

REFERENCES

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Road Research Laboratory,
August, 1963.
JD.

Kiv 84.

p.a ✓

Tel: ABBey 1266

Extention.....

Your reference.....

My Reference... FST 120/1/92



THE CHURCH HOUSE

GREAT SMITH STREET

S.W.1

30th September 1963

My dear Arrow

I enclose a copy of a letter from Millard and eight of the twelve copies of O'Reilly's report which it enclosed. We are keeping the other four but can let you have some of them if you need them. I imagine the R.R.L. could let us have more if that wasn't enough, though I haven't asked them.

2. As to grading, we should ourselves have no objection if you wanted to make the report public. Will you let us know whether you do this or whether you would prefer to keep it "In Confidence". If the latter, would you have any objection to the more limited circulation envisaged in Millard's last paragraph?

3. It seems to me at first reading to answer exactly the questions we wanted answering, and quite rightly to stop there. We have agreed from the outset that the investigation implied absolutely no commitment that roads would be built: its purpose was simply to enable discussion to start from a basis of ascertained facts and informed estimates.

4. Whether in fact to try to do anything about it must in the first place be for you to recommend. There is I fear no more chance of British Government financial help being made available on any commensurate scale than there ever was, and I don't see where you are going to begin to find £1½ to 2 million yourselves.

5. Nevertheless, before writing off the whole idea it is interesting, if only as an exercise, to do some arithmetic on the assumption that we need not necessarily view it in terms of 'all or nothing'. Suppose for example that one looks at the possibility of building the Stanley-Teal Inlet-Douglas Station-Darwin stretch (84 miles) on East Falkland and Hill Cove-Fox Bay East (48 miles) on West Falkland, which would at least provide a 'backbone' on each island. On a basis of £4-5000 a mile that would cost somewhere between £528,000 and £660,000, which O'Reilly suggests would have to be spent at at least £100,000 a year to attract a contractor. On top of that you would have recurrent maintenance costs rising to £6-10,000 a year, plus loan charges, which might come to say £45,000 a year, more or less. It would be a pretty stiff job and the Falklands would have to want it badly enough to devote to it every penny they could scrape together, including, probably, new taxation to cover the recurrent costs; even so, it looks as if the budgetary implications would have to be considered very carefully. But I suppose that, if these proved to be tolerable, it is in theory at least possible to envisage raising the necessary finance, given your savings bank deposits, a possible public loan and some contribution from the estates which would benefit, for a 5 or 6 year programme of that order.

6. This would however raise the question whether, if you were going to spend money of that order on communications at all, it wouldn't be better to think in terms of improving the air service. I haven't the slightest idea what the technical possibilities are in that line: it might well need another expert visitor to say, though I daresay we could get some rough preliminary ideas if you wanted us to.

7. All this is really only thinking aloud. Strictly, all I should do, and hereby do, is send you the report and ask for your comments in due course.

*Hope you had a good trip back
Yours ever
John
(J. E. Marnham)*

Reply at 99

Sir Edwin Arrowsmith, KCMG,
Government House,
Port Stanley, Falkland Islands

C o p y

DEPARTMENT OF SCIENTIFIC AND INDUSTRIAL RESEARCH
Harmondsworth, West Drayton, Middlesex

X/JA/32/3/45

13th September, 1963

J. E. Marnham, Esq., C.M.G., M.C., T.D.,
Colonial Office,
The Church House,
Great Smith Street,
London, S.W.1

Dear Marnham,

Roads in the Falkland Islands

We were able to have two copies of O'Reilly's report on his visit to the Falkland Islands ready in time for Sir Edwin Arrowsmith to see before he left this country. Those copies though were without photographs and diagrams. I am now enclosing twelve copies of the complete report; we had earmarked six of these for the Falkland Islands, and perhaps you would like to send them on.

We were happy to be able to undertake this exercise, and I hope that the report and the advice that O'Reilly was able to give on the spot, will meet the need. We shall be interested in any comments you, or those concerned in the Falkland Islands may like to make on the report.

The report has been graded "In confidence". There may be occasions when we would like to give copies of the report to genuinely interested enquirers. We would also like to refer to the report in "Summaries", a regular publication which lists our Laboratory Notes; mention in "Summaries" implies that Notes can be made available to interested enquirers. Perhaps you will be good enough to ask Sir Edwin if he would agree to the Note being made available for wider circulation in this way.

Yours sincerely,

(signed) R. S. Millard

(R. S. Millard)

1-1808

We spoke. Copies

to members ✓

Ex Co.

I have sent copy
to S.A.G. asking
him to return it

I have kept copy
here.

Pl. return
on file

RA

11.15.63

Note:

Copies of Mr. O'Reilly's report sent to:-

Hon. S.M.O.

Hon. N.K. Cameron

Hon. A.G. Barton

Hon. H.C. Harding

Hon. W.A.C. Bedford

Hon. R.V. Egan

HEW 15.10.63.

Kiv 28 pl

DARWIN HARBOUR.
FALKLAND ISLANDS.
13th. October. 1963.

90

Dear Governor,

Herewith O'Reilly's Report which I have read with much interest.

The cost of constructing roads is to be high, but the project is otherwise possible. If this little Colony is to survive, roads are essential - so we had better get on with it.

Money will have to come from the Central Government in U.K. and we have seen in the past that the British Government are reluctant to part with money - except to countries where all the people are black ! However, the answer seems quite simple. If the British Government consider this far away Colony is really not worth bothering about in this nuclear age - then they would be foolish to spend the money. On the other hand, if they consider it worth maintaining an All British community in these Islands, they must allocate the necessary money to build roads.

But, given the money and the Roads, it is reasonable to suppose that a local road tax on all vehicles would go a very long way towards the upkeep.

Yours sincerely,

Tom Gillett.

HACS

October 23, 1963.

(Dear Millard,)

I think O'Reilly did an excellent job on his report on roads in the Falkland Islands, and I am most grateful to you for letting him come here. I intend making his report public locally, and I have no objection to your making it available to interested enquirers and referring to it in "Summaries".

(Yours sincerely,

Edwin Arrowsmith)

R. S. MILLARD, ESQ.

(D.S.I.R.

Harmondsworth, West Drayton, Mdx)

92

October 23, 1963.

(Dear O'Reilly,)

I think your report is an excellent one and gives us just the information we require. Many thanks for all the work you put into it.

I would very much like to be able to do something about the remaining roads in Stanley, and if you can let us have your ideas on some simpler form of construction than we have been using, I should be most grateful.

(Yours sincerely,

Edwin Arrowsmith.)

M. P. O'REILLY, ESQ.

(Road Research Laboratory)

Copy of O'Reilly Report returned by

Mr. Gilruth passed to Secretariat 25.10.63.

(Miss Blyth's request)



BU Xcs 15 11 63

October, 1963.

Dear (See below),

I enclose a copy of Mr. O'Reilly's report on roads throughout the Colony. Would you please return it after you have read it.

Yours sincerely,

(Sgd.) L. Gleadell.

The Honourable,
J. R. Rowlands,
STANLEY.

The Honourable,
A. B. Monk, J.P.,
PEBBLE ISLAND.

The Honourable,
G. C. R. Bonner, J.P.,
SAN CARLOS.

The Honourable,
J. T. Clement, J.P.,
FITZROY.

LG/TB.

COLONIAL SECRETARY'S OFFICE,
STANLEY,
FALKLAND ISLANDS.



25 October, 1963.

File pl

Dear Annie,

I enclose a copy of Mr. O'Reilly's report on roads throughout the Colony. Would you please return it after you have read it.

Yours sincerely

Les Curran

96

Read: very interesting. I consider it completely useless. My opinion that the whole idea is ~~infructuous~~ under the UK case to act as fairly

The Honourable,
A. B. Monk, J.P.,
PEBBLE ISLAND.

God-mother. Our reserves are completely inadequate and the final cost would almost certainly be more than \$2,000,000, it always is more than estimated.

LC/TE

h. 46. 12. 11. 63 for main file



Saving

From the Secretary of State for the Colonies.

To the Officer Administering the Government of FALKLAND ISLANDS

Date 25 October, 1963.

No. 117 Saving



Colonial Office Savingram No. 1 of January 3rd.

Road Construction - Visit of an Expert

The total expenditure under this scheme was £340 8s. 4d.
viz.:

Air fare	298. 4. 6.	
Excess baggage	<u>66. 9. 0.</u>	
	£364.13. 6.	
Less credit	<u>45.14. 2.</u>	£318.19. 4.
Subsistence		<u>21. 9. 0.</u>
		<u>£340. 8. 4.</u>

The grant under scheme D.5305 has therefore been reduced from £400 to £341.

SECEP

Les.

BW XCO 15/11.63

99



J.E.,

Do you now wish to reply
to No 86, please.

L.G.

29.11.63



94

Department of Scientific and Industrial Research
ROAD RESEARCH LABORATORY
Harmondsworth, WEST DRAYTON, Middlesex

Telephone & Telegrams:

Head Office and Materials and Construction Division: SKYPORT 1421
Traffic and Safety Division: LANGLEY 360

Please address any reply to
DIRECTOR OF ROAD RESEARCH

and quote: XA/HS 32/3/45

Your reference:

20th November, 1963.

Sir Edwin Porter Arrowsmith, K.C.M.G.,
Government House,
Port Stanley,
Falkland Islands.

Dear Sir Edwin,

In main file Thank you for your letter of 23rd October, 1963.
The laboratory testing of the potential road building
and maintenance materials from the Stanley area took
somewhat longer than anticipated. However you should
now have received the report on the roads in Stanley
(LN/452) and it is hoped that it will be of some assis-
tance to you.

Yours sincerely,

(M.P. O'Reilly)



COLONIAL OFFICE
 GREAT SMITH STREET, LONDON S.W.1
 Telephone: ABBey 1266, ext.

21 November 1963

Our reference: FST 120/1/02

Your reference:

My dear Brown

Thank you for your letter about O'Reilly's report. I agree that it should be made public.

at bc.

 2. I enclose a further six copies as you asked.

3. We await with interest news of the discussion in Executive Council.

*Yours ever
 John*

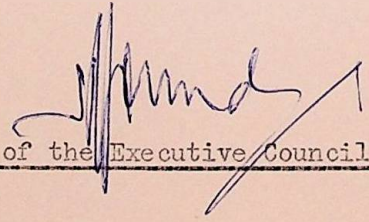
(J. E. Marnham)

Sir Edwin Arrowsmith, KCMG,
 Government House,
 Port Stanley,
 Falkland Islands

Extract from Executive Council Minutes of Meeting No. 4/63 held on
the 20th, 21st & 22nd November, 1963

CAMP ROADS

Council considered the Report Submitted by Mr. O'Reilly but made no recommendations.


Clerk of the Executive Council



Department of Scientific and Industrial Research
ROAD RESEARCH LABORATORY
Harmondsworth, WEST DRAYTON, Middlesex

Telephone & Telegrams:
Head Office and Materials and Construction Division: SKYPORT 1421
Traffic and Safety Division: LANGLEY 360

Please address any reply to
DIRECTOR OF ROAD RESEARCH
and quote: X/HS 32/3/45
Your reference:

9th December, 1963.

Sir Edwin Porter Arrowsmith, K.C.M.G.,
Government House,
Port Stanley,
Falkland Islands.

51

Dear Sir Edwin,

In main file

Thank you for your letter of 23rd October, 1963. Your intention of making the report (LN/404) public has been noted together with your recent request to Colonial Office for some additional copies of the report. Since we already have the stencils and blocks here we were wondering whether we could be of any assistance to you in this. The running off here of a few hundred copies even with an amended title page would be a relatively easy matter.

By now you should have received the notes on the roads in Stanley (LN/452) which we hope will help you. We will be most pleased to assist you in any further problems which may arise.

Yours sincerely,

(R.S. Millard)
Head of Tropical Section.

See 4.

7th January, 1964.

Dear Mr. Millard,

3

The Governor has asked me to thank you very much for your letter X/H8 32/3/45 of 9th December, 1963. He is very grateful for all your help.

Could you let me have another 25 copies of the O'Reilly Report? These together with those we have already received should be enough at the moment.

We have received the notes on the roads in Stanley and they are a great help to us. We shall not hesitate to approach us and when our problems arise.

Yours sincerely,

(Sgd.) W.H. Thompson

Colonial Secretary

R.S. Millard, Esq.,
Tropical Section,
Road Research Laboratory,
Harmondsworth,
West Drayton,
MIDDLESEX.

See 25 1.64
(for main file)

WT/IN.

See 104

99

Ref. 2217.

January 16, 1964.

(My dear John,)

Please refer to your letter No. FST 120/1/02 of September 30, about O'Reilly's report on the roads. We discussed it briefly at the last meeting of Executive Council and the general consensus of opinion was that unless we could get a grant from the British Government for the greater part of the cost, there is not very much we can do about it. We do not want roads badly enough to be prepared to devote every penny we could scrape together for them.

(Yours ever,
Arrow)

(E. P. ARROWSMITH)

Pa

J.E. Marnham, Esq., C.M.G., M.C., T.D.

104

DEPARTMENT OF SCIENTIFIC

AND INDUSTRIAL RESEARCH

Replies should be addressed to
DIRECTOR
OF ROAD RESEARCH



ROAD RESEARCH LABORATORY
HARMONDSWORTH, MIDDLESEX

TELEPHONE & TELEGRAMS:

Head Office and Materials and Construction Division: SKYPORT 1421
Traffic and Safety Division: LANGLEY 360

OUR REF: X/-/JA/32/3/45

YOUR REF: F.I.2217

10th February, 1964

Willoughby Thompson, Esq.,
Colonial Secretary's Office,
Stanley,
FALKLAND ISLANDS

file

Dear Thompson,

102

Thank you for your letter of 7th January asking for twentyfive copies of O'Reilly's report (LN/404). These are being sent to you in two packages under separate * cover by second class airmail.

*Yours sincerely,
R.S. Millard*

(R.S. Millard)
Head of Tropical Section

* Having discovered the cost we are sending 2 copies by 2nd class air mail & the remainder by sea.

RSM BU 31.364
BU Xes 10.4.64



Willoughby Thompson, Esq.,

Colonial Secretary's Office,

Stanley,

FALKLAND ISLANDS

First fold here

Second fold here

Sender's name and address: Road Research Laboratory

Harmondsworth, West Drayton,

Middlesex, England

AN AIR LETTER SHOULD NOT CONTAIN ANY
ENCLOSURE ; IF IT DOES IT WILL BE SURCHARGED
OR SENT BY ORDINARY MAIL



105

Department of Scientific and Industrial Research
ROAD RESEARCH LABORATORY
Harmondsworth, WEST DRAYTON, Middlesex

Please address any reply to
DIRECTOR OF ROAD RESEARCH

Telephone & Telegrams:
Head Office and Materials and Construction Division: SKYPORT 1421
Traffic and Safety Division: ██████████ SLOUGH 43131

and quote: X/-/JA/32/3/45

Your reference: F.I.2217

19th March, 1964

Willoughby Thompson, Esq.,
Colonial Secretary's Office,
Stanley,
FALKLAND ISLANDS



Dear Willoughby Thompson,

Our Note on the roads in Port Stanley (LN/452) has been graded "In confidence". We would like to refer to this note in "Summaries", a regular publication which lists our Laboratory Notes and indicates that they can be made available to interested enquirers. There may also be occasions when we would like to give a copy of the note to visitors to the Laboratory.

We would be most grateful if you would ask Sir Edwin if he would be agreeable to the Note being made available for wider circulation in this way.

*Yours sincerely,
R.S. Millard*

(R.S. Millard)
Head of Tropical Section

Reply at 106

17th April, 1964.

Dear Mr. Millard,

105

I refer to your letter X/-/JA/32/3/45 of the 19th March, 1964, and confirm that His Excellency the Governor has no objection to the report on Stanley roads being downgraded.

Yours faithfully,

(Sgd.) W.H. THOMPSON

COLONIAL SECRETARY.

R.S. Millard, Esq.,
Department of Scientific and Industrial Research,
Road Research Laboratory,
Harmondsworth,
West Drayton,
MIDDLESEX.

WHT/IM.

~~W.H. Thompson~~

Pa

PUBLIC NOTICE

O'Reilly report on roads in the rural areas of the Falkland Islands.

A limited number of the O'Reilly report are available for sale to the general public from the Secretariat, Stanley. The report is priced at 5/6d. This price includes postage.

Colonial Secretary's Office,
Stanley, Falkland Islands.
14th May, 1964.

VHFC/LH



16.5.64

DECODE.

No. 63.

TELEGRAM SENT.

From SECRETARY OF STATE to GOVERNOR

Despatched : 21.8.64 Time : 1738 Received : Time

514 in 0040/11 No. 97. Our telegram No. 79. C.D. and W. housing.

Approval in principle now given to housing programme. Expenditure up to £32,400 on six houses including furniture and fittings may proceed from Colony funds in first instance subject to reimbursement from C.D. and W. funds in proportions as may be agreed if and when the C.D. and W. application is finally approved.

2. Contribution from local funds is normal requirement under C.D. and W. schemes made in favour of a non-grant-aid territory. A 20% contribution from local funds is being considered for housing scheme, in which case £6,480 of C.D. and W. allocation would be available to devote to another project. Similar requirement for local contribution arises on roads application. Question of meeting this by widening basis of road scheme to include work at present proposed for local financing is being considered. Will advise further on this.

3. Will telegraph outcome of housing application as soon as possible.

P/L : LH
(Intld.) HLB

0040/S/II
22X7
✓

109

HOLMESTED BLAKE & COMPANY, LIMITED.

DIRECTORS: R. BLAKE, F. G. MATHEWS, A. L. BLAKE, MRS. C. A. E. STRONARCH, W. W. BLAKE, L. W. H. YOUNG.

LONDON OFFICE:
120, Pall Mall,
LONDON, S.W.1



TELEGRAMS: WHITEHALL 60779. CABLES: "BLAKE FOXBAY"

19th August 1964

The Honourable
The Colonial Secretary
Stanley.

Dear Sir,

Please send us a copy of
the O'Reilly report on roads in
the Falklands.

Yours faithfully

W. Blake
Manager.

Send *[Signature]*

Sent
~~28/8~~
3.9.64.

[Signature]
3.9.64

file 110

Draft letter to all Members of Executive and Legislative Councils

Improvements and maintenance of roads and bridges outside Stanley.

Members of both Councils will recall the speech by the Nominated Independent Member for the East Falkland on the Motion for Adjournment at the last Legislative Council wherein he made a plea for the formulation of a policy for the provision and maintenance of roads in Camp. The following ideas might form a basis for discussion, and I shall be obliged for your ideas and comments before we next meet.

For reasons which are too well known to need further elaboration it is impossible for Government to consider providing a modern road system in the Camp. These same reasons preclude any immediate large scale programme of construction, maintenance or improvements, but, it is, or should be, within our means to start a programme of care and maintenance.

To a large extent the care of tracks depends on the interest of individual farmers together with their ability to control the ever increasing number of drivers who, in the main, have little regard for the tracks they use. Before four wheel drive vehicles were introduced it was in the interests of drivers to take great care of tracks but now they take the bit between their teeth and plough through everything. A very good example of this was to be seen during the recent Darwin sports when quite a few persons left Stanley in the worst of weather banking on the fact that their vehicles would get through willy-nilly.

The following schemes are suggested:

Scheme A. Government should set aside a sum of money annually to be disbursed for approved schemes put up by managements. A committee, made up of the members of the Legislature might be appointed to approve schemes and grants.

An objection to this type of grant-in-aid is that there can be no guarantee of the satisfactory completion

of any job, and a management with a capability for over-statement or the polished phrase might well obtain funds for schemes less useful than managements less able to state their case. Alternatively a job should be approved, costed and completed before any grant is made.

Scheme B. Tracks in Camp should be classified as follows:

(1) "A" tracks. Tracks which have become public thoroughfares and through "roads" in their own right. An example of this is the Fitzroy track, which leads through to other Camp stations and carries a large burden of transport which is in no way connected with Fitzroy;

(2) "B" tracks. As above but which carry only a limited amount of through traffic; and

(3) "C" tracks. Tracks reserved to farms, with no through traffic element.

"A" and "B" tracks to rate for differing sums of money, payable in arrears, as a grant-in-aid towards improvement works carried out by the managements concerned. Class "C" tracks would not rate for grant-in-aid. As an example "A" tracks might rate £3 a mile and "B" tracks £1 a mile.

The advantage of a scheme of this sort is that the grants bear a relationship to the burden of traffic carried, and can be used for either tracks surfacing, support, or bridge building.

Scheme C. Government should limit itself to grants for approved major works only. An example is the work on Patterson's Point Bridge which is the subject of a request for a grant-in-aid from the Falkland Islands Company.

If Government should contribute to the maintenance of tracks it might well have to provide power to control drivers and prosecute them where necessary. Such powers would include the closure of roads during bad weather and for the recovery of road repair costs when unnecessary damage was proven.

S.

C.S.

WHT/LH
4th March, 1965

PARA
—

164/A

~~637~~
~~707~~
111

CONFIDENTIAL

19th March, 1965.

64

MEMORANDUM NO. 1/65 FOR LEGISLATIVE COUNCIL

MEMORANDUM NO. 13/65 FOR EXECUTIVE COUNCIL

Improvements and maintenance of roads and bridges outside Stanley

Members of both Councils will recall the speech by the Nominated Independent Member for the East Falkland on the Motion for Adjournment at the last Legislative Council wherein he made a plea for the formulation of a policy for the provision and maintenance of roads in the Camp. The following ideas might form a basis for discussion, and I shall be obliged for your ideas and comments before we next meet.

For reasons which are too well known to need further elaboration it is impossible for Government to consider providing a modern road system in the Camp. These same reasons preclude any immediate large scale programme of improvement but it is, or should be, within our means to start a programme of care and maintenance.

To a large extent the care of tracks depends on the interest of individual farmers together with their ability to control the ever increasing number of drivers who, in the main, have little regard for the tracks they use. Before four wheel drive vehicles were introduced it was in the interest of drivers to take great care of tracks but now they take the bit between their teeth and plough through everything. A very good example of this was to be seen during the recent Darwin sports when quite a few persons left Stanley in the worst of weather banking on the fact that their vehicles would get through willy-nilly.

The following schemes are suggested:

Scheme A. Government should set aside a sum of money annually to be disbursed for approved schemes put up by managements. A committee, made up of the members of the Legislature, might be appointed to approve schemes and grants.

An objection to this type of grant-in-aid is that there would be no guarantee of the satisfactory completion of any job, and a management with a capability for over-statement might well obtain funds for schemes less useful than managements less able to state their case. One way round this difficulty, of course, is that a job should be approved, costed and completed before any grant is made.

Scheme B. Tracks in Camp should be classified as follows:

- (1) "A" tracks. Tracks which have become thoroughfares in their own right. An example of this is the track from Stanley to Fitzroy which leads through two other Camp stations and carries a large burden of transport which is in no way connected with Fitzroy;
 - (2) "B" tracks. As above but which carry a lesser amount of through traffic; and
 - (3) "C" tracks. Tracks reserved to farms, with no through traffic element.
- / . . .

"A" and "B" tracks to rate for differing sums of money, payable in arrears, as a grant-in-aid towards improvement works carried out by the managements concerned. Class "C" tracks would not rate for grant-in-aid. As an example "A" tracks might rate £3 a mile and "B" tracks £1 a mile.

The advantage of a scheme of this sort is that the grants would bear a relationship to the burden of traffic carried and could be used for either surfacing, support, or bridge building.

Scheme C. Government should limit itself to grants for approved major works only. An example is the work on Patterson's Point Bridge which is the subject of a request for a grant-in-aid from the Falkland Islands Company.

If Government should contribute to the maintenance of tracks, it might well have to provide itself with power to control drivers and prosecute them where necessary. Such powers would include the closure of roads during bad weather and the recovery of road repair costs when unnecessary damage was proven.

W H Thompson

COLONIAL SECRETARY

Issued to all members

LS.

19/3/65

WHT/LS

Is this meant
for the file?

6/8. 708
112



Cove,
West Falklands.

March 24th, 1965.

Memo 13/65.

Maintenance of Camp Tracks.

Memo from Colonial Secretary, dated 19th March 1965.

6/1
12/4

General. It should in principle be the job of Government to provide funds for the improvement and maintenance of Camp Tracks where necessary and practical.

This work can only be carried out by the farm managements over that part of such tracks on their property and the classification of such tracks into the categories "A" & "B" as suggested in the Colonial Secretary's memo.

Comment. In the opinion of the writer the repair and maintenance of camp tracks can only apply to bridges & culverts and the close approaches to these.

The camp as a whole is wide and where tracks become soft and difficult it is our experience that the more simple method of improvement here is to make a fresh track using a rotavator on hard ground but leaving white grass flats as they are; the latter when rotavated always leaves a soft and boggy underside, the untouched grass by itself making a good mat which can be gradually pressed down by wheeled traffic.

Government could therefore contribute towards ~~the~~ repair and/or renewal of bridging and also towards the dumping of stone at soft bottle necks at the bridges.

Control. In theory all camp tracks last very much longer if traffic can be kept off them in wet conditions, i.e. from about May 1st to October 1st. But this is hard to control unless there is a very great measure of good-will and willing co-operation on the part of all private vehicle owners. In general in the writer's area of the West Falklands this willing co-operation does exist in very large degree.

It would be almost impossible to maintain 100% wet weather control throughout the Colony, especially in the Stanley area without policing the tracks in some manner.

L. J. ...

Member for West Falklands.

Lee

See leg Co

29.4.65



709
113

EXTRACT FROM MINUTES OF MEETING NO. 2/65 OF EXECUTIVE COUNCIL
HELD ON THE 6th - 11th APRIL, 1965.

1641/A/V 9. CAMP TRACKS. (Memo. No. 13/65)

Council advised that the Legislature should be asked to provide funds for grants for approved works on bridges, culverts and stream crossings.

D. S. Mousa
Clerk of the Council

file. 710
S. 114
14/4

Reply to Memorandum No. 1/65.

I am in favour of Scheme A. Camp Managers should have first hand knowledge of the essential repairs or improvements needed on the tracks through their own farms, or tracks leading to their farms.

Any repairs made to tracks would have to be carried out during the summer months, which is the time of year when farms have the least amount of labour available for anything except farm work, but managers might find time and labour to carry out repairs which they have suggested, with Government aid.

Scheme C.

Government should give some aid to essential major works, such as Pattersons Point Bridge, if only to have a voice in the finished project.

It might become necessary for Government to provide itself with powers to control drivers and to prosecute them if the need should arise.

But Government should never have the power to stop people driving from one farm to another except on specific parts of a track which may be under repair, and then alternate routes would have to be provided or suggested.

I could very well see one awful row, if on the eve of Darwin Sports, North Arm and Fitzroy people were told that they were not permitted to travel there, or, that all tracks were closed to Stanley at Christmas time.

F. Cheek

Bu 27.4.65

memo for this

7H
115

Points arising from Executive Council meeting No. 2/65

6 - 11 April, 1965

Camp Tracks

- discuss with Leg. Co.

No. _____

It is requested that, in any reference to this memorandum the above number and date should be quoted.



MEMORANDUM

30th April, 19 65.

To: The Colonial Secretary, _____

The Secretariat, _____

STANLEY. _____

From: The Superintendent, _____

Posts & Telecommunications,
Stanley, Falkland Islands.

SUBJECT :- Condition of the Murrel Bridge.

Having recently passed over the Murrel Bridge on the track from Teal Inlet and believing this bridge to be a Government commitment, I feel that it is my duty to report that in my opinion the bridge is a source of danger to wheeled traffic approaching from the Teal Inlet side of the Murrel River. The structure of the bridge appears reasonably sound but where the danger lies is the immediate approach to the bridge, i.e. the deck of the bridge is some feet higher than the dislodged boulder strewn ground level - so much so that a vehicle about to mount the bridge is at such an acute angle the driver is unable to see the deck of the narrow railless bridge. A serious accident was only averted by inches on the occasion which I was an unhappy eye witness. A couple of men for a couple of days with a quantity of stone could rectify the situation.


Superintendent, _____

JB/JB.

116

*hated
D. P.C.
4/5*



713
117

7/5/65

Fitzroy

To The Colonial Secretary

Having heard that money has been granted for repair work to camp tracks may I suggest a few improvements that could be made I think at little cost. As I have used this track between Fitzroy & Stanley as much as anybody which is now almost impassable, I thought these few items might help. First the two bridges that Government put up at the heads of Bluff Cove are impassable to cross, this could be easily fixed with 5 or 6 lorry loads of stone put in the holes at the end of the bridges. Secondly that if all the ditches crossing the track was bridged right across the track, would make a big improvement. As it is now there is only about 8 feet bridged and traffic have to run in the same tracks to cross them. It is so cut up now you cannot cross them, so you just have to fill them in, and so block the ditch. In some places old wireless masts have been used, but these are no good unless each side of the mast is stoned for at least 5 yards. Thirdly that what makes the track almost impassable is the stones that stick up and catch the bottom of the traffic, these could be knocked down and maybe a bit of crushed metal put on top, this is worst between the Old House gate & the Green Pen

Yours Sincerely

W, F. Summers

Fitzroy

WFS

Reply at 744 118

744
118

18th May, 65.

Dear Sir,

713
117

Thank you for your letter of the 7th May.

The position regarding money for repair work is that no funds will be available until the 1st July, 1965.

Standing Finance Committee will then consider every application submitted.

Yours faithfully,

N. R. M

des COLONIAL SECRETARY.

Mr. W. F. Summers,
FITZROY.

164L/A/V

715
119

18th May, 65.

To: Assistant Colonial Treasurer,

From: Colonial Secretary,

STANLEY.

Administration of grants to Camp Tracks and Bridges Vote.

Please note this for the next S.F.C. agenda we should thrash out a system and commit it to paper.

A supplementary item under the same head is publicity for the scheme and how we should go about it.

J.R.M.
for COLONIAL SECRETARY

Bu 16.6.65

21 May,

716
65
120

To: The Ag. Superintendent of Works,

From: The Colonial Secretary,

Public Works Department,

STANLEY.

Chartres Government Bridge

In the past we have been responsible for maintaining and supplying materials for this bridge.

Mr. Luxton of Chartres says the bridge is now falling down and the following items are needed to repair it and he is willing to arrange a contract on our behalf.

168 Sandy Point 12 x 9 x 3 or 252 Sandy Point 12 x 6 x 3
for decking.
260 feet 6 x 3 outer bearers.
130 feet 6 x 4 centre bearers.
130 $4\frac{1}{2}$ " x $\frac{3}{4}$ " bolts and nuts.
Sufficient tar and long handled brushes.

Please let me know whether you have the funds under our Bridges Vote for this year or whether we should put this up for next year as a grant under the "Grants to Camp Tracks".

Whatever happens we should get moving on this if it is at all possible before next seasons lambing and shearing begins.

If you wish to discuss further please do.

W H. THOMPSON

COLONIAL SECRETARY.

717
126

27th May,

65

To: The Superintendent,

From: The Colonial Secretary,

Public Works Department,

STANLEY.

Condition of the Murrel Bridge

The approaches to the Murrel Bridge are in a very bad state of order and various representations have been made that we should do something about it.

I am told, but I cannot trace this on the file, that Government is responsible for the maintenance of the Murrel Bridge. Will you check up on this and see if you can confirm that this is so.

If it is so we should arrange for some loads of stone to be dumped on the Murrel Bridge approaches when the track is dry enough to get out there to do something about it. The answer will obviously be far from ideal but at least it will do something towards improving the situation there.

Do you think this could go out to tender?

W. H. THOMPSON

Reply at 718¹²²

See 718:126

Rev 14/6/65

No. PWD 053

It is requested that, in any reference to this memorandum the above number and date should be quoted.



MEMORANDUM

31st May, 19 65.

To: The Colonial Secretary,

STANLEY.

From: Ag. Superintendent of Works
P.W.D.

Stanley, Falkland Islands.

SUBJECT :- Murrel Bridge.

The only knowledge I can obtain as regards the above is, that we are committed to gates etc and presume also for the bridge and approaches.

There should be a file somewhere, defining the position, but certainly it is not here.

Some few years back, it was mooted to have another bridge erected, but the only other suitable approach, would only have helped the F.I.C. so fell through.

The answer as I see it, is to have some rock's in the vicinity blasted, and so reduce the long haul from Stanley.

Then the blasted rock, could be put out to tender for the carting and placing.

D. Beadmore

Ag. Supt. of Works.

718
122

W
18/6



7481A
123

CA
21/12/65

FALKLAND ISLANDS SHEEPOWNERS ASSOCIATION

Stanley

WHY/SGC

7th June, 1965

To All Members

Dear Sir,

Rights of Way over Camp Land

The Falkland Islands Company recently raised the question of the possibility of Rights of Way being established over Farm Land, if measures were not taken to safeguard farm's rights.

The time honoured method of closing highways used by the public was considered, but it was decided that this method would be cumbersome. It is suggested that application should be made by the Association to the Government to enact legislation which would ensure that the right of all farms to close tracks or portions of their camp was maintained.

Would you be good enough to advise me, in due course, whether you agree to this procedure.

Yours faithfully,

(W. H. Young)
Deputy Chairman

Buffalo drain digging machinery.

At Chartres I saw the Buffalo machinery which appears to be extremely efficient as a mechanical drain digger. I am told that there is a similar machine lying in the German Camp. These machines were both brought out by the Government at great expense some years ago and if we have any papers in the Secretariat about them I should like to see them. The existence of these machines should be brought to the notice of Mr. C.D. Young.

6/6
5.

720 125

Contents of file noted

LA

12/6/65

16i.1/A

721
65 126

16th June,

To: The Superintendent of Public Works,

From: The Colonial Secretary,

STANLEY

Murrel Bridge

77
715
121

I have already written you on this and we spoke. Please go ahead as arranged.

W. H. THOMPSON

COLONIAL SECRETARY

722
127

17th June, 1965.

Dear Mr. Lurton,

When you were last in Stanley you spoke to me about the Chartres Bridge and it was agreed that you would try and fix a contract and let me know the price.

We have fixed up the materials this end and the costing of them and I wonder if you could let me have the answer on the contract price as soon as possible.

(W.H. THOMPSON)

Reply at 723. 128

PAA

[Handwritten signature]

K.W. Lurton, Esq., J.P.,
CHARTRES.

IM

CHARTRES SHEEP FARMING CO. LTD.,
CHARTRES
FALKLAND ISLANDS

T23
128
4/6

22nd June 1965

W.H.Thompson Esq M.B.E.
Secretariat
Stanley

127
~~127-1/2~~
Dear Mr Thompson,

I regret not having advised you before this about a contract for repairs to the Chartres Bridge.

My foreman has agreed to do the job and will find his own assistance for £120. I think this is a fair figure as repairs are more extensive than before when I paid £50. for re-decking only. For this figure he would replace all timber and treat it with some preservative before laying. He would also re-new the concrete ramps at either end and for this we would need $\frac{1}{2}$ ton of cement. I would arrange to have the ~~xxxxxx~~ metal and sand carted to the site.

If this figure is agreed would it be possible to have all necessary material here by 1st October so that the work can be completed before the really busy part of the season commences.

Yours sincerely

K.W. Luxton

K.W.Luxton.

*SPW. for
action & discussion
if necessary
S.W. 1/7*

Col. Sec.

Have contacted Mr. Greirson and he assures me the material will be on site by October 1st. I cannot do anything, until he lets me know, when I can transport materials straight on to the Philomel.

Ag. Supt. of Works.
8th July, 1965.

hwd

S.

1/7

Bu 4.9.65

20th July, 1965.

Dear Mr. Luxton,

I refer to our conversation of a few days ago.

I confirm the acceptance of your foreman's tender of \$120 for repairing the Chartres Bridge, but regret that we cannot provide the materials for the Poncho job.

We have no spare decking at all to offer and there is very little chance of more arriving for use this winter.

I am particularly sorry that we cannot be more helpful and take advantage of your offer of assistance.

Perhaps we can do something next winter.

(W.H. THOMPSON)

K.W. Luxton, Esq., J.P.,
CHARTRES.

LS

Bu 4/9/65

Reply at 42



The Falkland Islands Sheepowners Association,
(LOCAL COMMITTEE)
STANLEY, FALKLAND ISLANDS.

725
4
130
G/H

WHY/SGC

30th June,

19 65

The Colonial Secretary,
Stanley.

CA
30/12/65

Dear Sir,

I have circularised the members of the Sheepowners Association regarding the possibility of legislation to ensure that public Rights of Way are not established over Camp land, and have received replies from San Carlos, Packe Brothers, Bluff Cove, Port San Carlos, Chartres, Port Howard, Hill Cove and Johnsons Harbour, agreeing that such legislation would be most welcome. No doubt the views of other members of the Association will be learnt at the forthcoming Meeting, but the Chairman of the Association agrees with me that sufficient agreement has been obtained to request that Government should consider enacting the suggested legislation.

Yours faithfully,

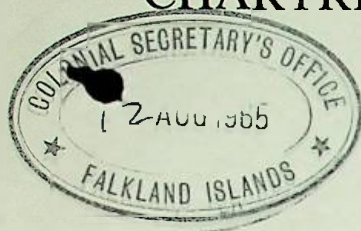
Deputy Chairman.

726 131
Rey SC
please discuss
w/c
W. 15/2

CHARTRES SHEEP FARMING CO. LTD.,

CHARTRES

FALKLAND ISLANDS



10th August 1965

Handwritten notes in red ink: ~~42~~, 727, 132, and 15/8.

Dear Mr. Thompson,

725 Thank you for your letter of 20 th July concerning the Chartres bridge. The wood we required has now arrived by Philomel but no means of affixing the timbers. I presume this was overlooked in Stanley. Was it your intention that six-inch nails should be used or will Government supply bridging pins. Personally, I feel that nails would be perfectly satisfactory,

Philomel also brought a small quantity of anti-corrosive paint, sufficient only for treating the iron parts of the bridge. Did you wish the timbers to be treated as well ? If so, could you let me know. Also about the nails and when we may expect them. I am trying to arrange another visit by Philomel fairly shortly as we need a lot of cargo for which there was not room on the last voyage, so if the things we need are in Stanley perhaps they could be shipped out then.

Yours sincerely,

A handwritten signature in black ink, appearing to be "W.R. Luxton".

(W.R. Luxton).

Handwritten note in red ink: Reply at 729 134

Handwritten note in red ink: K1041

MEMORANDUM

728
133

It is requested that, in any reference to this memorandum the above number and date should be quoted.

17th August, 19 65.

To: The Colonial Secretary,

From: Ag. Superintendent of Works, P.W.D.

STANLEY.

Stanley, Falkland Islands.

Handwritten signature/initials
5/8

SUBJECT:- Chartres Bridge.

The requirements specified in 716 CHARTRES BRIDGE were sent and received, initialled by W.R. Luxton.

We sent a bag of bolts, nuts and washers as per requirements and also sufficient and our only stock of bitumastic for the girders.

The timber i.e. Sandy Point weathers just as well without, creosote or solignum and we have none anyway.

There were no spikes ordered on the list and ordinary 6" nails would not be any use at all, unless galvanised, we have none of those either.

We could if necessary supply @ 11d per lb up to 200 lbs i.e. about 800 spikes, but the bolts etc were received and sent.

The Spikes would of course have to be drilled for.

W. Beardmore

Ag. Supt. of Works.

19th August, 1965.

Dear Mr. Luxton,

727

Thank you for your letter of the 10th August, about the Chartres Bridge.

I see from the records that we supplied all which was asked for. The bag of nuts and bolts sent out were as per request, but the Superintendent Public Works does not like the idea of six inch nails at all. We have no galvanised nails in stock anyway, but we can supply if necessary about 800 spikes, but, of course, they have to be drilled for.

Both the Superintendent of Public Works and Mr. Luxton senior, said at the time that Sandy Point timbers weather well without any treatment and in view of our short stocks it was decided to do without.

I am sorry if this all looks a bit vague, and I suppose it is, but I hope it meets the points you raise.

(W.H. THOMPSON)

Mr. W.R. Luxton ,
CHARTRES.

LS

K10 725

ACS
I think this has been
discussed as it had the
file!



7291A
135
6/6

The Falkland Islands Company, Limited.

(INCORPORATED BY ROYAL CHARTER 1851.)

REGISTERED 1902.

AGENTS FOR LLOYDS.

Stanley.

TELEGRAMS "FLEETWING FORTSTANLEY" VIA RADIO.

WHY/SGC

19th August, 1965

The Colonial Secretary,
Stanley.

Dear Sir,

Camp Tracks

Mr. R. Morrison proposes to send two men with a tractor and trailer to repair the bridges on the Fitzroy and Darwin tracks at Laguna Verde and Guttery Pass. He anticipates that the work will take two weeks and will cost approximately £73 12s. Od. Details of expenditure are as follows:-

Wages	£34	0s.	0d.
Victualling	5	12	0
Fuel for tractor	14	0	0
Decking, etc. for bridges	20	0	0
	<hr/>		
	£73	12s.	0d.
	<hr/>		

I request that consideration might be given for a contribution from public funds to this work, out of the sum allocated to Camp Tracks in the current estimates.

Yours faithfully,

Manager.

Repyat 177.

730
136

R.G.S.C.,

We spoke some time ago about folio 725 and the next move was up to you. Please k.i.v. and speak in due course.

Si

C.S.

21st August, 1965.

LS

1641/A/V

Spoken 7/9/65
draft prepared for
Kopal Seelis
Si

731
137

Chartres,
Falkland Islands.

28th August 1965.

W.H.Thompson Esq.M.B.E.
Secretariat,
Stanley.

W

Dear Mr.Thompson,

Thank you for your letter dated 19th August,
referring to the Chartres Bridge.

I am afraid that when the original request for materials was made the necessity for nails or some alternative for affixing timbers was assumed. However, you may recall that when I called to see you in Stanley we discussed the question then. Anyway, if you have the spikes available they would certainly be more satisfactory than nails and if you could arrange to have them shipped at the first opportunity we shall then have all that we need to complete the job.

Yours sincerely,

W.R. Luxton

(W.R.Luxton)

732 138

S.P.W.

You know the background to this: please send the spikes soonest.

See 733140

W! 7/9

Extract from Minutes of Meeting No. 6/65 of Executive Council held on the
24th and 25th August, 1965.

21. CAMP TRACKS

Council considered an application for financial assistance from the Falkland Islands Company for repairs amounting to £75. 12. -. for bridges on the Darwin/Stanley track and advised that pending the next meeting of the Standing Finance Committee a decision should be made in principle that a grant of 50% of the total cost should be made from public funds.

Ag *D.R. [Signature]*
Clerk of the Executive Council

No. PWD 053

It is requested that, in any reference to this memorandum the above number and date should be quoted.



MEMORANDUM

7th September, 1965.

To: The Colonial Secretary,
STANLEY.

From: Ag. Superintendent of Works,
P.W.D.

Stanley, Falkland Islands.

SUBJECT :- Chartres Bridge.

Arrangements for 1,008 - 6" spikes to be shipped to Chartres is being attended to immediately.

A Beardmore
Ag. Supt. of Works.

51
[Signature]

734
141
D.I.
a/g

Col. Sec.,



Below are the notes you require
for 141/A/V. 21.13.

Notes regarding the creation of a public right of way.

The land over which a public right of way exists is known as a highway, and although most highways have been made up into roads, and most easements of way exist over footpaths, the presence or absence of a made road has nothing to do with the distinction. A highway may exist as such even if it does not lead to another highway or any public place.

- A public right of way may be created in the following ways:
- (a) by statute;
 - (b) by dedication and acceptance.

To establish a highway at common law by dedication and acceptance it must be shown:

- (i) that the owner of the land dedicated the way to the public, and
- (ii) that the public accepted the dedication, the acceptance normally being shown by user by the public.

It is usually inferred from long user by the public, so that user is thus effective to prove both dedication and acceptance, thus justifying the inference that the landowner consented to this user.

The mere obstruction of the highway or the failure of the public to use it will not destroy the right of the public, for "once a highway always a highway".

9th September, 1965.

135
21/9/65

Dear Sir Ragnar,

Could you advise me on the following?

The land outside Stanley, which is divided up into farms, is all held in fee simple. Over the years the public have paid very little regard to the farmers rights over their land and have established many tracks some of which are beginning to be regarded as Rights of Way.

During a recent meeting of the Sheep Owners' Association Government was approached about the possibility of providing legislation to ensure that Rights of Way are not established over Camp land.

As it is the Common Law of England applies, and, I suppose, farmers would be well within their rights if they denied access to, or passage through, their lands occasionally. As always things are not so simple as they seem and there are a few original horse tracks over some of the Camp which, it might be argued, are now established Rights of Way: although I do not think this argument will in fact be put forward.

Farmers, who live in isolated places, are apt to blast off and rather than spark off a series of track closures (probably ill-timed from the public point of view) I tend to favour the introduction of some form of legislation which will extinguish any Common Law rights. Will you please let me know whether there is any precedent for this and if so can you provide us with something fairly simple which will make the position clear. I think legislation is preferable to having a series of ad hoc closures and bad tempers all over the place.

(W. H. THOMPSON)

Sir Ragnar Hyne,
11 High Street,
Lavenham,
Nr. Sudbury,
SUFFOLK.

TB

OU 9.12.65

Receipt 152

130
N21A

S. S.

Extract from S. J. G. minute below and draft

letter to H. C.

JA

22.9.65

- 6. The Committee approved the grant of £37 to the Falkland Islands Co. Ltd for the repair of bridges on the Fitzroy/Darwin track from funds available under Development Expenditure A9 Grants for Camp Tracks.

[Handwritten signature]

The Committee also considered the report of the Falkland Islands Co. Ltd on the progress of the Fitzroy/Darwin track project. It was noted that the project was well advanced and that the estimated cost of £37 was reasonable. The Committee approved the grant of £37 to the Falkland Islands Co. Ltd for the repair of bridges on the Fitzroy/Darwin track from funds available under Development Expenditure A9 Grants for Camp Tracks.

STANDARD
PRINTING

STANDARD
PRINTING

~~137~~
143

27th September,

65.

135
~~122 a~~
Dear Sir,

With reference to your letter of 19th August, 1965, this is to advise you that Government will meet 50% of the cost of repairing the bridges at Laguna Verde and Guttery Pass up to a maximum grant of £37.

Payment will be arranged by the Colonial Treasurer and I should be grateful if you would forward a detailed account to the Treasury after the repairs have been completed.

Yours faithfully,

(Sgd.) H.L. Bound

for COLONIAL SECRETARY.

The Manager,
Falkland Islands Co., Ltd.,
STANLEY.

Copy to: Treasury
Auditla
Reply
541
~~735~~

6
15/11

6. Camp Tracks. It was agreed that grants would be limited to works on tracks in general use only.

The Colonial Secretary would circularise all farm managers asking that applications should be sent before work commenced.

Where the Committee felt that a scheme or any part thereof should receive approval it would be given in advance and money provided when the final cost was known and work completed.

The Falkland Islands Company, Limited.

(INCORPORATED BY ROYAL CHARTER 1951.)

REGISTERED 1902

738
145

AGENTS FOR LLOYDS.

TELEGRAMS "FLEETWING PORTSTANLEY" VIA RADIO.

AS/SRP



Stanley,
28th September,

1965

The Colonial Secretary,
Stanley.

Li

Dear Sir,

163 ~~737~~ We thank you for your letter dated 27th September, 1965,
reference 1641/A/V, and will submit a detailed account to the
Treasury as soon as possible.

Yours faithfully,

Assistant Manager.

Pa

CHARTRES SHEEP FARMING CO. LTD.,
CHARTRES
FALKLAND ISLANDS

739
145

7th November 1965

Colonial Secretary
Stanley



Sir

Sir,

The repairs to the Government Bridge across the Chartres River are now completed and could be inspected if necessary.

At the agreed cost of £120. would you credit this Company's account with the F.I.Trading Co. and I will the account of the two men who undertook the work here

I, am Sir
Yours faithfully

A handwritten signature in blue ink, appearing to read "K.W. Luxton".

K.W. Luxton

Reply at 740 146

7th December,

65

145
739

Dear Sir,

Thank you very much for your letter of the 7th November, 1965, concerning repairs to the Government bridge across the Chartres River.

The Treasury will credit your account as requested.

Thank you very much for your co-operation.

Yours faithfully,

(W.H. ~~xxxx~~ (Thompson))

COLONIAL SECRETARY

K.W. Luxton, Esq.,
CHARTRES.

LS

STANDARD

721

741
147

C.T.,

Please see 739 and my reply thereto. Please credit Chartres
Sheep Farming Company Limited account as requested.

C.S. C.S.

7th December, 1965
Ref: 1641/A/V
LS

~~112~~
148

MEMORANDUM

Ref: 2217

7th December, 1965

From: The Colonial Secretary,
Stanley.

To: All Camp Managers,
Falkland Islands.

Government Grants for Camp Track Maintenance

As you are no doubt aware Government has set aside an annual sum of money to be granted for approved schemes for the improvement of Camp tracks in general use.

Should you have any scheme of repair or improvement your application for funds should be sent to me well before work commences. All applications will be considered by the Standing Finance Committee of the Legislative Council. Where it is felt that a scheme, or any part thereof, should receive a grant notice will be given and the money provided when the final cost is known and the work completed.

The Standing Finance Committee, which is made up of all unofficial members of the Legislature under my chairmanship, does not meet at set times: but it can be safely assumed that meetings take place every May and October.

*This is incorrect.
The SOC of Legco.
requires SFC to
meet monthly.*

The type of work most likely to receive aid is that which is designed to improve bridges, culverts and drainage.

Applications should contain a clear exposition of the work to be done together with an estimate of materials and costs.

COLONIAL SECRETARY

C.T.
147
2/11/65
10.12.65

L. S.

147 signed original, thank you

d

F.C.T.

11.12.65

BU 31.1.66

No. PWD 053

It is requested that, in any reference to this memorandum the above number and date should be quoted.



MEMORANDUM

18th December, 19 65.

To: The Colonial Secretary,

STANLEY.

From: Ag. Supt. of Works, P.W.D.

Stanley, Falkland Islands.

SUBJECT :- Murrell Bridge.

I have inspected the above, and the rock required to make the abutments safe, it would need approximately 50 loads of rock, the nearest source is 5 to 600 yards away and a swamp to be by-passed,

My estimate for the job supplying Labour and Materials in the region of £150 and should be done immediately for the safety of the Public.

If P.W.D. had to tackle the required work would be a much greater price approx £500.

Attached is a letter from Mr. E. Barnes in which he offers to do the job for £120, which I wish to recommend be accepted.

D Beardmore

Ag. Supt. of Works.

1491A

STANLEY,

18th December, 1965.

Dear Sir,

With reference to our conversation of this morning I wish to submit the following:-

I hereby agree to carry out the necessary repairs to the approaches of the Murrell Bridge for the sum of one hundred and twenty pounds (£120) This price to include the carting of approximately 50 loads of rock.

Yours faithfully,

E Barnes

(E. Barnes)

The Ag. Supt. of Works,
Public Works Department,
STANLEY.

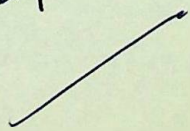
SW

Approved

W.

20/12/65

150



col Sec.

Noted thank you.

W. SW
21/12/65

BU 31.1.66

151



11 HIGH STREET,
LAKEMAD, NEAR SNOBBY,
SUFFOLK, ENGLAND.
TEL. LAKEMAD 4455.

6/8 152
C
W
3/12

Your Reference. ~~10/1/65~~

8th Nov. 1965.

The Hon. W. N. Thompson M.B.E.
Colonial Secretary, Falkland Islands.

My dear Thompson

142

Thank you for letter no. 1641/A/V.
of the 9th September received, about 4 weeks
ago. I apologize for delay in replying.
Your letter is an interesting one, and
is by no means lacking in interest; nor
does it fail to present some difficulties.

The question of rights of way, all
ways presents problems.

You suggest legislation which
will extinguish certain Common law
rights

A somewhat cynical Frenchman
of an earlier century when writing
of the English Constitution said that
under it the English Parliament could
pass any law, except a law to
make a man a woman, or a
woman a man:

This may be true, and a Colonial
Legislature having, as a rule, the
same legislative powers in its
Territory, as the Parliament of the
United Kingdom has in the
United Kingdom, the same may
almost be said of a Colonial
Legislature

But, however omnipotent a
Legislature may be, in theory,
there are certain things, I think
which a Legislature will not
do; and that is to disturb the

Reply
21/1/66

rights, unless such vested rights are prejudicial to the public interest

It may be of assistance to find some information on the subject of rights of way.

The rights to which you refer in your letter would appear to be private rights of way.

A private right of way can be ~~complex~~ claimed by prescription and immemorial usage. Where certain persons have immemorially been used to cross a particular piece of land, a right of way is created by immemorial usage, which supposes a grant.

By the Prescription Act 1832, s. 2, it is enacted that no claim by custom, prescription or grant, to any way or other easement

x which has been enjoyed twenty years without interruption,

shall be defeated by showing the commencement of the right within the time of legal memory; and where the right shall have existed forty years, it shall be absolute and indefeasible, unless it appears to have been enjoyed by express agreement for that purpose by deed or writing.

The right, in case of a dispute by legal action, must be proved by user down to the time of the commencement of the action; and, therefore, if there is no proof of user for the last four or five years, there is sufficient

By the Rights of Way Act, 1932, s. 1, public use of a way, as of right, and without interruption

1931

The first part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work, the second with the work done in connection with the various committees, and the third with the work done in connection with the various societies.

The first section deals with the general work of the Society. It is divided into three parts: the first dealing with the work done during the year, the second with the work done in connection with the various committees, and the third with the work done in connection with the various societies.

The second section deals with the work done in connection with the various committees. It is divided into three parts: the first dealing with the work done during the year, the second with the work done in connection with the various committees, and the third with the work done in connection with the various societies.

The third section deals with the work done in connection with the various societies. It is divided into three parts: the first dealing with the work done during the year, the second with the work done in connection with the various committees, and the third with the work done in connection with the various societies.

The report concludes with a summary of the work done during the year and a statement of the Society's financial position.

1931
 1931

3

for twenty years, is conclusive that the way is a public highway unless it is of such a character that even by the public could not give rise at common law to any prescription of dedication, or unless there is evidence that there was ^{no} intention to dedicate the way.

A quasi-perpetual right of way may also be granted by special permission, as when the owner of land grants to another a liberty of passing over his grounds, to go to church, market, or the like, in which case the grant is particular and confined to the grantee alone. The grantee cannot assign, and the right dies with him.

The obstruction of a right of way is a disturbance, and a disturbance happens when one who has a right of way over another's land, by grant or prescription is obstructed by inclosures or other obstacles by which means he cannot enjoy the right of way, or not as fully as he was accustomed to. The remedy is usually by an action for damages. A right of way is often contested by an action for trespass.

From what has been said earlier, it will be clear, that an owner of land may sue a person claiming a right of way, for trespass, and should succeed, if on ^{this} claim ~~for~~ ~~it~~ it can be established

~~and without interruption~~

for the first time in the history of the world
 a man of letters had written a book
 in which a certain number of letters
 of the alphabet were not used
 and the book was published
 in London in the year 1668
 The book was written in a
 very simple and plain
 style and was intended
 to be a kind of
 dictionary of the
 English language
 The book was written
 by a man of letters
 and was published
 in London in the
 year 1668

the
 first

with the standing the existence of a right of journey, ^{that} there is evidence of non-use for five or five years before the commencement of the action and such non-use had continued down to the time of the commencement of the action

If a right of way has been acquired it can only be extinguished by non-use for such a period as mentioned above, but it would seem that such extinguishment can only be determined by legal action in the Courts.

In the position visualized by paragraph 3 of your letter, assuming that no right of way has as yet been acquired, the owner can protect himself against any acquisition of a right of way, by, as you say denying access to, or passage through, his land, from time to time, by the erection of barriers from time to time.

Denial once or twice a year would be sufficient.

If however, a right of way has been acquired in accordance with law and the right has not been extinguished at the time of action being brought, as above mentioned, then there appears to be no way in which a right of way can be denied to users of the way.

X. He can also, of course, publish notices prohibiting the use of the land by persons wishing to cross it

Our legal Secretary says he knows of

I know of no legislation which has been enacted to extinguish rights of way lawfully acquired and, as I have said earlier, I do not think ^{the} any legislature ^{could} would enact a law to this effect.

Any rights acquired, can only be lost by non-use for the period and in the circumstances I have mentioned, and then, it would seem, only at the suit of the owner of the land over which the right exists.

Such owners might also, of course, ^{think} advance a defence of non-use, if a person claiming damages for disturbance against an owner, brings an action against the owner.

I hope you may find this of some use to you, although I am afraid there is small consolation for owners of land over which a right of way has been acquired

Yours sincerely
R. Canty

CHARTRES SHEEP FARMING CO. LTD.,
CHARTRES
FALKLAND ISLANDS



28th december 1965

W
D

Sir,

148 Reference your Memorandum of 7th December Ref.2217.

As you may already in conversation with Mr W.R.Luxton a bridge was to be erected under the Camp Track Scheme. Government provided stringers and decking. I was unable to undertake the erection at that time and the result was that P.W.D. sent the Philomel here to take the decking away for an urgent purpose in the Stanley area.

It was to be replaced but meanwhile the Camp Track Scheme folded up.

The stringers are still here and if decking were available I could get the job done after dipping. I could use 3" x 9" x 12' which I have here in stock if Government could replace them, that is if you have none in hand. Some 5" spikes would also be necessary

stream

This ~~bridge~~ is now the only place preventing people from travelling between here and Port Howard when streams are high.

Costs of transport and erection would be a maximum of £20.

I, am Sir
Yours faithfully

CHARTRES SHEEP FARMING CO. LTD.
W.R. Luxton
MANAGER

The Colonial Secretary

Stanley

2

to file
4/1

Very interesting. I agree with your proposed line of action. I suggest you discuss your views with young before sending any copies to S.O.A members. ^{Kindly} ^{of course} is a lawyer & is bound to follow the line at once.

Please see 123. This followed
on Ainslie's visit, & you will remember it was a point he raised with you.

1/10
31/12

For 130 follows on.
I wrote L.S. as folo 142.
His reply is as 152.

It is the reply I expected.

I propose to reply to the Soc. & S.O.A with a copy to members on the lines of an edited version of L.S.'s letter, starting at the double red line on page 2 thereof.

One thing I do not want is to have to proceed further with something which was at rest until Ainslie came along. Certainly I cannot cope with any large special advances for a very long time ahead.

D. 31/12

KIU 153

Colonial Secretary's Office,
Stanley, Falkland Islands.

6th January, 1966.

Dear Sir,

I refer to your letter WHY/SGC of the 30th June, 1965, wherein you asked that Government should consider enacting legislation to prevent the establishment of rights of way over certain Camp land

The rights to which you refer would appear to be private rights of way. I am advised that a private right of way can be claimed by prescription and immemorial usage. Where certain persons have immemorially been used to cross a particular piece of land, a right of way is created by immemorial usage, which supposes a grant.

By the Prescription Act 1932 Section 2, it is enacted that no claim by custom, prescription or grant to any way or other easement which has been enjoyed twenty years without interruption shall be defeated by showing the commencement of the right within the time of legal memory; and where the right shall have existed forty years it shall be absolute and indefensible, unless it appears to have been enjoyed by express agreement for that purpose by deed or writing.

The right, in case of a dispute by legal action, must be proved by user down to the time of the commencement of the action, and, therefore, if there is no proof of user for the last four or five years, this is sufficient.

By the Rights of Way Act, 1932, Section 1 public use of a way as of right, and without interruption for twenty years is conclusive that the way is a public highway unless it is of such a character that use by the public could not give rise at common law to any prescription of dedication, or unless there is evidence that there was no intention to dedicate the way.

A quasi-private right of way may also be granted by special permission, as when the owner of land grants to another a liberty of passing over his grounds to go to church, market, or the like, in which case the grant is particular and confined to the grantee alone. The grantee cannot assign, and the right dies with him.

The obstruction of a right of way is a disturbance, and a disturbance happens when one who has a right of way over another's land, by grant or prescription, is obstructed by enclosures or other obstacles by which means he cannot enjoy the right of way, or not as fully as he was accustomed to. The remedy is usually by an action for damages. A right of way is often contested by an action for trespass.

From what has been said earlier, it will be clear that an owner of land may sue a person claiming a right of way, for trespass, and should succeed if on his claim it can be established notwithstanding the existence of a right formerly that there is evidence of non-user for four or five years before the commencement of the action and such non-user had continued down to the time of the commencement of the action.

If a right of way has been acquired it can only be extinguished by non-user for such a period as mentioned above, but it would seem that such extinguishment can only be determined by legal action in the Courts.

Assuming that no right of way has as yet been acquired the owner can protect himself against any acquisition of a right of way by denying access to, or passage through, his land, from time to time, by the erection of barriers from time to time. Denial once or twice a year would be sufficient. He can also, of course, publish notices prohibiting the use of the land by persons wishing to cross it.

The Chairman,
Sheepowners Association,
STANLEY.

If, however, /.....

Kw153

Page two

If, however, a right of way has been acquired in accordance with law and the right has not been extinguished at the time of action being brought, as abovementioned, then there appears to be no way in which a right of way can be denied to users of the way.

Our Legal Secretary says he knows of no legislation which has been enacted to extinguish rights of way lawfully acquired and I do not think the Legislature could enact a law to this effect.

Any rights acquired can only be lost by non-user for the period and in the circumstances I have mentioned, and then, it would seem, only at the suit of the owner of the land over which the right exists.

Such owner might also, of course I think advance a defence of non-user, if a person claiming damages for disturbance against an owner, brings an action against the owner.

I hope you may find this of some use to you, although I am afraid there is small consolation for owners of land over which a right of way has been acquired.

Under the circumstances I do not propose to draft legislation which would not, and obviously could not, be upheld and advise that your members should from time to time publish notices forbidding entry to their land. A one day closure in every year would appear to be quite sufficient.

Yours faithfully,

W. H. THOMPSON

IM

COLONIAL SECRETARY

Kw 153.

5th January, 1966.

Dear Sir Ragnar,

152 Thank you very much for your very helpful letter on rights of way. We now understand very much more than we did and I am sure I can confound our local critics!

Thank you also for the Prisons Ordinance. With a prison the size of ours, and a prison force the size it is, the vast amount of paperwork involved looks very stupid but the dear old Colonial Office insist we do everything the very proper way. No doubt right: but in a territory of this magnitude rather hard to explain sometimes.

However home leave in the United Kingdom this year and I look forward to meeting you.

(W.H. THOMPSON)

Sir Ragnar Hynes,
11 High Street,
Lavenham,
near Sudbury,
NORFOLK

KIV 153

Spw.

Wright

157

153.

This seems to have got lost
Somewhere. Do we have what
is necessary & what would it
cost?

Happy early reply.

W

25/1.

C.S.

153

158

To enable me to cast
the job I would be
grateful if Mr Luxton
could either give the
span of the bridge or
the number of $9" \times 3"$ req^d

D. S. W.

25/26

27th January, 1966.

Dear Mr. Luxton,

Thank you for your letter of the 28th December 1965.

Would you please let me know the span of the bridge or the number of 9 x 3 timbers required. The Superintendent of Public Works will then price the job and I will ask the Standing Finance Committee for the money.

Thank you very much for being so helpful.

Yours faithfully,

COLONIAL SECRETARY

K.W. Luxton, Esq., J.P.,
CHARTRES.

IM.

BH 16 2 66

Reply
160

160

CHARTRES SHEEP FARMING CO. LTD.,
CHARTRES
FALKLAND ISLANDS

1st February 1966

Dear Mr Thompson,

157 Thank you for your letter of 27th January, 1966

The number of 9" x 3" x 12' timbers required would be 32. Approximately 400 spiked # 5" or 6" would also be required.

Yours faithfully

CHARTRES SHEEP FARMING CO. LTD.

H. Lester

MANAGER

W1
↓ Wk

Estimated cost £150

Spw.

See above & 158.
frankie for price (no other action required yet).

cf
32 no 9" x 3" x 12' @ 1/2 - 16-5 £90. 5. 4

400 no spikes @ 11" lb. £ 1. 13. 4

(5 spike pulls)

£91. 18. 8

+ departmental exp £50

£141. 18. 8

H. Lester 9/2/66

8h

18th February, 1966.

Dear Mr. Luxton,

Thank you for your letter of the 1st February giving me details of the timber and spikes forwarded for the repair of the bridge between Chartres and Port Howard.

I will put your request before the Standing Finance Committee at its next meeting.

Yours faithfully,

W. H. THOMPSON

COLONIAL SECRETARY

K. Luxton, Esq., J.P.,
CHARTRES.

IM:

A.C.T.,

Camp Tracks Grants

Please see folios 153, 159 and 160 on this file. Please put up to the S.F.C. for approval at the next meeting.

A summary of the cost is

Timbers	£90.	5.	4.	
Spikes	1.	13.	4.	
Departmental expenses	50.	-.	-.	
Transport	20.	-.	-.	
	<hr/>			
Total	£162.	-.	-.	approximately
	<hr/>			

W.I.

C.S.

*A.C.T.,
noted for the next meeting of S.F.C.*

*ad
15/3/52*

*W.I.
10/3*

la

EXTRACT FROM MINUTES OF MEETING OF STANDING FINANCE COMMITTEE HELD

ON FRIDAY THE 13th OF MAY 1966

W.I.
/ MS

4. The Committee noted the undermentioned actual expenditure during the current year from the Camp Tracks vote (Item 9 under 'A' Development Expenditure) :-

<u>Chartres Bridge</u>	587.	14.	11.
<u>Fitzroy/Darwin Track Bridges</u>	37.	-.	-.
<u>Murrell Bridge, Stanley/Teal Inlet Track. Payment to Mr. E. Barnes.</u>	120.	-.	-.
	<u>£744.</u>	<u>14.</u>	<u>11.</u>

5. A sum of £162 was allocated from the Camp Tracks vote for expenditure on a bridge for the track between Chartres and Port Howard.

10th May,

66.

Dear Mr. Luxton,

160

The Standing Finance Committee has granted money for the Chartres/Port Howard track bridge. Your last letter on the subject was dated the 1st February 1966.

By copy of this letter the Superintendent of Public Works is asked to send you

32 x 9" x 3" x 12' timbers
100 5" or 6" spikes

Up to £20 will be paid to you on completion to cover erection and local transport.

Yours faithfully,

(Sgd.) W. H. THOMPSON

COLONIAL SECRETARY

W. H. Luxton, Esq.,
CHARTRES.

Copies to: SPW
ACT (See file folio 160 for details)

ad
18/5/66

TH.

80
/

CLOSED SEE
VOLUME II

10-2-67.

57