
a single Justice sitting in Summary Jurisdic-
tion.

Mr. Fordlake pointed out that the Ordinance
already allowed the Magistrate the power of
inflicting a much heavier penalty namely in
the Impound Ordinance, Shipwrecked Property
Ordinance, Cattle Ordinance, and others in
which penalties were inflicted up to £100. There
was also always a right of appeal.

After some discussion on the subject the Bill
was agreed to unanimously.

Mr. Dean moved that as this was a subject
of great importance it would be desirable to
suspend the Standing Rules of the Council and
proceed with the Third Reading forthwith.

Seconded by Mr. Fordlake.
Read accordingly and passed the
Council New. Con: (N^o 3. 1862).

His Excellency then addressed the Council
as follows.

"as I am about shortly to resign the Administra-
"tion of this Government, I am anxious, before

Taking leave of you, gentlemen, to thank you for the able assistance you have always afforded me as Members of this Council, and it is peculiarly gratifying to me to bear away the remembrance that our discussions and debates have been conducted with so much good feeling, and I heartily wish you and the Colony for whom you legislate every success.

W. D. Pym
W. D. Pym
Clerk to the Councils