

Legislative Council

10th April 1886

Present. His Excellency Lieutenant Governor Barkly
 - The Hon^{ble} G. P. Brooks Colonial Secretary
 - " C. Hamilton Colonial Surgeon
 - " G. M. Dean
 - " F. E. Cobb

The Council met pursuant to Summons.

14th The minutes of the last meeting, held on the
 December last, were read

The Hon^{ble} F. E. Cobb said there were some inaccuracies
 in the minutes just read, and moved that the following amendments
 be made;

1. relative to his objection to the pay of Custom House officers.
 "He had stated that 10/- a day was too much for the payment of
 "a Custom-house officer, the charge having hitherto been
 "5/- as shown in a receipt produced by him for the payment
 "of two officers at the wreck of the "Luigia S."
- 2 and with reference to the passing of the second reading.
 "That His Excellency had asked Mr Dean & himself, the two
 "members who had spoken, if they withdrew their objections,
 "to which they both replied in the negative, and that His Excellency
 "had then declared the second reading carried without putting
 "the Question to the Vote."

H - E - the Lieutenant Governor remarked that the

Hon^{ble}.

Honble Member had not availed himself of Rule No 8 which allowed a member to divide the Council upon any Bill or Question.

The amendments were noted on the minutes of the present meeting, and the minutes of the meeting of the 14th December last were then confirmed

The Honble F. S. Cobb presented a petition from Mr J. Smith, and moved that it be read; this being agreed to, it was read as follows.

To His Excellency
Arthur Cecil Stuart Baskely Esq^r
Lieutenant Governor of the
Falkland Islands and their Dependencies

" Sir,

" We beg to acknowledge your reply to our petition stating that your Excellency proposed to alter the Ordinance relating to the sale of Crown and Waste Lands before placing it before the Council.

" Since then we have procured a certified copy of a Crown Grant of allotments No 18 Town Land, and having compared the same with the deeds belonging to Mr Chas Williams of a portion of allotment No 17, their respective boundaries being Philomel Street, we fail to see any Crown or Waste Land which lies between the aforesaid allotments.

" Likewise in comparing the deeds of land belonging to Mr John Casey with others belonging to Mr Chas Williams we find their respective boundaries to be, the one Fitzroy road on the

"the north, the other Fitzroy road on the South; so that we also fail to see any Crown or Waste Land in that direction.

"We also find that by an act passed William IV that any right of way that has been open for the term of forty years cannot be reclaimed.

"Taking the aforesaid into consideration we are of opinion that between the official plan of Stanley, the Crown Grants in our possession and the Act of Parliament referred to, that it is our duty as citizens to appeal for our Rights.

"Therefore we do humbly beg to protest against the passing of the said Ordinance, until, as before requested The Secretary of State for the Colonies be further communicated with upon the subject."

I have the honour to be
on behalf of myself and others,

Sir,

Your humble and obedient Servant

signed/ James Smith

Stanley. April 9th. 1886.

H. G. remarked that the petition was irregular as it was not addressed to the Council or the Lieutenant Governor in Council, but he would waive this objection, and allow it to be received.

The Annual Account for 1885 was then laid on the table.

H. G. moved the first reading of Ordinance No 1. of 1886 entitled a "Public Health Ordinance" which he had been led to

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frame in consequence of the report of the Sanitary Commissioners appointed to enquire into the state of the Town of Stanley; and, the first reading being carried, he moved the suspension of the Standing Orders and the second reading of the Bill.

The Honble the Colonial Secretary seconded the motion, and the Bill was read, Clause by Clause.

H. E. then moved that the word "annually" be inserted in Clause 1 with reference to the appointment of members

The Honble F. E. Cobb seconded the motion which was carried unanimously

H. E. then moved that the Ordinance be read a third time, and that it do pass

The Honble the Colonial Surgeon seconded the motion, and the Bill was read a third time and passed.

H. E. then moved the first reading of "An Ordinance to amend the Customs Duties Consolidation Ordinance 1882" and on this being carried, moved the suspension of the Standing Orders and the 2nd reading of the Bill

The Honble the Colonial Secretary seconded the motion and the Bill was read, Clause by Clause.

The Honble F. E. Cobb moved that in Clause 1, Line 9, the words "or has been" be inserted after the words "is to be"

Seconded by the Honble G. M. Dean and agreed to

H. E. moved the third reading and passing of the Bill.

Seconded by the Honble G. M. Dean, The Bill was read a third time and passed.

H. E. the Lieutenant Governor moved the first reading of an Ordinance to amend the law regulating the disposal of Crown Lands entitled "The Town Land Ordinance 1886."

The first reading was unanimously carried. H. E. then said that opposition had been manifested by some of the public to this Ordinance, and a petition against it had been presented through an Honble Member at this meeting, he would therefore leave it entirely to the Council to decide whether the second reading should be proceeded with, or the further discussion of the Ordinance postponed.

H. E. then moved seconded by the Honble the Colonial Secretary, that the Standing Orders be suspended and the Bill be read a second time. This being carried the Ordinance was read ^{2^d} Clause by Clause.

The Governor remarked that he believed the opposition to the Ordinance had arisen mainly from misconception of its object, which was to secure to persons holding tenements in the town the power of purchasing their frontages which might otherwise be bought at auction by higher bidders — Governor Kerr had written a despatch to the Secretary of State respecting the sale of a certain part of the Crown Reserve for Philomel Street, which was widely the necessary and had fully explained the matter — Sales of such land appeared to have taken place before by Auction, and no one had, in these cases, disputed the right of the Crown to sell the land — indeed he did not see how this could be disputed.

The only Question was therefore, really, as to the mode of Sale; and the Secretary of State had directed in his despatch (No 2 of the 9th January 1886) which H. E. would lay before the Council, that an Ordinance should be passed to allow the sale of the frontages in Philomel street to the adjacent owners by private contract.

The following despatch was then read

Falkland Islands

No 2

Downing Street

9th January 1886

"Sir,

"I have the honour to acknowledge the receipt of your
"despatch No 129 of the 10th of November, asking permission
"to sell by special grant some parcels of crown land in
"Stanley.

"The Land Ordinance of 1871 as amended by
"Ordinance No 9 of 1882 requires all sales of Crown Land,
"except land which lessees are required to purchase, to be by Auction,
"and no power is reserved to authorize special grants (by way
"of sale).

"An Ordinance therefore should be passed authorizing
"the sale of the frontages alluded to in your despatch, to the
"adjacent owners, at such price and subject to such restrictions
"(if any) as to building thereon or otherwise as the Governor
"may think fit."

I have the honour to be,

Sir,

Your most obedient humble servant

(signed)

Fred Stanley

Governor Kerz

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rc

H. S. then moved that the Ordinance be read a third
time and do pass.

The Honble F. S. Cobb seconded the motion which was carried
unanimously, and the Ordinance was read a third time and passed.

His Excellency then brought forward Ordinance No 4 of 1886. entitled "An Ordinance to extend to the Colony a certain Act of Parliament." and moved the first reading of the Bill which was duly carried.

H - L - moved the Suspension of the Standing Orders and the second reading of the Bill. seconded by the Honble G. M. Dean the Bill was then read Clause by Clause.

H L moved the third reading and that the Bill do pass.

The Honble the Colonial Secretary seconded the motion and the Bill was read a third time and passed.

The Council was then adjourned sine die

Read & Confirmed
this 28th day of June
1886.

Arthur Baskley
Governor

Henry B L Jameson
Clerk to the Council



Legislative Council

28th June 1886

Present

H. S. The Lt Governor

Honble The Colonial Secretary

" Colonial Surgeon

" G. M. Dean

" F. S. Cobb.

The Council met pursuant to Summons.

The Minutes of the Last Council held on the 10th April last were read and confirmed.

The Lt Governor said that with reference to the Customs amendment Ordinance No. 3/1885, which had been passed by the Council on 14th December last he would lay before the Board a despatch which he had received from the Secretary of State.

Falkland Islands

No 6

Downing Street

13th March 1886

Sir,

"I have the honour to acknowledge the receipt of your despatch No 146 of the 16th December last transmitting for the signification of Her Majesty's pleasure Ordinance No 3 of 1885 of the Legislature of the Falkland Islands entitled "An Ordinance to amend the Customs Duties Consolidation Ordinance 1882".

"I transmit to you herewith a copy of a letter from the Falkland Islands

9th March 1886

"Islands Company and others, asking that the Ordinance may not
"be confirmed, and I should wish before tendering to Her Majesty
"any advice upon the subject to receive from you a report upon
"the Ordinance and the objections raised thereto.

"Pending the confirmation or disallowance of the
"Ordinance the provisions of the 2nd & 3rd Sections should
"not be enforced."

I have the honour to be

Sir

Your most obedient humble servant
signed/ Granville.

The Lt Governor added that he had suspended the
Clauses named and also clause 4. as this was necessary in order to
leave a provision in force to meet the cases of ships calling at other
ports than Stanley. — He might also mention that he had received
instructions from the Secretary of State to include in his despatches
transmitting Ordinances a report of any opinions expressed by the
unofficial members, even when no division was called for.

This would always be done in future and he requested
that Hon^{ble} Members would state their views fully and
unreservedly.

H. L then observed that there was a point as to
which he thought it might be as well to ascertain the views
of the Council, the advisability namely of taking a special
vote

vote to make provision for clearing the streets of the heat now blocking up several of them, it appeared to him however hardly necessary to take such a vote at present, as no satisfactory plan had been made or suggested for preventing the slipping down of the heat from above as fast as it was removed below as had actually happened in the case of one street partially cleared; moreover, if it were necessary to expend money in excess of the vote for Works and Buildings the excess of expenditure could be legalized by a supplementary ordinance at the end of the year.

Mr. Dean observed that some persons seemed to expect the Government would clear their yards and premises for them.

The Lt Governor said the Government was not bound to do this, but would clear roads and drains as far as it could, and he requested the Colonial Surgeon to hold a meeting of the Board of Health, of which he was President, to discuss the best means of doing this.

Mr. Cobb suggested tenders might be called for for clearing the streets.

The Lt Governor said that one offer to do this had been received but it was of an absurd character; he would however call for tenders but should require an explanation from parties tendering of the means they proposed to employ, as though he was willing to sanction expenditure on any well considered scheme, he could not expend the Public money on mere experiments. He would if he

received a good tender submit it to the Executive Council.

The Colonial Secretary thought it would be as well to try one street first, John street for instance, as it was most important

The Lt Governor concurred

On the motion of the Lt Governor the Council
then adjourned sine die

Read and Confirmed

This 23rd day of
September 1886.

G. Pattenhaw Knott,
In the Clerk of the Council.

Arthur Parkby
Lieutenant Governor

Legislative Council

23rd September 1886

Present: H. E. L^t Governor Barkly
The Honble The Colonial Secretary
- - The Colonial Surgeon
- - G. M. Dean
- - F. S. Cobb

The minutes of the meeting held on the 28th June last were read and confirmed.

H. E. moved the 1st reading of an ordinance for the naturalization of Pedro Casanovas, Josef Fiallo Farias, and Estephan Bolta, and on this being carried moved the suspension of the Standing Rules & orders and the 2nd reading of the Bill

The Honble the Colonial Secretary seconded the motion and the Bill was read.

H. E. moved the third reading and passing of the Bill. Seconded by the Honble F. S. Cobb the Bill was read a third time and passed.

205 of 1886

The L^t Governor then said he would lay before the Board a despatch which he had received from the Secretary of State sanctioning his bringing forward a supplementary appropriation ordinance for expending a further sum of £500 in addition to that provided in the Estimates for 1886. This had become necessary with the view of effecting some very necessary repairs to Government House and Government Offices. With regard to the former building, only one part was cemented and the back of the house was not watertight — some new furniture was also urgently required.

The Offices were in a leaky condition and required reroofing.

The following despatch was then read.

Falkland Islands

No 25

Downing Street

16th July 1886

Sir,

I have the honour to acknowledge the receipt of your despatch No 33 of the 27th of March, and to convey to you my authority for submitting to the Legislative Council a Supplemental Estimate for the Expenditure of a sum not exceeding Five hundred pounds on repairing Government House and the Government Office.

£500

So far as possible this outlay should be met out of savings under other heads of service, the remainder being paid from balances.

St Governor

Barkly

re re re.

I have &c

signed)

Granville

No 6 of 1886

H. S. then moved the first reading of an Ordinance "To make further provision for the Colony of the Falkland Islands for the year 1886" and being seconded by the Hon^{ble} the Colonial Secretary the motion was carried.

H. S. then moved the suspension of the Standing Rules & Orders and the second reading of the Bill and being seconded by the Hon^{ble} the Colonial Secretary, the Bill was read a second time.

H. S. then moved the third reading and passing of the Bill.

The Hon^{ble} the Col^l Surgeon seconded the motion and the Bill was read a third time and passed.

H. G. then introduced an ordinance "To prevent the introduction of spirituous or fermented liquors on board Her Majesty's ships without the consent of the Commander" — which he had been directed to bring before the Council by the Secretary of State at the request of the Admiralty and he moved the first reading of the Bill — on this being carried he moved the suspension of the Standing Orders and the second reading of the Bill — Seconded by the Honble the Colonial Surgeon, the Bill was read a second time.

May of 1886

H. G. then moved the third reading and passing of the Bill — Seconded by the Honble the Colonial Secretary the Bill was read a third time and passed.

H. G. then stated that he had received instructions from the Secretary of State to repeal Ordinance No 4 of 1886 extending to the Colony a certain Act of Parliament for the protection of married women and to substitute a Bill embodying a portion of the Act, but containing some modifications.

May of 1886

H. G. therefore submitted a draft ordinance entitled "An Ordinance to make better provision for the protection of married women" which he moved be read a first time — and on this being carried he moved the suspension of the standing Rules and orders and that the Bill be read a second time.

The Hon F. G. Cobb seconded the motion and the Bill was read clause by clause

H. G. then moved the third reading and passing of the Bill — Being seconded by the Honble the Colonial Surgeon the Bill was read a third time and passed.

A E then said he thought it was right to explain to the Council that he had not yet brought forward the Estimates for 1887 as he was waiting for an answer from the Secretary of State relative to some further expenditure from balances on the roads and drains, for the approval of which he had applied.

On the motion of the Lt Governor the Council was then adjourned sine die

Walter Buckley
Lt Governor

Read and Confirmed
this 25th day of November
1886

Henry B L Jameson
Clerk to the Council

Legislative Council

25th November 1886

Present. His Excellency Lieutenant Governor Barkly
The Honble The Colonial Secretary
" " The Colonial Surgeon
" " G. M. Dean

The minutes of the last Council held on the 23rd September were read and confirmed.

The Lt Governor said he had received a letter from the Honble F. S. Cobb stating that he was unable to attend owing to the effects of a recent accident

H. S. introduced "An Ordinance to provide for the service of the Colony of the Falkland Islands for the year 1887" and moved the first reading; this being carried, he then moved the suspension of the Standing Orders and the second reading of the Bill; this being seconded by the Honble the Colonial Secretary, the bill was read a second time.

No 95/1886

On the motion of the Lieutenant Governor the Council went into Committee to consider the estimates in detail.

The Honble G. M. Dean said he had been requested by Mr Cobb to suggest a few alterations in the Estimates.

The Lt Governor said that the Honble G. M. Dean could not act for an absent member but he was at liberty to make any remarks himself.

H. S. then said that the estimated Expenditure would appear

appear to exceed the Revenue which was accounted for by the fact that the sum of £800. sanctioned by the Secretary of State for repairs to Roads and Drains was included under the head of "Works & Buildings." This sum however was to be met from balances, and savings if any from other votes and exclusive of it the estimates of Expenditure were lower than those of the current year, and well within the estimated revenue.

The Honble G. M. Dean said he thought that the vote for "Charitable Allowances" ought to be expunged from the Estimates as it prevented persons subscribing to the Destitute Poor fund.

H-L- said he had reduced the vote from £50 to £20 which latter sum he considered it advisable to retain in case of emergency.

The Honble G. M. Dean moved that the vote for Charitable allowances be withdrawn.

The Honble Member's motion was not seconded; the other members being unanimously in favour of retaining the reduced vote.

No other vote being opposed, on the motion of the Lt Governor the Council resumed.

The Lt Governor then moved the third reading and passing of the Appropriation Ordinance for 1887 being seconded by the Honble G. M. Dean the motion was carried.

The

The Lt Governor then announced to the Council that he had received information by telegram from the Secretary of State informing him that Governor Kerr would return by next mail ~~would~~ to resume the Government. This therefore would probably be the last Council over which he (The Lt Governor) would preside, and he wished to take that opportunity of thanking Honble Members for the cordial support and assistance which they had invariably rendered to him during his administration.

He regretted the approaching termination of his connection with the Colony, to which he would always look back with pleasurable feelings.

The Honble G. M. Dean said he was ^{sorry} very that the Lt Governor was leaving the Colony, and he felt sure that his feelings of regret were shared by the other inhabitants, and he trusted that A - S - might receive promotion elsewhere.

The Honble The Colonial Secretary said that he fully endorsed the sentiments Mr Dean had given utterance to.

The Honble The Colonial Surgeon cordially agreed with what Mr Dean had said and expressed a hope that the Lt Governor would soon be amongst them again.

The Council then adjourned sine die

Read and Confirmed
this 9th day of December
1886

Henry B L Jameson
Clerk to the Council

Arthur Barkly
Lt Governor

Legislative Council

9th December 1886

Present H. E. Lt Governor Barkly
 Honble The Colonial Secretary
 " The Colonial Surgeon
 - G. M. Dean

The minutes of the Council held on the 25th November last were read and confirmed.

The Lt Governor informed the Council that he had received a despatch from the Secretary of State sanctioning his submitting to them a vote for a personal allowance to him as Lt Governor at the rate of £100 a year from 3rd September last.

The Honble G. M. Dean said he spoke on behalf of Mr Cobb the other unofficial member as well as himself and they thought the sum allowed very small considering the great expense H. E. — had been put to; the amount ought to have been £500 instead of £100.

The Honble the Colonial Surgeon said he shared the views of the unofficial members on this Subject.

The Lt Governor said that he was much obliged to the Honble members but that of course he could only ask for the amount the Secretary of State had authorised.

The vote was then put and being seconded by the Hon G. M. Dean was unanimously carried.

The Council then adjourned sine die.

Read & Confirmed

20th January 1887

Mark Ren.

Merr
 Governor.