

Copy of Commission

William Rowland Pyne Esquire.

Whereas Her Majesty did by Her Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the twenty third day of June, in the year of Our Lord One thousand, eight hundred and forty three, and in the seventh year of Her Reign, Authorise the Governor of the Falkland Islands for the time being, to summon and appoint such persons as are therein, and in Her Majestys Instructions, described, to form an Executive Council; and by Her Instructions, did Authorise the Governor, to nominate any person within the said Falkland Islands to fill any Vacancy, caused by the absence from the said Islands, of Any Member of the said Council; Now therefore I the said Governor, do hereby in Her Majestys Name, in pursuance and exercise of the Power aforesaid, constitute, and Appoint you William Rowland Pyne Esquire, to be a Member of the Executive Council in place of James Robert Longdon Esquire, thereby superseding the Reverend Charles Bull temporarly selected to act as a Member of Executive Council, since the departure of the said James Robert Longdon Esquire, late a Member of the said Council

Given under my hand and sealed
with the Seal of the Colony of the
Falkland Islands at Government
House Stanley, this Twenty fourth
day of January, One thousand, eight
hundred and sixty three

J. G. Mackenzie
Govt

Copy of Commission

The Reverend Charles Bull. M.A.

Whereas Her Majesty, did by Her Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the twentythird day of June, in the year of our Lord, one thousand eight hundred and forty three and in the seventh year of Her Reign, authorise the Governor of the Falkland Islands, for the time being to summon, and appoint such persons, as are therein and in Her Majestys Instructions, described to form an Executive Council, and by Her Instructions, dated the eighth day of October, one thousand eight hundred and sixty two, did authorise me to nominate, any person, within the said Falkland Islands, to fill any Vacancy caused by the absence from the said Islands of any Member of the said Council, & now the said Governor, do hereby in Her Majestys Name, in pursuance of the power aforesaid, constitute and appoint you the Reverend Charles Bull. M.A Colonial Chaplain, to be a Member of the Executive Council, temporarily in the place of Edward Wallace Goodlack Esquire, a Member of the said Council, now absent from the Colony.

Given under my hand, and
Sealed with the Seal of the
Colony, of the Falkland Islands
at Government House, Stanley
the fourth day of February 1863.

J.G. Mackenzie
Govt.

Oath

I William Rowland Pyne Esquire do swear
 that I will in the place and Office of Member
 of the Executive Council of the Falkland Islands
 well and faithfully serve and assist the Governor
 of the said Islands for the time being with
 my best advice and that I will keep secret
 the secret debates of the said Council.

To help me God;

SD,

William Rowland Pyne
Colonial Secretary

January 19th 1863
 Council Chamber
 Falkland Islands.

Copy.

Executive Council

Thursday February 19th 1863

Present H. E. Governor Mackenzie
 Henry Hamblin Esq^r
 The Rev^d Charles. Bull. Acting
 William R. Pyne Esq^r

The Council met pursuant to summons.

The Minutes of the preceding Meeting were read and Conformed.

His Excellency then addressed the Council as follows
 "Gentlemen: I have called you together to day, for the first time, since my arrival, to request the favour of your opinions as to the expediency or otherwise of maintaining unaltered the Proclamations of the 4th and 5th of April 1861 controlling the tenure of the waste lands of the Crown in this Colony and regulating the disposal of the wild cattle therein. I appeal with greater confidence to your assistance because the Proclamations were framed in this Council and I feel certain, that great care was exercised in dictating the policy which led to their adoption. —

"The great opposition which these Regulations have met from the Falkland Islands Company and the important interests which they involve, must be my explanation for asking you to reconsider a subject which has already met the unanimous approval of this assembly. —

"The only two points to which I would particularly request your attention are whether the Community at large is benefitted by a strict adherence to the existing Regulations or not? and secondly whether the important interests of the Falkland Islands Company are in any way interfered with, or whether any serious damage is done to their undertaking as would lead you to suggest any alterations in the Proclamations. — I think it well to tell you that I have given the subject very careful attention, since my arrival in the Colony, and I am very strongly impressed with the policy of adhering to them, as they stand, and my conviction of the

"beneficial results which must follow from this cause, to the
"whole Colony is materially strengthened by the fact, that
within the last three weeks I have received no less than th
"Applications to occupy land, which I will lay before you
"together with despatches on this subject which I have rec'd
from His Grace the Secretary of State for the Colonies.—

"Should you agree with me in these views I will then
"solicit your opinion on one obstacle which will have to
"met with in consequence of confirming the existing Regula
"I may add that with the view of ascertaining the opinions
"of individuals unconnected with the Government on this
"important question I had conversations with Mr Lane the
"Agent of the Falkland Islands Company, and with Captain
"Packe two of the most intelligent and wealthy land owners
"in the Colony, but I am sorry to say their arguments
"partook so exclusive of self interest that I feel it is no
"possible to admit their views into this discussion; as

"Our object is on one hand to legislate for the whole Commu
"at large, while on the other we are bound to protect the intere
"of the Government in respect of the future development of the
"Colony, as doubtless when these Islands become more
"extensively understood to be valuable for sheep farming

"Applications for renting stations will greatly increase.

"This also makes it desirable that the Proclamation shoul
"Apply with equal power to every Island — and on this
"understanding I am happy to inform you two of the applica
"tions referred to me by me have been already framed — and
"it is beyond contradiction that if exceptional indulgence
"are admitted in any case the door to complaint from
"those not so benefitted will be open and the value of the
"Proclamations destroyed; Again while on this point I beg
"to remark that in any respect to any law which is enacted
"every one is bound to weigh the conditions of that law —
"before making any application under it, and therefore it is
"their affair to consider the profitable working of the scheme
"in which they desire to engage before carrying it into effect;
"and the Government is not in my opinion called upon to frame
"measures which will suit particular or individual views.
"I have now expressed my ideas on this important matter as
"clearly as I can, but without any desire to bias in any
"way your opinions which I cannot but rest satisfied

"will emanate solely from a desire to benefit the whole
Community now resident or who may hereafter become re-
sident in the Falkland Islands."

Mr. Pyne requested His Excellency to allow the Proclamations
in question to be read to the Council, Clause by Clause

(Read Accordingly)

*Proclamation 4th April
Proclamation 5th April*

His Excellency directed the Clerk to read the following
despatches from the Secretary of State on the subject
of Land & Cattle Regulations

No. 131, dated June 24th 1862 with its
enclosure

No. 132 dated June 24th 1862 with its
enclosure

No. 1. dated September 24th 1862 with
its enclosure

After a lengthy discussion on the subject the Council
the Council unanimously recommended His Excellency
to adhere to the Proclamation of 4th and 5th April 1861
as they now stand, and stated that they were unable to
advise any alterations.

His Excellency expressed his gratification that the
opinions of the Members accorded so well with his
own views on the subject.

It was decided that the Regulations now in force should
be confirmed and adhered to

His Excellency then invited the opinions of the Council
as to the steps they would recommend to be taken in
the case of the Falkland Islands Company in
respect of the seven districts at Choisuel Sound
occupied by them under a Proclamation dated 2nd
July 1847 and stated as follows;

The Company did not lease these lands from the Crown
but were allowed to depasture their stock upon them
at a very low annual payment to the Crown, subject
always to be called upon to relinquish them by the
Promulgation

" promulgation of any regulations establishing a fixed
 " mode of tenure of land in the Colony. - all rights
 " enjoyed under this Proclamation fell through on the 5th
 " of April 1862 since which time the Company have been
 " allowed to remain in occupation on sufferance until
 " the question was finally decided. -
 " The Proclamation of 1862 makes it compulsory on the
 " Crown to resume possession of these lands, but as
 " I am informed that the Company have built upon
 " them, some three or ^{four} small houses, for the occupation
 " of their Shepherds and as I am unwilling to do any
 " thing which might bear even the appearance of
 " harshness towards the Company, I wish to consult
 " you as to the steps to be taken in calling upon
 " them to surrender these lands."

Mr Pyne Said that a perusal of the Proclamation
 " of 2nd July 1847 would show plainly that no permanent
 " rights could have been created under it, all its
 " conditions were avowedly temporary and for that reason
 " only a nominal rental was exacted: and recommended
 " that the Proclamation should be read to the Council

(Read Accordingly)

~~Mr Bull said that it had~~

Mr Bull Said that it had been offered to the Company
 to exchange their lands at Salvador for the lands at
 Choiseul Sound and recommended that the offer
 should be repeated

Mr Pyne Said " That this exchange had been twice
 " Offered to the Company, and twice refused by them.
 " that the Company's Agent had only very recently stated
 " his objection to effect this arrangement except on terms
 " which could not be entertained. Among other propositions
 " he required ^{that} the Government should give him two acres
 " for one throughout: - but I would suggest if the offer
 " is made again that it would be well to allow Mr Lane
 " their Agent the option of exchanging the two districts
 " Nos^o 17 & 18 at Mount Pleasant and Island Harbour
 " with the four districts c^o Nos^o 9. 10. 11. & 12. at Port

Salvador

"Salvador, as these six districts together comprising
 "56,000 acres of leasehold land (and among that 960
 "acres of freehold) would amount to very near the extent
 "of land which the Government could offer in exchange
 "on the North Shore of Choiseul Sound; as it had
 "already been decided to reserve as a Township
 "The peninsula formed by Swan Islet to the
 "head of West Cove. Mare Harbour, at the expiration
 "of the existing tenancy." |||

His Excellency said that he was anxious to treat the Company with all the leniency, justice to others would allow, but he was anxious at the same time, to avoid all unnecessary delay in deciding the important matter in hand and it occurred to him that if Mr. Bull's suggestion were acted upon, delay might arise by the Company's Agent desiring time to communicate with his employers in England before deciding; His Excellency therefore thought that it would be better to resume possession of the lands at Choiseul Sound, and to compensate the Company for their buildings &c by sending the Surveyor General to report their value, and paying them for them, or else to allow them a certain time within which to remove all they wished to remove.

Mr. Payne said that it had been decided to adhere to the Proclamations of 1861. His Excellency's proposition seemed the best course to adopt, as it was in strict conformity with the original Proclamation, under which the Company held the lands, and they could not complain if they were allowed time to remove their buildings, or else repay the expenses they incurred in erecting them. - The expense involved in this course would not in all probability exceed £ 250 which would be eventually repaid to the Government by any future occupier of the land who would of course purchase the houses upon it.

Mr Hamblin approved this arrangement as the only practicable one open to the Government. —

It was agreed that Mr Bailey the Surveyor General should be called upon to report to the Governor the value of the buildings on the Choisuel Sound Districts.

X His Excellency then laid before the Council three applications for the occupations of land.

1. From Mr Charles Phillips for a station on Weddell Island
2. From Mr John Phillips for a station on Saunders Island
3. From Captain Packe for the occupation of a considerable portion of the West Falkland Island

X The Council advised that the two first should be granted under the existing Regulations, but that Captain Packe should be informed, that he must comply with all the conditions of the Proclamation 4th April 1861, as to stocking and occupying the districts, he holds under the Proclamation of 31st July 1849, before his application could be entertained

|| His Excellency then thanked the members for the attention they had given the subject, and adjourned the Council until the following Monday, in order to confirm these Minutes before transmitting them Home

Council Chamber

Stanley Falkland Islands

February 19th 1863

Executive Council

Monday, February 23rd 1863.

Present; H. R. Governor Mackenzie
H. J. Hamblin Esq^r.
The Rev^c C. Bull.
W. R. Pyne Esq^r.

The Council met pursuant to adjournment.
The Minutes of the last preceding meeting
were read and confirmed, for which object
the Council was assembled.

H. R. the Governor adjourned the Council sine die

W. R. Pyne
Temp^r; ac^s as Clerk to the Council

Copy of Commission.

Edward Rogers Griffiths.

Whereas Her Majesty did by Her Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the twenty-third day of June in the year of Our Lord One thousand eight hundred and forty-three, and in the seventh year of Her Reign authorize the Governor of the Falkland Islands for the time being to summon and appoint such persons as are therein and in Her Majestys Instructions described to form an Executive Council; and by Her Instructions did authorize the Governor to nominate any persons within the said Falkland Islands to fill any vacancy caused by the absence from the said Islands of any Member of the said Council; Now I the said Governor do hereby in Her Majestys Name, in pursuance and exercise of the Power aforesaid constitute and appoint you, Edward Rogers Griffiths Esquire to be a Member of the Executive Council, in place of Edward Wallace Goodlack Esquire, late a member of the said Council.

Given under my hand and
Sealed with the seal of the
Colony at Government House
Stanley, this second day of
October, One thousand eight
hundred and sixty-three.

P. J. MacKenzie
Govt.

297 Oath of Member of the Council
I Edward Rogers Griffiths Esquire do swear
that I will in the place and Office of Member
of the Executive Council of the Falkland Islands
well and faithfully serve and assist the Governor
of the said Islands for the time being with my
best advice, and that I will keep secret the secret
debates of the said Council.

So help me God.

I Edward Rogers Griffiths Esquire do sincerely
promise and swear that I will bear true allegiance
and be faithful to Her Majesty Queen Victoria
So help me God.

Oath of Clerk of the Council

I Henry Byng do swear that as Clerk to the
Executive Council I will keep secret the secret
debates of the said Council and faithfully enter
all proceedings, deliberations, acts, votes, and
resolutions, of the said Council, according to
such directions as I shall receive from the
said Council.

So help me God.