

Legislative Council.

Tuesday 25<sup>th</sup> January 1873.

Present

His Excellency Colonel D'Arcy Governor  
 The Hon<sup>ble</sup> Mr Bailey Esq.  
 ' ' G. M. Dear Esq.

The Council met pursuant to summons.

The Minutes of the last Meeting were read  
 and confirmed.

The Governor said,

"The business of the day commences  
 with a draft amendment of the  
 Registration Ordinance, you are aware  
 there is no Registrar at Darwin,  
 and I think the time has now arrived  
 when one should be appointed; I am  
 not sure but that the Registration  
 Ordinance gives me the power by  
 implication to nominate a Registrar,  
 but if you think otherwise the Ordinance  
 had better be passed."

The draft Registration Amendment Ordinance  
 was then read, when Mr Bailey suggested that

that the first line of the first clause  
of the Registration Ordinance No 12 of 1853  
be read as follows:

"that there shall be a Registrar -"  
"General's Office at Stanley"  
instead of

"that there shall be an office"  
at Stanley for the registration &c"  
also that in the 27<sup>th</sup> clause of the same  
Ordinance the word "Registrar" be read  
"Registrar General" and

"that every district Registrar shall"  
on or before the 15<sup>th</sup> day of January"  
forward to the Registrar General's Office"  
at Stanley, a true copy of all entries"  
contained in the register book of "  
births and deaths for the preceding "  
year accompanied by a certificate "  
as required from the Clergyman "  
by clause 26 "

The Clerk of the Council was then requested  
to alter the transcript Ordinance accordingly  
and with these additions the Ordinance was  
passed in its first reading -

His Excellency

His Excellency then said

"The next Ordinance is respecting the appointment of a Health Officer for this Port and is entitled "An Ordinance to extend a certain Act of Parliament, to this Colony" so far as the same can be applied. The Act is 30 & 31 Victoria Cap 124 entitled "An Act to amend the Shipping Act of 1854"

His Excellency explained to the Members the desirability and importance of nominating one of the Medical Practitioners to be Health Officer so that contagious disease might not be brought into the Colony.

The Members agreed with the Governor and the Ordinance passed the first reading.

The Governor then directed the attention of the Council to an amendment of the Wreck and Salvage Ordinance, and said:-

"I have had the permission of the Secretary of State to place on the table an Ordinance remitting

remitting the whole or any part  
of the duty on wrecked spirits  
or wines brought to the Islands  
from a bona fide wreck.

Now in the case of the "Antonia",  
for instance, the Underwriters  
complained (I cannot but think  
with some reason) that they  
only received the small sum of  
£190, compared with that awarded  
to the Salvors, £660. — and

£190.

£660.

certainly had the "Antonia's" cargo  
been brought to the Colony some  
three or four months before it was,  
the Underwriters would have received  
about £400. — more, which sum

£400. —

was levied for Spirit duty  
according to the Spirit Duties  
Ordinance then but a few  
months in force. — "

The draft  
Ordinance

The draft Ordinance was read, to which Mr Dean took issue in toto, after considerable discussion Mr Bailey said

"if an ad valorem duty was levied on wrecked goods (Spirits & Wines) it would be preferable to the existing law in force, where all dutiable goods, whether wrecked or otherwise, are under the same law; but at the same time to pass the proposed Ordinance as it now stands would certainly lead to smuggling, encourage it in fact, and I firmly believe much liquor is stowed away on and around the Islands only debarred by the present law from being brought into Stanley."

Mr Dean said

Mr Dean said

I am directly opposed to  
the Ordinance, the Revenue  
would surely suffer, and all  
wrecked property (being spirituous)  
should pay the same duty as  
that duty imported by the  
Merchants. I am of  
opinion that it would  
encourage people to deluge  
the Colony with so-called  
wrecked spirits, and be a  
great inducement to Masters of  
the Colonial Schooners to carry  
on the wrecking trade by  
coasting around the Islands,  
and the shores of Patagonia,  
instead of pursuing their  
legitimate business of sealing.

His Excellency

His Excellency in reply said

"The measure is one open to investigation, the expediency of the proposed Ordinance is questionable, and altho' the Secretary of State has given me permission to initiate the measure, yet after giving that subject much thought, I am inclined to alter my opinion, and agree with Honourable Members that the proposed Ordinance might open the door to smuggling, so detrimental to the interests of the revenue, the legitimate trader, and so demoralizing to the community. In future the Salvors must be contented with their percentage of 50% after the duty and all expenses are liquidated, a matter of detail quite within the scope of the Governor in Council to order; by adopting this course a larger amount will be remitted to the Underwriters, and

50%

and at the same time the object "  
that the Council had in view "  
when they framed the Wreck and "  
Salvage Ordinance No 3 of 1871 "  
will be met. "

In the case of the 'Antonia' "  
I, on my own authority, gave "  
the Salvors 50% on the value "  
of the cargo as it was landed "  
in the Government Store before the "  
sale; this handsome share of the "  
spoils rescued from the Ocean "  
was given for an object, at the "  
time well considered, in order "  
that the Masters of Colonial Craft "  
might be induced to continue the "  
wrecking in conjunction with the "  
sealing trade, and thereby be the "  
human means of saving that "  
which is so much more valuable "  
than merchandise - life! "

50%

The Council was then adjourned  
sine die.

By Francis  
Acting Clerk to the Council



Legislative Council.

Saturday 1<sup>st</sup> February 1873.

Present

- His Excellency Colonel D'Arcy - Governor
- The Honable Mr Bailey.
- " G. W. Dean.

The Council met pursuant to summons.

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

The two draft Ordinances viz: the Registration Amendment Ordinance, and an Ordinance to extend to the Colony the Act of Parliament 30 + 31 Vic<sup>ca</sup> Cap 122 intitled "An Act to amend the Shipping Act of 1852" were laid on the table and read a second time *ser. can.*

His Excellency then said

"I am desirous of suspending the standing rules on this occasion and propose this reading of the two Ordinances be taken as the second and third readings."

The two members agreed to the Governor's proposition

His Excellency then adjourned the Council *ser. die* -

G. J. Travis  
Clerk to the Council

Legislative Council

Tuesday 26<sup>th</sup> May 1874

Present

His Excellency the Governor - President

Mr. H. E. J. Smith Esq.

do of Mr. Dean Esq.

The Council met pursuant to summons.

The Minutes of the last meeting were read and confirmed.

His Excellency laid on the table a Ordinance for limiting the Right of the Queen's Majesty to sue for Lands, Tenements and Hereditaments, and said

"This Ordinance was drafted in England and similar to one already passed in the Colony of Labuan. As there are no prescriptive rights to real property in these Islands I propose on this occasion suspending the standing rules and this be taken on the first, second and third readings."

The Members agreed and the Council was adjourned  
seno die —

G. Travis  
C. P.