

## Legislative Council

Saturday, 26<sup>th</sup> February 1881.

Present His Excellency Governor Gen. President.

The Hon<sup>ble</sup> Arthur Bailey and Geo. M. Dean Esquires

The Council met pursuant to summons.

Mr. Dean, on return from leave, resumed his seat as a Member of Council.

The Minutes of last meeting held on the 17<sup>th</sup> December last were read and confirmed.

The Governor stated that he had summoned the Council in order to introduce a Bill to provide for taking the Census of the Colony, at the same time as the decennial census which is to be taken in April next throughout the United Kingdom and the other British Possessions.

His Excellency then moved the first reading of a Bill entitled, "An Ordinance for taking the Census of the Falkland Islands."

Mr. Bailey seconded the motion, which was unanimously agreed to by the Council, and the Bill was read accordingly.

There being no notice of amendment given or objection to the Bill made by any of the members, the Governor stated it would be obvious to the members, that it was desirable that this Bill should be passed through all its stages with as little delay as possible. He therefore moved that the Standing Orders be suspended, and that a Bill entitled "An Ordinance for taking the Census of the Falkland

"Islands" do at this sitting pass through all its stages.

Mr. Dray seconded the motion which was unanimously agreed to by the Council.

His Excellency then moved the second reading of a Bill entitled "An Ordinance for taking the Census of the Falkland Islands", which was seconded by Mr. Bailey, and unanimously agreed to.

The Governor then moved the third reading of a Bill entitled "An Ordinance for taking the Census of the Falkland Islands" which was seconded by Mr. Dray and unanimously agreed to.

The Governor then moved that Ordinance No. 1.1881 entitled "An Ordinance for taking the Census of the Falkland Islands", do pass, which was unanimously agreed to by the Council.

The Governor gave his assent to the passing of the Ordinance.

The Ordinance was then passed accordingly.

His Excellency adjourned the Council until Tuesday the 1<sup>st</sup> March next at 11 o'clock forenoon.

Confirmed  
1<sup>st</sup> March 1881

Merr.

Governor

William H. Ellis  
Clerk to the Council

# Legislative Council

Tuesday, 1<sup>st</sup> March 1881.

Present His Excellency Governor Kerr, President  
The Honble Arthur Bailey Esq. M.D. Esq. Esquire

The Council met pursuant to adjournment.

The Minutes of last Meeting held on the 26<sup>th</sup> ultimo  
were read and confirmed

The Governor said he proposed to introduce to the  
Council a Bill to extend to these Settlements "The Capital  
Punishment Amendment Act 1868"

His Excellency then moved the first reading  
of a Bill to extend to these Settlements "The Capital Punishment  
Amendment Act 1868" which was seconded by Mr Bailey and  
unanimously agreed to.

There being no notice of amendment given  
or objection made to the Bill by any of the Members, the Governor  
stated ~~that~~ it would be obvious to the Council that it was  
desirable that this Bill should be passed through all its  
stages with as little delay as possible. He therefore moved that  
the Standing Orders be suspended and that a Bill entitled  
"An Ordinance to extend to these Settlements "The Capital  
Punishment Amendment Act 1868" do at this sitting pass through  
all its stages.

Mr. D. ran seconded the motion which was  
unanimously agreed to.

The Governor moved the second reading of the Bill which was seconded by Mr Bailey and unanimously agreed to.

The Governor moved the third reading of the Bill which was seconded by Mr. Dran and unanimously agreed to.

The Governor then moved that Ordinance No 2 of 1881 entitled "An Ordinance to extend to these Settlements, 'The Capital Punishment Amendment Act 1868' do pass, which was unanimously agreed to by the Council.

The Governor gave his assent to the passing of the Ordinance.

The Ordinance was then passed accordingly.

His Excellency then adjourned the Council

sine die

Confirmed  
14<sup>th</sup> June 1881

Thos  
Governor

John W. Miss  
Secy to the Council

# Legislative Council

Tuesday. 14<sup>th</sup> June 1881.

Present. His Excellency Governor Kerr, President.

The Honble<sup>s</sup> Arthur Bailey and George M. Dean Esquires

The Council met pursuant to summons.

The Minutes of last meeting held on the 1<sup>st</sup> March last were read and confirmed.

The Governor stated that he had summoned the Council to introduce several Bills, copies of which had already been furnished to the members.

He intended to take only the first reading of these bills at this sitting so that discussion upon the various measures would be postponed until a later stage and until he could be able to take the opinion of the Secretary of State regarding them.

The first measure was a "Bill to extend to this Colony certain Acts of Parliament in force in England relating to Merchant Shipping" No<sup>s</sup> of 1881.

The Governor said it would be obvious to the members that it was desirable to assimilate the laws of the Colony regarding Merchant Shipping to those of the mother country so far as local circumstances will permit. He had therefore prepared the above bill and moved its first reading which was seconded

by Mr. Bailey and unanimously agreed to.

The Bill was accordingly read a first time.

The Governor stated that <sup>by</sup> one of the recent Acts relating to Merchant Shipping 43 + 44 Vict c 16, the provisions of the "Employers and Workmen Act 1873" were made applicable to Merchant Seamen. He had therefore prepared a short Bill extending this Act also to the Colony.

He therefore moved the first reading of a Bill to extend to this Colony a certain Act of Parliament cited as the "Employers and Workmen Act 1873." (No 14 of 1881) which was seconded by Mr. Dean and unanimously agreed to.

The Bill was accordingly read a first time.

The Governor said he considered it desirable to extend to the Colony so far as local circumstances will permit the "Employers' Liability Act 1880", which had been passed in the last session of Parliament and had prepared a short Bill for this purpose.

He therefore moved the first reading of a Bill to extend to this Colony a certain Act of Parliament cited as the "Employers' Liability Act 1880," <sup>(No 5 of 1881)</sup> which was seconded by Mr. Bailey and unanimously agreed to.

The Bill was accordingly read a first time.

The Governor said that the subject of the protection of the Seal Fisheries of the Colony had engaged his attention for some time past, and with the advice of the Executive Council he had prepared a Bill to

to provide for the establishment of a close time in the Seal Fishery in the hope that that industry which at one time was a source of considerable value to the Colony might thereby be revived to the profit of the Settlers.

Mr. Dean presented a petition which he had received from Mr. Charles Hansen, the lessee of the Jason Islands on the subject of the proposed Bill, which the Council ordered to be read.

The Governor then moved the first reading of a Bill to provide for the Establishment of a Close Time in the Seal Fishery of the Falkland Islands and their Dependencies, and the seas adjacent thereto" (No 6 of 1881) which was seconded by Mr. Dean and unanimously agreed to.

The Bill was accordingly read a first time

The Governor then adjourned the Council sine die

Confirmed  
30<sup>th</sup> Aug 1881

John Night Collins  
Clerk to the Council

Thos  
Governor

## Legislative Council

Wednesday, 31<sup>st</sup> August 1881

Present His Excellency Governor Ken, President.

The Hon<sup>ble</sup> Arthur Bailey and Geo. M. Dean Esquires

The Council met pursuant to summons.

The Minutes of last meeting held on the 14<sup>th</sup> June last were read and confirmed.

The Governor stated it had been brought to his notice that doubts had been raised as to the validity of certain marriages performed under the Marriage Amendment Ordinance 1872, by clergymen other than those of the Church of England.

That Ordinance required a certain notice to be given to the Registrar General by one of the persons proposing marriage and a certificate of which notice from the Registrar General was to be given to the officiating minister before the marriage could take place. It contained no provision for notice by banns or for the issue of licence by the Governor.

This provision had not been complied with several persons had been married under a Governor's licence addressed to the Presbyterian Minister and Roman Catholic Priest, for which no provision was made in the Marriage Amendment Ordinance, while other marriages had been contracted after the publication of banns by these ministers, in some cases the banns having been published three times on one Sunday.

These marriages not having been contracted strictly in accordance with the provisions of the Marriage Ordinance their validity had been considered doubtful and the Governor thought it desirable that an Ordinance should



should be passed to declare the validity of these marriages and to give greater facilities for solemnizing regular marriages in the future.

He had therefore with the advice and consent of the Legislative Executive Council prepared a bill on the subject entitled "An Ordinance to remove doubts concerning the validity of certain marriages and to amend the Marriage Ordinances".

The Governor stated that he had gone carefully through the correspondence between his predecessors and the Colonial Office on the subject of the Marriage Law of the Colony, extracts from which he read to the Council, and the proposed bill <sup>had been</sup> ~~was~~ in accordance with Lord Kimberley's views to Col. D'Arey, when transmitting her Majesty's approval and allowance of the Marriage Ordinance of 1872. He therefore moved the first reading of "a Bill to remove doubts concerning the validity of certain marriages and to amend the Marriage Ordinances", which was seconded by Mr. Bailey and unanimously agreed to.

The Bill was accordingly read a first time.

There being no notice of amendment given or objection made to the Bill by any of the Members. The Governor said he thought it would be obvious to the Council that it was desirable that the Bill should be passed with as little delay as possible. He therefore moved that the Standing Orders be suspended and that a Bill entitled "An Ordinance to remove doubts as to the validity of certain marriages, and to amend the Marriage Ordinances, do at this sitting pass through all its stages.

Mr. D'Arcy seconded the motion which was unanimously agreed to.

The Governor moved the second reading of the Bill which was seconded by Mr Bailey and unanimously agreed to.

The Governor moved the third reading of the Bill which was seconded by Mr Deane and unanimously agreed to.

The Governor then moved that Ordinance No 3 of 1881 entitled "An Ordinance to remove doubts as to the validity of certain marriages, and to amend the Marriage Ordinances" which was unanimously agreed to by the Council.

The Governor gave his assent to the passing of the Ordinance.

The Ordinance was then passed accordingly.

The Governor then adjourned the Council

quie die

Confirmed 8 Nov 1881

Thos  
Governor

Wm H. Smith  
Clerk to the Council

# Legislative Council

Tuesday, 8<sup>th</sup> November 1881

Present His Excellency Governor Kerr, President  
The Hon<sup>ble</sup> Arthur Bailey and George M. Swan Esquires

The Council met pursuant to summons.

The Minutes of last meeting held on the 31<sup>st</sup> August last were read and confirmed.

The Governor said he had summoned the Council for the purpose of laying on the table a Copy of General Rules for regulating the Practice and Procedure of the Supreme Court and of the Police Magistrate's Court, the Forms to be used, and the Fees to be payable therein, which he had prepared as Chief Justice, under the provisions of the 20<sup>th</sup> Section of the "Administration of Justice Ordinance 1876". It had only lately been brought to his notice that a set of Rules had not been drawn up as required by that Ordinance, and he proposed that those now submitted should be approved of by the Council.

The Council unanimously agreed with the Governor's proposition, and the Rules laid upon the table were accordingly adopted and ordered to be published in the Official Gazette of the Colony.

The Governor then adjourned the Council

sine die

Confirmed 27<sup>th</sup> December 1881

Walter Lightfoot  
Clerk to the Council

Kerr  
Governor

Legislative Council

Tuesday, 27 December 1881.

Present His Excellency Governor Ken, President.

The Honble Arthur Bailey and Geo. M. Dean Esquires

The Council met pursuant to summons  
The minutes of the last meeting held on the 8<sup>th</sup> November last were read and confirmed.

The Governor said he had summoned the Council to take into further consideration the Bill to provide for the Establishment of a Close Time in the Seal Fishery of the Falkland Islands and their dependencies and the seas adjacent thereto the first reading of which was passed on the 14<sup>th</sup> June last.

The Governor moved the second reading of the Bill which was seconded by Mr Dean and unanimously agreed to.

The Governor moved the third reading of the Bill which was seconded by Mr Bailey and unanimously agreed to.

The Governor then moved that Ordinance No: 4 of 1881 entitled "An Ordinance to provide for the Establishment of a Close Time in the Seal Fishery of the Falkland Islands and their dependencies, and the seas adjacent thereto" do pass, which was unanimously agreed to by the Council.

X The Governor gave his assent to the passing of the Ordinance.  
The Ordinance was then passed accordingly  
A. Ken

X The Governor then mentioned a despatch from the Secretary of State No: 45 of 28<sup>th</sup> October<sup>last</sup> and gave notice of his intention to introduce an Ordinance extending to this Colony the Colonial Prisoners Removal Act (1869) and stated that an Agreement was being entered into between the Governor of Malta and himself for the

removal of Prisoners from this Colony to Malta, and  
that it would be necessary for the Legislative Council  
of this Colony to present an address to the Queen  
praying her to sanction the agreement.

The Governor then adjourned the Council *cum dis.*

Conformed 15<sup>th</sup> January 1802.

Thos.  
Governor.

Alauken.

Clerk to the Council