

Legislative Council.

20th January 1887.

Present. H. E. Governor Kerr.

The Honble the Colonial Secretary.

" Surgeon.

" .. G. M. Dran.

The Council met pursuant to summons.
The minutes of the last Council, held on the 9th
December last were read and confirmed.

A Letter from the Honble F. E. Cobb, excusing
his absence from the present meeting of Council, as
he was indisposed, was then read.

H. E. then informed the Council that he had
summoned them in order to ^{introduce} submit a Bill for enabling
Aliens to hold land in this Colony; permission to
introduce this Bill had been given by the Secretary
of State, owing to a petition from Mr G. M. Dran on
behalf of the heirs of the late Mr W. H. Smyley, in a
Despatch to Governor Barkly, which was read.

H. E. went on to explain that in drafting this
Ordinance he had been guided by the English
Naturalisation Act of 1870, bearing on the same subject;
he then moved the suspension of Rule n^o 11 and
the first reading of the Bill.

The Hon G. M. Dran seconded the motion, and
the Bill was read a first time.

H. E. moved that the Bill be read a second
time.

The Hon. the Colonial Surgeon seconded the motion
and

and the Bill was read a second time.

H. E. moved that the Bill be read a third time.

The Hon the Acting Colonial Secretary seconded the motion and the Bill was read a third time.

H. E. then moved the passing of the Bill, which motion was seconded by the Hon G. M. Dean, and the Bill was passed.

H. E. ~~he~~ said that was the only matter which he had to bring forward and adjourned the Council sine die.

Read and Confirmed
26th February 1887.

Mark Kerr.

Mess

Acting Clerk to the Council

Governor.

Legislative Council.

25th February 1887

Present H. E. Governor Kerr.

The Hon the Acting Colonial Secretary.

" " Colonial Surgeon

" " G. M. Dean. M. L. C.

" " F. E. Cobb M. L. C.

The Council met pursuant to summons.

The minutes of the last Council held on the 20th of January last were read and confirmed.

H. E. said that his object in summoning the Council was to lay before them an extract from a

Despatch

Despatch which he had received from the Secretary of State, which was read:—

" In view of the improved financial position of the "
" Government of the Falkland Islands since the com- "
" mencement of your Administration, I have pleasure in "
" authorising you to propose in the Legislative Council "
" an addition of £ 200 per annum to the salary of the "
" Governor to commence from the 1st of January next: "

H. E. went on to say that he did not think it was necessary to pass a Supplementary Estimate for this increase of £ 200 per annum in the salary of the Governor as this sum would be saved on the vote for fixed salaries, owing to the salary voted for an Assistant Colonial Surgeon at Darwin not being required, and proposed the following resolution in order to give effect to the communication from the Rt Hon the Secretary of State:—

Resolution.

Introduced by H. E. Governor Riv.

Seconded by the Honble G. M. Dean.

Resolved, that the recommendation of the Right Honble the Secretary of State for the Colonies, for increasing the salary of the Governor to the sum of £ 1200 a year from the 1st of January 1887, be adopted, and that in view
of

of the probable saving during the current year on the vote for fixed Salaries; there does not appear to be any necessity for the introduction of a Supplementary Appropriation Ordinance to give effect to it.

The Hon F. E. Cobb said that the subject was a rather embarrassing one to discuss in the presence of His Excellency, and that he never could see why the salary of the Governor and Chief Justice had been reduced from £1200 to £1000 after the departure of Governor Callaghan, but that, if the offices of Governor and Chief Justice were separated, he thought that £1000 would be a sufficient salary for the person who held the Office of Governor solely.

H. E. said he did not think that £1200 a year was too large a salary considering the improved condition of the Colony, even though the offices of Governor & Chief Justice were disunited.

The Hon. G. M. Dean said he agreed with Mr. Cobb in thinking that, if a Stipendiary Magistrate were appointed who would perform all the Judicial work, £1000 a year would be sufficient salary for a Governor; he then seconded the Resolution which
was

was passed unanimously.

The Council was then adjourned *Sine die*.

Read & Confirmed

15th June 1887

Marr

Mark Kerr

Governor.

Acting Clerk to the Council

Legislative Council.

15th June 1887.

Present. H. P. Governor Kerr

The Hon the Acting Colonial Secretary

" " " " Surgeon.

" " F. E. Cobb. M. L. C.

The Council met pursuant to summons.

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

H. E. said that he had called the Council for the purpose of laying before them the Annual Account of the Colony for the year 1886 which had been ready for some time, but of which no abstract for publication had been prepared in consequence of the illness of the printer.

Mr. Cobb remarked that the receipts under the heads of
Customs and Postage appeared to be very satisfactory.

H. E. pointed out that on the account there appeared to be
a surplus of £ 230. under the head of works and
buildings, but this was not really the case, as some
articles which had been ordered, and sent out by the
Crown Agents in 1886, had been charged for by them
in their account for 1887, in which year there must be
a corresponding deficit.

H. E. then laid on the table an Address of congratulation
to H. M. the Queen on the 50th anniversary of her
accession, which was read and unanimously
agreed to.

The Council was then adjourned *serie dis*

Read & confirmed

12th September 1887

Mark Rux.

Acting Clerk to the Council

Merr.

Governor.

Legislative Council.

12th September 1887.

Present. H. E. Governor Kerr.

The Hon. H. B. L. Jameson.

" " G. S. Hamilton.

" " F. E. Cobb.

The Council met pursuant to summons. The minutes of the last Council, held on the 13th of June last, were read and confirmed.

H. E. said that before introducing the Appropriation Ordinance and Estimates for the year 1888 — pursuant to notice, he wished to introduce — another Ordinance, viz., an Ordinance to make legal certain payments that had been made in the years 1884, 1885 and 1886 under several Heads of Expenditure in excess of the estimated amounts: H. E. explained that these sums had been already paid, but a Legislative Act was necessary to legalise them, and that, although there had been a saving on the total Expenditure for the three years in question, yet, the savings under

under one head could not be used in payment of excess under other heads, hence, the necessity of passing the Ordinance he proposed to lay before them.

H.R. then moved the suspension of the Standing Rules and Orders.

Mr. Cobb seconded the motion.

H.R. moved that this Bill, viz an Ordinance to make further provision for the Service of the Colony of the Falkland Islands for the years 1884, 1885, and 1886 be laid on the table.

Dr. Hamilton seconded the motion.

H.R. moved the first reading of the Bill.

Mr. Jamieson seconded the motion and the Bill

Bill was read a first time.

H.R. then moved the second reading of the Bill.

Dr. Hamilton seconded the motion; and H.R. asked if any of the members had any suggestions to offer.

Mr. Cobb said that H.R.'s explanation about the Savings under one head not being applicable for the Excess under another head had already answered the question he was going to ask.

H.R. said that the payments had already been made but that ~~the~~ ^{this} Ordinance was necessary to give legal sanction to what had been done.

The Bill was then read a second time.

H.R. moved the reading of the Bill a third time.

Mr Cobb seconded the motion and the Bill was read a third time.

H.R. then moved that this Bill do pass.

Mr Jameson seconded the motion and the Bill was passed.

H.R. again moved the Suspension of the Standing Rules and Orders, and laid on the table the Appropriation Ordinance and Estimates for 1888.

H.R. moved that the Bill be read a first time.

D. Hamilton seconded the motion and the Bill was read a first time.

H.R. moved the second reading of the Bill, and went on to explain that he had omitted the vote of £20 for "Charitable Purposes" for the Estimates for next year as he had been informed that the fact of that vote being on the Estimates prevented private charity; he had, however, increased

the

the vote for "his Services" by that amount, under the
sub head of "unforeseen Expenses"; so that any urgent
case of distress could be provided for by the Government.
With reference to the Vote of £1000 for works and
buildings he wished to make some remarks about
the votes for Transport and works & buildings for
1887, which would be exceeded by about £500;
1stly owing to the Crown Agents having made a
charge in this year's accounts under the head of
works and buildings for purchases made by them
for the Colony in 1886, by which an apparent saving
in that year became an unexpected charge in this year.
The large orders for materials for Public works
which had been executed this year, the expenses
attending the alteration of the old coal store into a
School House, the contracts for repairs to the Parsonage
and for converting the Printing Office into a Post
Office in addition to the ordinary current expenses
for labour on the roads and drains, would increase
the actual Expenditure on Public works beyond
the Estimate. Under the head of transport there
would also be an excess of Expenditure, owing to
the

the heavy charges for freight that had to be paid on materials for the Public Works, such as lime bricks, cement, drain pipes, and other materials which had been imported; on the other hand there would probably be an increase of Revenue which ought to be sufficient to meet the excess of expenditure, but should this not be sufficient there was a large balance to the credit of the Colony, besides the amount which had been invested by the Crown Agents, which could be utilised if necessary.

Mr. Cobb seconded the motion, and the Bill was read a second time.

H.C. moved that the Bill be read a third time.

Mr. Jamison ^{seconded} the motion and the Bill was read a 3rd time.

H.C. moved that this Bill do pass.

Mr. Cobb ^{seconded} the motion and the Bill was passed.

H.C. then adjourned the Council sine die.

Read and confirmed

15th December 1857

Mark Kern,

Acting Clerk to the Council

Copies of the Bill
forwarded to date
No. of Proposals
of
Mess

Governor.

Legislative Council.

213

15th December 1887.

Present. H. E. Governor Gen. C. M. G.
.. The Hon. H. B. L. Jameson.
.. .. Dr. S. Hamilton.
.. .. F. E. Cobb.

The Council met pursuant to summons.
The minutes of the last meeting held on the 12th of
September last were read & confirmed.

The Governor said that pursuant to the notice
sent to the members he would introduce a Bill,
entitled "An Ordinance to make further provision
for the Service of the Colony of the Falkland Islands
for the year 1887":

The minutes of Council which had just been
read and confirmed had explained the reason of this
Ordinance. The excess of Expenditure under the Head
of Works & Buildings would probably amount at the end
of the year to £ 512. This sum was made up as follows:

1st a charge of £ 198.. 0.. 0 in the Crown Agents Ac.
for this year, which properly was a charge on the vote for
1886 on which there was an apparent saving of £ 230,
and the requisitions were actually executed in that year
although not charged until February and March 1887.

2^{ndly} The cost of the new School House which was
£ 90. besides a sum of £ 50 which had been paid by the
Crown Agents to put an end to a Contract which had
been made by the sanction of the Secretary of State with

a firm in England to build an iron School House to be sent out to the Colony, before they were informed of the conversion of the Coal Shed at the Dockyard into a Schoolhouse.

3rdly The cutting through the peat bog on the hill to the spring which rises there to get a fresh supply of water for the settlement as the water supply of the Reservoir had been condemned by the Board of Health; the labour employed on this work cost £ 64.

4thly The Cost of the new Dockyard Fence, amounting to £ 130 without freight.

Under the Head of Transport a vote of £ 100 0 0 appeared on the Estimates, but no provision had been made for the freight on the large quantities of bulky materials required for the Public Works which had been imported during the current year, and the vote would probably be exceeded by £ 340. of this amount £ 252. had been paid for freight of drain pipes, lime, cement, and paving tiles, by the "Selembrica" and £ 71 for fencing by the "Dennis Broomdust," besides the freight of the orders which should have come into the account for 1886.

There was also a small excess of expenditure under the Head of "Medical and Establishments." This had been caused by the order for medicines for 1886 not having been executed until 1887, so that two years supply of medicines were charged in this years account causing an excess of £ 5; whilst in 1886 there was a saving of the whole vote.

The Total excess in the Expenditure would therefore probably be £ 860, but this would be met by

by the surplus Revenue under the Heads of Customs Sales of Crown Lands and Postage, beyond the Estimated Receipt.

In preparing the Estimates for this year the proposed Expenditure exceeded the Revenue by £548, and it had been determined to make up the deficit out of Savings on past years, but, instead of the Revenue being less than the Expenditure, it exceeded it by so much that it would probably meet that deficit as well as the further Expenditure to be authorized by this Ordinance.

H. E. said he hoped that this explanation, in addition to that given at the last meeting was sufficiently clear, and he moved therefore, the Suspension of the Standing Rules & Orders, and the 1st reading of the Bill.

Mr. J. Anson seconded the motion and on the Bill being read, H. E. moved the 2nd reading of the Bill.

This motion was seconded by Dr. Hamilton and Mr. Cobb said, that it had occurred to him on seeing the Ordinance that there must be something wrong in the system of estimating expenditure and the disbursement of money, and on looking the question up he

he had come to the conclusion, that, so far as it differed from the Rules and Regulations of the Colonial Service, the system always pursued here was loose and unsatisfactory. He desired to make no reflection on any person or persons, but the system required altering. After reading Rules 346 & 348 relating to Government work, and 351 which provided for the passing of a Supplementary estimate, he said that this Ordinance was of course brought forward under the last named Rule, but, it seemed to him that the Vote for the money should have been taken before it was spent and not after. These Rules he believed had been systematically disregarded from the earliest history of the Colony. No plans estimates or specifications were ever laid before the Council, but in place of them, a lump sum for works and buildings was put upon the Estimates, the expenditure of which had rested solely in the hands of the Executive.

Works had been undertaken and expenditure

incurred

that were not even contemplated when the Estimates were passed, and in the present instance the vote for £1300 had been so far exceeded that an additional sum of £800 was required to make up the deficiency. The actual sum was £512, but the heading "transport" was misleading, as the freight of materials was part of their cost here, and the whole should, he thought, be charged to Works & Buildings. He did not wish to oppose the Ordinance, but if passed without protest or remarks it would establish a precedent, for calling together the Council to register, - after the act - a formal approval of expenditure about which it had not been consulted.

Probably the objects on which the money had been spent were mostly useful and necessary, but the Dockyard Fence, an enormously strong one, had cost £130 for materials and £70 for freight, total £200 without the labour of erection and he had ascertained that a fence sufficiently.

sufficiently strong for the purpose, could, by purchasing the materials in the Colony and by employing local labour, have been erected for £110. This pointed to the desirability of expending money, which was now all raised in the Colony, as far as practicable in the encouragement of local enterprise and the employment of local labour. He had known of goods being imported by the Government from London, from Hamburg, from Montevideo, and even from Valparaiso, and in some instances he was convinced that money might have been saved by making local purchases.

His principal object in speaking had been to point out that in Justice to the Council more information should be supplied to them in the first instance, on the subject of expenditure on works, and before, not after, the money had been spent. As the only unofficial member at present in the Colony he had considered it to be his duty to make these remarks.

The Governor said that he had listened with interest to the Honble members remarks. He agreed with him that when
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the Estimates were submitted to the Council the Rules required that full specifications and plans of the contemplated Public Works should be laid before them, but in this small colony there was no department of Works & no officer to prepare plans & specifications.

at an earlier period when all the Expenditure on Public Works was provided from Imperial Funds - there was an Officer whose duty it was to superintend these works, and most complete and detailed plans & specifications were prepared for the Governor. when the Estimates were transmitted for the approval of the Secretary of State, but since the Office of Surveyor General was abolished there was no such Officer, and the Governor had no assistance whatever in preparing Estimates of the probable cost of works or supplies. In the case of the School house, which had been destroyed by the great ship, no provision had been made in the Estimates, and on his arrival from England he found the

School.

school assembled in the Dockyard Store room, and it became necessary at once to construct a School House. This had been approved by the Secretary of State and a vote for the purpose had been sanctioned. It was suddenly found that the Dockyard Fence was giving way and was worn out; and from such information as he was able to procure he was led to believe that a new one could be imported at a cost of from £60 to £70; but when the account of the cost arrived it was found to be £130. It was however of a very superior quality and was ready prepared for putting up. As he had already explained ~~the sum of~~ £200 of the proposed vote had been already sanctioned and was actually saved on last years expenditure, although appearing in that of the present year. As to the vote for Transport although the freight of materials brought it collaterally under the Expenditure on Public Works, it was not classed under that head in the Estimates or Accounts and when so large a sum was voted for Roads & Drains the Vote for Transport should have been increased

to

to cover the freight of materials.

With reference to the Hon. member's remarks about purchasing materials in the Colony, the rules required that purchases for the Government should be made through the Crown Agents for the Colonies and not through local merchants. He would endeavour when estimates were again prepared, to give the Council the fullest information which he could procure as to the particulars of proposed expenditure.

Mr. Cobb referring to the Governor's remarks that purchases should not be made from local merchants said that he believed the rule applied to purchases from firms in England.

H.R. replied that there had been a correspondence between the Secretary of State and one of his predecessors in Office on the subject of an Order for a Verandah for Government Houses having been given to a local merchant, and the Governor was informed that he should have ordered it through the Crown Agents and was directed to conform strictly to the Rule, although he gave as his reason, the encouragement.

encouragement of local enterprise.

Dr. Hamilton said it seemed a hardship that there should be no encouragement to local enterprise.

The Governor said that Dr. Hamilton had heard his explanation of the matter, and that as this was a Crown Colony it was laid down by a hard and fast rule.

The Bill was read a 2nd time, and on H.E. morning the 3rd reading of the Bill Mr. Cobb seconded the motion and the Bill was read a third time & passed.

H.C. adjourned the Council sine die.

Read & confirmed

20th January 1888.

Mark Kerr

Acting Clerk to the Council

Merr

Governor.

Legislative Council.

20th January 1888.

Present. H.E. Governor Kerr C. M. G.

The Hon. G. B. L. Jamieson.

.. .. Dr. S. Hamilton.

.. .. H.E. Cobb.

The Council met pursuant to summons, and