

# Executive Council

13<sup>th</sup> February 1889

Present

H. S. Governor Kerr C M G  
The Honble The Colonial Secretary  
The Honble The Colonial Surgeon  
The Honble Revd The Colonial Chaplain

The minutes of the last meeting held on the 21<sup>st</sup> January 1889 were read and confirmed.

H. S. — said the first matter he had to bring before the Council was a letter from the President of the Board of Health stating that there was no Clerk appointed to take the minutes of the meeting. No authority was given to him by the Health Ordinance to appoint a clerk to the Board but he was willing to bring the matter of clerical assistance in taking of minutes before the Legislative Council and would recommend the payment of 10/- for each meeting to be paid to the person employed for that purpose on a certificate being forwarded stating that the duty had been performed.

He thought it would be better for the Board of Health to select a suitable person for the purpose.

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The next subject H. S. — said was a letter from the Colonial Chaplain relative to the bad state of the fence round the cemetery at Port Louis.

The Governor said he would enquire what would be the cost of erecting a wire fence and submit the information at the next meeting.

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The next matter was an application from Revd G. H Harris Baptist minister asking for instructions as to what course to pursue to have the Baptist Service-Room recognised in Stanley.

H. S. — said Mr Harris' Service Room had already been Gazetted as a Baptist Place of Worship and

and he had brought the matter before the Council in compliance with the provisions of Ordinance No 3 of 1881.

The council confirmed the action of the Governor.

The next matter A - S — had to bring before the Council was a vote for a new Pilot Boat — the vote of last year having lapsed — The Governor suggested the sum of £400 and the Council agreed in the expediency of the vote being brought before the Legislative council on Monday next.

A - S — had been instructed by the Secretary of State also said he intended to propose a vote of £200 in aid of the new church to the Legislative Council at their next meeting

A - S then said the next subject he had to bring to the notice of the council was "the customs amendment Ordinance" — this ordinance was only ready yesterday and was sent to the members at once. This ordinance he would introduce in the Legislative Council at their meeting on Monday next: - it had been amended according to the instructions of the Secretary of State which he had communicated to the Council at the last meeting.

The Colonial Chaplain wished to make some remarks on this ordinance and asked to be allowed to read the following statement which he wished embodied in the minutes.

1 That the proposed ordinance No 2 of 1889 cannot in my opinion be carried out unless Custom-house Officers are appointed at every Port and on every Island

2 That sections 2. 3 & 4 will cause much serious delay to vessels both Steamers as well as Sailing vessels

(a) That in winter during severe weather and at any time of the year after much rain, the streams being swollen travelling is impossible (b) That if, as your Excellency has intimated, The West Falkland Assistant Colonial Surgeon

be appointed officer of customs the inconvenience will be much enhanced: as the Doctor may at any time be called to an outlying Island and delayed there for days

days or even weeks by head winds or the state of the patient.

3. That section 5 will hinder all sealers Whalers and passing vessels from calling at these Islands.

4. That the exporters of Sheep, cattle, and horses are even now at much expense and loss; and if vexatious regulations and charges are imposed the export of Sheep &c will be extinguished at great loss to the Islands.

5. That Sections 36 37. + 38 of Ordinance No 10 of 1882 have hitherto worked with little if any loss to the revenue especially since the officers on board the "Malvinas" and others were prosecuted for smuggling.

The only inconvenience being some delay in receiving the return from the Justices in the Camp: this however will likely cease as these sections of the ordinance are being better understood and communication between the Islands is far more regular than formerly.

6. That as most of the sheep farmers are Justices and are honourable men they should be trusted to guard against smuggling at their respective stations.

The number of Justices in the Camp might be increased.

7. That if Your Excellency considers the Customs ordinance needs amending as regards Customs Regulation in the Camp there being as far as I ever saw or heard no suspicion in recent years of smuggling at least to any extent."

The Governor observed that the statement was for the most part erroneous and that all the objections raised had been fully considered.

A-G then said he also intended to bring before the Legislative Council at the meeting on Monday the cemetery ordinance (No 6 of 1888) which had been amended as directed by the Secretary of State and also the merchandize marks ordinance.

A-G then said he had received a despatch from the Secretary of State enclosing a letter from the

Rev'd

X Mr Foran surrendering the Deed of Lots 38 - 39 near  
the cemetery which had been irregularly granted as a  
Roman Catholic cemetery and he had brought the matter  
before the Council to consider the upset price to put on  
each of these lots, should they be put up for Sale.  
He thought himself £60 would be a fair upset price.

### The Council agreed

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The Council was then adjourned Sine die

Read and confirmed  
This 15<sup>th</sup> day of April  
1889

Wm.  
Governor

Henry B. Lamson  
Clerk to the Councils

Executive Council  
15<sup>th</sup> April 1889

Present.

H. S. Governor Kerr C.M.G.  
Honble the Colonial Secretary  
" " Colonial Surgeon  
" " Revd. colonial Chaplain

The minutes of the last meeting held on the  
13<sup>th</sup> February 1889 were read and confirmed.

H. S. brought before the Council the annual account of the Colony of the Falkland Islands for the year 1888 and said it had been the custom to lay it before the council after it had passed the audit at home, but he had thought it better to bring it forward as soon as possible after it had been completed, and that any alteration by the auditor - which was unlikely - could be dealt with hereafter -wards. He informed them he intended to lay the account before the Legislative Council to-day with a view to its publication.

The Council was then adjourned sine die

Read and confirmed  
this 8<sup>th</sup> day of May 1889

Kerr  
Governor

Henry B. Jameson  
Clerk to the Council

The Parsonage  
May 4. 1889

Your Excellency

In reference to the proposed  
Ordinance N° 6 of 1889 to abolish the Office of  
Coroner; I do not think that there is any need  
for the Ordinance, and the proposed change  
would throw a most onerous responsibility  
on the Police Magistrate or Justices of the  
Peace, as the case may be.

I therefore most respectfully but strongly  
oppose the abolition of the Coroner's Court.

I have the honour to be,  
Siz.

your obedient servant  
Lowther E. Brandon  
Colonial Chaplain

His Excellency  
Governor Genl. G. M. S.



# Executive Council

8<sup>th</sup> May 1889

Present -

H. L. Governor Kerr C M G  
 The Honble colonial Secretary  
 - " Colonial Surgeon  
 - " Revd Colonial Chaplain

The minutes of the last meeting held on the 15<sup>th</sup> April last were read and confirmed.

H-L said he had called this meeting of the Council for the purpose of submitting certain ordinances which he proposed to introduce at the next meeting of the Legislative Council - The first four of these ordinances he had prepared in accordance with the instructions he had received from the Secretary of State whose despatch on the subject of a qualification for Juries and the abolition of the office of Coroner he read. He stated that he had suggested in a despatch to the Secretary of State on the subject - to which that which had been read was a reply - that Coroners Juries might be taken from all persons indiscriminately with or without qualification, but it appeared that the Secretary of State was of opinion that inquiries as to causes of death might be made by the Police magistrate in Stanley and two Justices of the Peace in other places and in that opinion he concurred - He had received a letter from the Honble the Colonial Chaplain informing him that he should strongly oppose the ordinance for abolishing the office of Coroner and he pointed out that members of Executive council were appointed to assist and advise the Governor but certainly not to oppose him - with reference to which H-L quoted the Royal Instructions in respect of the Executive Council.

The Colonial Chaplain said that H-L had directed him when opposed to the passing of an ordinance to send to the Governor notice of his intention in writing. When he received the notice of the

Council

he wrote at once and if in the hurry he expressed himself improperly he begged to offer the fullest apology; and asked A.S. did he consider that the dispatch from the Secretary of State was an instruction to him to pass an ordinance on the subject of abolition of Coroners Inquests.

A.S. said he did so and it was his duty to lay the ordinance before the Legislative Council he would also write recommending that the fees of the coroner's court should continue as before.

The Colonial Chaplain said he did not think it judicious to abolish the Coroner's court.

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A.S. then went through the Jury Ordinance and in answer to the Colonial Chaplain said that men occupying houses in the camp as part payment of their wages would not be qualified to serve as jurors.

The Colonial Chaplain said it was a pity to disfranchise all the men in the camp who resided in houses of the annual value of £10.

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A.S. then went through Ordinances Nos 8, 9 & 10 of 1889 and said with regard to the Postal Ordinance it only referred to parcels as long as they remained in the Stanley post office - and with reference to the Tobacco Licensing ordinance he had never granted permissions to any person outside of the district of Stanley to sell Tobacco and that the persons selling Tobacco at present in Stanley were doing so illegally as section 1 of ordinance No 5 of 1878 referred only to the Spirit License ordinances in force at that date, whereas these ordinances were all repealed by the Spirit License ordinance of 1882.

The Council approved of the license fees being fixed at £2 for Stanley and £1.- elsewhere.

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H.S. then read an application from Mr W. K Cameron asking for a remission of duty on 20 lbs of Tobacco which he said had been stolen out of a case of Tobacco imported by him per S.S. Grandholm.

It was decided to grant this remission on Mr Cameron producing his invoices and evidence clearly showing that the Tobacco was lost before it left the vessel.

H.S. then read applications from Mrs Stewart and Mrs Ryan pointing out their destitute condition and applying for relief.

The Governor said that there was no provision in the law authorizing him to help them out of the Public Revenue and that no provision was made in the estimates for any such expenditure.

The Colonial Chaplain said these women had applied to him and he had tried to get private help which he could not procure until they had applied to the Government - he had advised them to do so and had intended to report on the subject and had not expected them to write so soon.

The Governor said that for all sums which he authorized the Treasurer to expend he must sign a voucher on which the authority for such expenditure must be stated otherwise it would be rejected by the auditor.

The only way in which the Government could render assistance to paupers would be by Legislation and the appointment of a Board to dispense relief - as however the cases of pauperism were so few, and the expense at present would not amount to more than forty or fifty pounds a year he thought it disgraceful that in a Colony where most of the inhabitants were well off private charity to so small an extent should be denied.

The Council <sup>was</sup> then adjourned sine die

Read and confirmed

this 23<sup>rd</sup> May 1889

Henry B. Jameson

Clerk to the Council

Kerr  
Governor

Executive Council  
23<sup>rd</sup> May 1889.

Present H. L. Governor Kerr C M G.  
The Honble The Colonial Secretary  
- - - The Colonial Surgeon  
- - - Revd The Colonial Chaplain

The Minutes of the meeting held on the 8<sup>th</sup> instant  
were read and confirmed

H. L. referred to the minutes of last meeting and said that the Colonial Chaplain had evidently misunderstood what he had said to him in conversation, on the subject of giving notice of his intention to oppose any measure proposed in Executive Council. What he had said to the Honble & Revd member was that if he desired to read a written paper in Council he should give previous notice of such intention and transmit a copy of such paper to the Governor.

H. L. then said he had called the council in consequence of the failure of the Kosmos Steamer "Karnak" to bring the English mail from Punta Arenas and to inform them that he had issued a notice for tenders for a fast schooner to go to Punta Arenas for the mail.

Mr Cobb on behalf of the Falkland Islands Company had offered the "Castalia" for the sum of £100 and Mr J. Hallett had offered the yawl "Louisa" for £65.

The council unanimously agreed with the Governor that the Falkland Islands Company should be offered £75 to do the service in one of their Schooners and in case of their refusal the yawl "Louisa" should be employed on the terms proposed.

The Council was then adjourned.

Copied to Date  
H. B. L. Dawson  
Clerk

Read and Confirmed  
This 2<sup>nd</sup> day of July 1889  
Henry B. L. Dawson  
Clerk to the Council

Kerr  
Governor

## Executive Council

2<sup>nd</sup> July 1889

Present.

Governor Kerr C M S

Honble The Colonial Secretary  
- The Colonial Surgeon  
- Revd The Colonial Chaplain

The minutes of the last meeting held on the 23<sup>rd</sup>  
May last were read and confirmed.

His Excellency said he had summoned the Council for the purpose of considering a supplementary appropriation ordinance for 1889 and the Estimates and appropriation ordinance for 1890 but would first read some correspondence with reference to the purchase of a new Pilot boat which the Crown Agents recommended should be a boat of from 30 to 40 tons register, which could be sailed out to the Colony and would not cost more than a smaller boat for which the Pacific Steamship Company would charge £250 to be left at Sandy Point.

The Legislative Council had already agreed to a vote of £700 for a Pilot Boat and he proposed to increase this vote to £800 and that the Government pilot should select the vessel and sail her out. The supplementary ordinance included an increase of Salaries Provisional & Temporary for the Assistant Collector of Customs and for the nurse, who had been appointed and might soon be expected; also an increase of Contingencies for additional type &c in the printing office and also under conveyance of Mails for the extra expense incurred last month.

Copies of the two ordinances and of the Estimates were handed to the members for their consideration and H - 8 — proposed that they should again be brought up and reconsidered on Thursday next at 12 noon to which date he would adjourn the meeting.

H - 8 — then said the Secretary of State had directed that the word "prosecutor" be substituted for the word "Informant" in Section 12

of

of the Merchandise Marks Ordinance and he proposed to have this done at the next meeting of the Legislative Council.

His Excellency then informed the Council that a letter had been received from Mr Cameron forwarding a certificate from the captain and supercargo of the "Grandholm" that the Tobacco (referred to in Council on the 8<sup>th</sup> May last) had been stolen before landing the goods from the ship. He would therefore order a refund to Mr Cameron of the duty viz £3.0.0 —

His Excellency then referred to a memorial received from the Colonial Chaplain asking that further provision should be made for educational purposes and for the working of the Government schools and stating that since Lord Derby had fixed the amount to be spent on the Schools at £200 per annum in 1883, the revenue as well as the population had largely increased.

The Governor pointed out that this was not the case as there had been no increase in the revenue since 1883 the surplus balance which had been accumulated had arisen from the sale of Crown Lands the proceeds of which could not be considered as actual revenue as it reduced one of the sources whence revenue was derived. There had actually been no Surplus revenue for the last 3 or 4 years and should extra expense be incurred for the schools it would be necessary to make provision for meeting it by extra taxation.

The Governor then adjourned the Council to Thursday 12 o'clock noon

Read & Confirmed  
this 4<sup>th</sup> July 1889

M Kerr  
Governor

Henry B L Jameson  
Clerk to the Council

## Executive Council

4<sup>th</sup> July 1889

Present

H. S. Governor Kerr C M G

The Honble The Colonial Secretary

- - - The Colonial Surgeon

- - - Revd The Colonial Chaplain

The minutes of the Council held on the 2<sup>nd</sup> instant read and confirmed

His Excellency asked the members if they had studied the estimates and ordinances since the last meeting.

The Colonial Surgeon remarked on the difference between the amounts on the Estimates for fuel for Reception Rooms at Government House and that down under the same head for other Public Buildings and asked why the £ 5 usually down for fuel for the dispensary was left out.

H. S. said the amounts set down for fuel under the head of Contingencies were what ~~was~~ always had been put down on the Estimates. The sum of £ 5 which had been struck out for fuel for the dispensary was superfluous as the Doctor received supplies of peat under another head of Expenditure viz - Works & Buildings. He also said he had been informed privately that the price of coal would probably be raised and suggested that it might be expedient in future to purchase a supply sufficient for three years and that the Crown Agents might charter a vessel for a moderate sum to bring out coal and other stores for the Government.

The Colonial Surgeon also asked why the estimate for Customs for 1890 was £ 600 more than the revenue received under that head for 1888.

H. S. said the amount was ~~taken~~ calculated by taking the average for three years immediately preceding the present year.

The estimates were then agreed to and it was decided to lay them before the Legislative Council on Saturday the 13<sup>th</sup> instant.

The

The Governor then said that the passage of the pilot home would come under the head of Transport. and he proposed to allow him £1 - per week during his stay in England for subsistence, it was not likely he would be long there.

H. - G. - then informed the Council that he had obtained leave of absence to proceed to England by the next mail, and he remarked that he had received some impertinent letters asking who he would appoint to administer the Government during his absence, Honourable members knew as well as himself that he had no power to appoint his successor, that being provided for by the Charter of the Colony or by special instructions from the Secretary of State which he might possibly receive next mail

The council was then adjourned sine die

Read and confirmed  
this 30<sup>th</sup> day of July 1889

W.M.  
Governor

Henry B. Lamson  
Clerk to the Council

## Executive Council

30<sup>th</sup> July 1889

Present

H. E. Governor Kerr C M G

Honble the Colonial Secretary

" " colonial surgeon

" " Read the Colonial Chaplain

The Minutes of the last meeting held on the 4<sup>th</sup> July instant were read and confirmed

H. E. said since the last meeting of Council he had received several letters from the Burial Board.

He was requested to recommend to the Secretary of State that the sum of £200 be devoted to the erection of a fence round a portion of the cemetery.

The portion it was proposed to enclose is not much more than a quarter of the whole cemetery.

He had pointed out to the Board that the whole of the cemetery might be securely fenced with a barbed wire ostrich fence for about a quarter of the sum which they proposed to expend on a portion of it; but they had replied that an ostrich or other wire fence was not suitable to the cemetery especially as it was the first object to attract the eye on entering the harbour.

He did not feel justified in recommending to the Secretary of State the expenditure of so large a sum as the Board proposed in order that the fence might be of an ornamental kind; But he was prepared to recommend a rate of £50 - which sum would, he believed be sufficient for the purpose of erecting a secure fence and if it was thought advisable to erect an ornamental fence of a costly nature.

He thought the necessary funds should be raised by private subscription.

The Board had also forwarded a copy of Rules and Byelaws as required by Section 31 of the Stanley Cemetery ordinance for the approval of the Governor in Council.

He had caused them to be printed for the use of Honourable

Honourable members in order that they might be duly considered and he recommended that they should be brought up at the next or some future meeting of Council before being finally dealt with, particularly as a request was made that the Governor should procure through the Crown Agents for the Colonies certain information on the subject which had only been received by the present mail and had not yet been forwarded to the Board.

The Governor then said that an application had been made for the repayment of £4 - deposited with Mr Collins for which the applicant produced Mr Collins receipt

The man was to blame for not producing this receipt and making his claim at the time when it was well known that Collins was prosecuted <sup>for</sup> fraud and he did not feel justified in sanctioning the payment without the concurrence of the Executive Council.

2 A second application had just come into ~~his~~ hands of the same nature which he was <sup>prepared</sup> to enter into without a report from the Treasurer

The Treasurer said there was no entry for this sum in the Cash Book

The Council unanimously decided that ~~both these~~ the colony was liable for both these amounts

H. S. then said it was his duty to remind the Council before he left the Colony that in December next, license would have to be granted for the Moody Valley and Peninsula suburban farms.

With regard to the Peninsula farm if no one outbid the ~~present~~ the present occupant on the premium for the license there would be no difficulty; but with regard to the Moody Valley <sup>farm</sup> the circumstances were different.

By an arrangement agreed to by Capt Packer, the lessor of the adjoining station, sanctioned by the Secretary of State the farm has been increased to double the original size and the reserved <sup>rent</sup> will have to be proportionally increased.

He had a plan prepared by the late Mr Bailey which was now in the Colonial Office in which all

1. Nicholas George  
2. Rafael Pauline

These changes were laid down. Mr Bailey also copied them to a ~~plan~~ map of his own a transcript of which he now left for their guidance and he had to refer them to the former minutes of the Board as well as to Lord Derby's despatch enclosing Captain Pack's letter.

They would see that the Secretary of State proposed that the rent of Moody Valley when increased in area should have the same rent as mullet creek farm which is £40 a year. The question would have to be dealt with next December.

A. L. New said that Mr J. G. Poppy the sexton had applied for 6 months leave of absence to leave by the mail steamer next month - if the leave was granted he would be entitled to half pay and an acting appointment would have to be made with half pay which he feared would be difficult seeing the pay was so small.

The Governor then said he had informed the Board at their last meeting he proposed to leave the colony by this mail steamer which he found was appointed to sail to-morrow. He had received no instructions by this mail from the Secretary of State as to the administration of the Government in his absence and until any instruction to the contrary was received the administration of the Government would devolve on the Colonial secretary whose name stood first ~~and~~ <sup>on</sup> the present Commission of the Peace.

His authority would cease as soon as the vessel in which he departed was three miles distant from the land and it was proper that as soon as possible afterwards the Executive Council should meet and the oath of office be administered to the administrator by the senior member of the Executive Council who in this case is the Colonial Surgeon.

In obedience to the circular of the 16<sup>th</sup> February 1887 it was his duty to decide what acting appointments should be made consequently on his departure that they might be formally recorded on the minutes of the Council.

Council.

as the Colonial Secretary will continue to perform the duties of his various offices during his temporary administration of the Government it would not necessary for him to direct any such acting appointments.

During his administration the Colonial Secretary would be entitled to be styled His Honor the Administrator, and a salute of 11 guns should be fired on his being sworn in.

His Excellency then said he had received by this mail a query from the Auditor General as to the authority for the payment of fees to the Colonial Surgeon as Health Officer - which with answer thereto he thought it his duty to inform the Board.

H. G. then laid before the Council the new school curriculum which he said could be dealt with a future meeting.

X The Governor then said there was only one other point which he thought it his duty to mention to the Council and it was one which was of a very painful nature.

He had been informed that at a recent meeting of the admirable association which had been formed in Stanley for the purpose of mutual improvement, on the subject of our population being alluded to - a remark was made concerning a vile and immoral publication the sale of which had been publicly prohibited under severe penalties and the Publishers prosecuted and punished.

As several members of the Board were interested in that society he deemed it his duty under Her Majesty's proclamation for the suppression of vice and immorality to call the attention of Honourable members to the circumstance and to call upon them to use their best endeavours to prevent the contamination of the working classes who ~~form~~<sup>formed</sup> the majority of the members, by such disgusting and degrading subjects.

Mr Brandon said he thought that if His Excellency  
 the Governor, <sup>had heard</sup> anything of an objectionable nature  
 had been referred to at the Social Club the straight  
 forward course would have been to have spoken to the  
 members of His Excellency's Council who were present at  
 the Social Club before referring to it in the Executive  
 Council. That the "Fruits of Philosophy" was  
 mentioned in a joke with reference to the presence  
 of the Doctor who passed the subject by with  
 an indirect answer "Oh I know nothing at  
 all about the matter" or words to that effect.

X

It was also decided that a notice of six  
 months be given calling upon all aliens who had  
 claims upon the Government for deposits made  
 when Mr Collins was Treasurer to send them in  
 within that period as after that <sup>period</sup> these claims could  
 not be recognised.

The Council was then adjourned sine die

Read and confirmed  
 the 31<sup>st</sup> day of July  
 1889

Henry B. Lameson  
 Clerk to the Council

S. Parker Brewster  
 Administrator

Executive Council  
31st July 1889

At the commencement of the proceedings  
the Honble S Pakenham Brooks was sworn in as  
Administrator of the Government in consequence of the  
departure on leave of absence of H. B. Governor  
Kerr.

Present      H. H. the Administrator  
The Honble The Colonial Surgeon  
"      & Read The Colonial Chaplain

The minutes of the last meeting held on the 30<sup>th</sup>  
instant were read and confirmed.

S. Pakenham Brooks  
Administrator

Read and confirmed  
this 13<sup>th</sup> day of August  
1889

Henry B L Jameson  
Clerk to the Council

## Executive Council

13<sup>th</sup> August 1889.

Present

His Honor the Administrator  
 The Honble The Colonial Surgeon  
 " " Revd The Colonial Chaplain

The Minutes of the last meeting held on the 3<sup>rd</sup> July  
 were read and confirmed.

The Administrator stated that he had summoned the Council together for the purpose of submitting to them a new time table for the senior school which required to be approved by the Governor in Executive Council under Section 5 of the school Regulations.

The Honble the Colonial Chaplain & School Inspector recommended its adoption which was unanimously carried.

The Colonial Chaplain stated that there was no provision in the Compulsory Education act to regulate the number of attendances at School, and some children instead of attending ten times a week only attended twice and he thought it very desirable that some regulation on the subject should be made.

His Honor said that if the Honble member would submit his views on the subject in writing the matter would be considered at a future meeting.

The next subject His Honor had to lay before the council was an application for six months leave of absence without salary from Mr J. G. Poppy Church sexton in which he recommended Mr Wm Hardy as a fit person to perform his duties during his absence.

His Honor asked the Colonial Chaplain if he approved of the proposed arrangement and the Hon<sup>ble</sup> member stated that he did.

The leave was accordingly granted.

The Council was then adjourned sine die.

Read & Confirmed

This 3<sup>rd</sup> September 1889

Henry B. Jameson

Clerk to the Council

J. Lakenham Brooks.  
 Administrator

## Executive Council

3rd September 1889

Present

His Honour the Administrator  
 The Honourable the Colonial Surgeon  
 Read the Colonial Chaplain

The Minutes of the last meeting held on the  
 13<sup>th</sup> August last were read and confirmed

The Administrator stated that he had summoned the council together for the purpose of submitting to them an ordinance to amend the Quarantine Ordinance which he had drafted in accordance with instructions received from the Right Honourable the Secretary of State and he read His Lordships despatches on the subject No 27 and No 35 of the 4<sup>th</sup> June and 17<sup>th</sup> July last.

The Hon<sup>ble</sup> the Colonial Chaplain suggested placing the word "necessary" after the word appear in section 1 and deleting it after the word "Council" where it now stood in the draft -

This was agreed to

His Honour then read Despatch No 36 from the Secretary of State directing certain verbal alterations to be made in Ordinance No 6 of 1889, which he stated he would submit to the Legislative Council on Wednesday week together with the Quarantine amendment ordinance

He also stated that when the latter ordinance was passed, he would issue an order under its provisions making it applicable to all ports in South America.

The Council was then adjourned sine die

Read & Confirmed  
 This 20<sup>th</sup> December 1889

S. Lakenham Brooks.  
 Administrator

Henry B. Jameson  
 Clerk to the Council

## Executive Council

20<sup>th</sup> December 1889

Present.

His Honour the Administrator

The Honourable the Colonial Surgeon

- - - &amp; Read the Colonial Chaplain

The Minutes of the last meeting held on the 3<sup>rd</sup> September last were read & confirmed.

His Honour said he had summoned the council to lay before them two amending ordinances which he had been directed by the Secretary of State to introduce before the Legislative Council 1<sup>st</sup> relating to Fraudulent Trade marks on merchandise (No 14 of 1889) and the 2<sup>nd</sup> No 15 of 1889 with reference to the Licensing ordinance of 1882 in so far as it regarded wholesale Licenses.

Despatches Nos 41 + 53 of the 6<sup>th</sup> September and 29<sup>th</sup> October <sup>relating to these amendments</sup> were then read from the Secretary of State.

His Honour then said that as the Public Works would be resumed at the beginning of next year, which for the last few months had been suspended through the vote under the head of Works & Buildings having been nearly exhausted, he had to submit to them the following urgent and necessary works which he purposed undertaking, together with estimates of the probable cost.

1. The fence round the Police Gardens in connection with the necessity of which he read a letter from the Colonial Surgeon together with one signed by all the members of the Police Department.

The cost of this fencing would amount to about £10.

2. The next was that of the drain running along in front of the Barracks past the Rose Hotel to Villiers street of which mention was made in the Sanitary report of the 8<sup>th</sup> December 1885 and complaint received from Mr Lillman, which he read, whose property adjoined the drain and became a perfect swamp at times through the water percolating through the northern side of the drain.

21<sup>st</sup> Octr 18896<sup>th</sup> Sept 1889

Side Guard Book

28<sup>th</sup> Sept 1889

Side Guard Book

It would be necessary in order to remedy these defects to incur an outlay of about £50 in addition to the cement required which is in the store.

The Colonial Chaplain asked what it was proposed to do with the drain.

The Administrator stated that it was proposed to break it up, relay the stones cement it and make it watertight.

The Colonial Chaplain suggested laying earthenware pipes along the drain and under the road.

His Honour said he would consider this and cause to be done whichever was best & cheapest; but he was not sure whether there were sufficient earthenware pipes in store.

The Colonial Surgeon asked was anything going to be done with the drain leading from the Barracks to the U.S. Consulate.

His Honour said this could be considered after the present works were completed.

The Administrator then said that the Chief Constable's Quarters in the dockyard required some very necessary repairs to make them habitable as would be seen by the letter he had received from him which he submitted to the Council. These repairs were estimated to cost about £50 and he likewise proposed having them undertaken.

The Council agreed as to the propriety of these works being executed.

The next matter His Honour had to bring before the council was the question of Moody Valley Farm.

It would be in their recollection that before Governor Kerr left the colony he called attention to the subject at the last meeting of the Executive Council over which he had presided.

In September 1883 Captain Packe agreed to certain boundaries being fixed with regard to his station and Moody Valley Farm which would have considerably <sup>increased</sup> the acreage of the latter.

Distance from Barracks to Killies  
Street about 220 yards Number of  
drain pipes required about 300.

The pipes should be 12 inch, there being  
a drain of 15 inch pipes leading into it  
which conducts the storm water from  
the hill above. Smaller pipes would  
probably get choked.

No of pipes in Store 20 Inch

None in the local Stores

Received from Mr Walker. E. Lakenheath  
town action Clerk  
21/12/89. Admin

3<sup>rd</sup> Deer

6<sup>th</sup> -

11<sup>th</sup> -

Vide Guard

Section

by the surrender of certain land by Captain Pache, and at a subsequent meeting of Council held on the 26<sup>th</sup> December 1883, at which Mr Mansel on behalf of Captain Pache was present, the boundaries of a mutual fence were agreed to, which fencing however did not appear to have been carried out. The Secretary of State's directions relative to the suburban farms were clearly laid down in Lord Carnarvon's despatch No 32 of the 25<sup>th</sup> Novr 1875 and in that communication it was stated that the licenses for their occupation were to be put up for auction every three years. The license for Moody Valley Farm by the auction notices appeared to have been advertised for sale in 1880 and 1883 but for some reason or other probably through an oversight this was not done in 1886 - and rent all along has been at £25 and no increased amount had been called for. With a view of carrying out Governor Kerr's directions at the last meeting of the Executive council at which he presided on the 30<sup>th</sup> July last, he had caused the license of Moody Valley Farm to be advertised for sale on the 23<sup>rd</sup> instant being the expiration of the three years from 1886. To this Mr Bender had written in protesting, saying that he wished to communicate home on the subject and asking that the sale might be deferred for the present.

<sup>1<sup>st</sup> Decr 1889</sup>  
He (His Honour) was willing to postpone the sale until the Secretary of State's decision on the matter was known and he had informed Bender accordingly.

He did not see himself how a license could now be issued to Bender as Captain Pache had not surrendered his leases for the deductions from his land to be made, and if Bender was called upon to pay an increased rent he would actually be paying for a portion of land for which already Captain Pache paid rent. He thought that the best way would be to let matters go on as they had been i.e. - that for Bender to continue as it were on a yearly tenancy of the farm until Captain Pache's leases fell in in 1893 when the boundaries accepted by him in his letter of the 25<sup>th</sup> September 1883 to the Colonial Office would be clearly defined - in the new lease issued to him - and a corresponding

deduction made from his rent for the land surrendered which would be added on to Bender's rent in consideration of his increased acreage; of course this would be subject to the secretary of state's decision when Bender wrote in.

The Colonial Chaplain asked what were Mr. Bender's reasons for asking for the postponement of the sale.

The Administrator in reply read Mr. Bender's letters.

The Council agreed on the action proposed to be taken by the administrator in the matter.

The Council was then adjourned sine die.

H. Parker Branks.

Administrator

Read & Conformed  
This 28<sup>th</sup> Day of December  
1869

Henry B. Jameson  
Clerk to the Council

Copied to Date  
Henry B. Jameson  
Clerk.

## Executive Council

28<sup>th</sup> December 1889

Present

His Honour the Administrator

The Honourable the Colonial Surgeon

and the Colonial Chaplain

The Minutes of the last meeting held on the 20<sup>th</sup> December instant were read and confirmed.

The Administrator stated that he had summoned the council together to consult them in reference to the Quarantine to be imposed on H M S "Swallow" which according to the report of the Health Officer (which he read) had arrived this morning from Rio de Janeiro via Montevideo having landed one man at Flores Island suffering from yellow fever and also a death having occurred on board on the 15<sup>th</sup> instant from the same disease. They therefore had according to section 15 of Ordinance 3 of 1875 to treat with the last case of sickness viz - that of the man who was landed at Flores Island with regard to which the law enacted that fourteen days Quarantine should be imposed.

The Colonial Surgeon stated that he could not be sure whether the man was landed at Flores Island on the 18<sup>th</sup> or 19<sup>th</sup> of the present month but that the death had occurred on the 15<sup>th</sup> of the Month and His Honour said that he would write and ascertain this from Captain Fortescue.

Dr Hamilton further said that yellow fever could not continue to exist in a cold climate like this.

The Colonial Chaplain asked what action was taken last year when the "Swallow" arrived here having had yellow fever on board on her passage down.

The Administrator read the minutes of Executive Council of the 26<sup>th</sup> December 1888 showing what steps had been taken in the matter.

It was then agreed that a similar course should be adopted in the present instance and that a detention in quarantine of 14 days from the date of the last case should be imposed which would release the vessel on the morning of the 1<sup>st</sup> or 2<sup>nd</sup> proceeding to be

be fixed on the Administrator hearing from Captain Fortescue as to the exact date when the man was landed on Flores Island.

The Council was then adjourned sine die

S. Pakenham Brooks.

Read and confirmed  
this 11<sup>th</sup> day of January  
1890

Henry B. Lanson  
Clerk to the Council

Was there any yellow fever at  
St. Croix Island where the Swallows  
men were embarked on board  
the Hammon.

Ans - Not when either crews of Swallow  
were there

On — the 8<sup>th</sup> inst —  
at the suggestion of our  
W<sup>m</sup> Russell at the  
A. A. Auction come under his  
name — the following



## Executive Council

11<sup>th</sup> January 1890

Present

His Honour the Administrator  
 The Hon. the Colonial Surgeon  
 & Read the Colonial Chaplain

The Minutes of the meeting held on the 28<sup>th</sup> December last were read and confirmed

The Administrator stated that he had summoned the Council together to consider whether any quarantine ought to be imposed on H.M.S "Flamingo" which vessel had arrived from Monte Video this morning having on board a man belonging to H.M.S "Swallow" who had been embarked at Flores Island twelve days convalescent from the effects of Yellow Fever and he read the Health officers report on the subject.

His Honour also pointed out that section 13 of the Quarantine ordinance required that the Health officer on his own responsibility should have ordered the "Flamingo" down to the Quarantine Ground pending the settlement as to whether any quarantine was to be undergone or not.

The Colonial Surgeon said that Scarlet fever, measles and small pox were infections sometime after convalescence but he did not think that there would be any danger of the kind from Yellow fever in such a climate as this.

The Colonial Chaplain suggested writing to the senior Naval Officer on the station pointing out where the Quarantine ground was situated in this harbour in order that men of war arriving here with suspicious cases on board might at once proceed there before receiving pratique.

After some discussion the question resolved itself as to whether Flores Island was a place where Yellow fever existed at the time of the Swallows men being embarked and H.M.S "Flamingo" was communicated with by Semaphore to ascertain this fact and a reply received "Not when either cases of the Swallow were there"

It was then unanimously decided that as no Yellow fever existed at the time of the "Swallow"<sup>men</sup>, being embarked on board the "Flamingo" on that vessel's departure from Flores Island and as she had a clean Bill of Health from Monte Video, that there was no necessity to impose any quarantine and that she be admitted to pratique at once.

The Administrator stated that he would take the opportunity of the Council being assembled together to point out to the Colonial Surgeon that he had been informed that a great deal of sickness prevailed at Sandy Point and many deaths had ensued in consequence.

He would therefore impress on Dr Hamilton the necessity of exercising the utmost vigilance and care on boarding the next mail steamer from Sandy Point.

The administrator further stated that <sup>as</sup> this was a special meeting of the council to consider the case of the "Flamingo" the Rules of the Burial Board would not be considered until the next meeting.

Merr  
Governor

Read and confirmed

This 10<sup>th</sup> March 1890

Henry B. Jameson  
Clerk to the Council

## Executive Council

10<sup>th</sup> March 1890

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

Honble The Colonial Secretary

Colonial Surgeon

Rev. Colonial Chaplain

The Minutes of the Council last meeting held on the 11<sup>th</sup> January last were read and confirmed.

H. S. said the first matter he had to lay before the Council was the rules and byelaws of the Burial Board which had been sent in for approval and asked if Honble members had read them through and if they were desirous of making any remarks or suggestions with regard to them.

The Colonial Chaplain said they were based on the same lines as the rules received from England.

The Governor said the rules did not appear to him to be complete, as no provision was contained in them as to the allotment of special localities for graves, to which Mr Brandon replied that the Board would have to learn by experience what was necessary afterwards.

The Governor then with the concurrence of the council approved of the rules.

H. S. then said there was a necessity for having proper moorings for the Pilot Boat as the efficiency of the vessel depended on her being able to run out to sea in as short a time as possible, at present she was lying with 45 fathoms of chain out and it took some time to weigh the anchor, but if proper moorings were laid down the Pilot would only have to slip the chain and run out. The safety of the vessel also required that she should be securely moored in stormy weather. He was informed that the usual price of new anchors and chains in Stanley was 40/- per cwt. and second hand ones for 30/- per

Vice-Admiral Book  
7th January 1890

but he was told that Mr Williams had a suitable anchor and chain which might be bought at the rate of 20/- and he doubted if they could be got cheaper from England particularly as the price of Iron had gone up.

The Council agreed in the propriety of incurring this expenditure.

H. S. then said with reference to the additional Teacher for the Government schools whose appointment had been sanctioned by the Secretary of State, he had noticed in the Log Book that the teacher so appointed did not attend the school regularly as required by the 19<sup>th</sup> rule of the school regulations but only for a few hours twice a week for the purpose of teaching sewing,

This was irregular as according to the rules all teachers should attend the school during school hours. He suggested that if the teacher who had been appointed could not comply with the rules a notice be put up advertising for some person willing to perform the duties of School Teacher and who would also be competent to teach sewing as part of the duty.

The School Inspector thought some one might be obtained as Assistant Teacher in the Infant School to teach sewing in the senior school on certain days in the week.

The Council agreed with the Governor that the School Inspector should be written to and informed that H. S. had no right to authorise payments contrary to the school rules and that School Teachers should attend the school during the whole of School hours.

The next matter H - 8 - brought before the Council was an application from the Schoolmaster objecting to the School Inspector examining the children in school as not being in the regulations and asking that the rule may

Log Book  
18<sup>th</sup> September 1889

may be amended.

It was decided to inform the Schoolmaster that the School Inspector was school examiner *ex officio* and that there was no necessity for altering the rules on that account.

H. B. then read a letter from the School Inspector to the Colonial Secretary stating that certain children were not attending school and enclosing the correspondence he had had on the subject.

H. B. said that it was the duty of the School Inspector on receipt of a report from the <sup>Master</sup> School Inspector of non-attendances to send a complaint to the Chief Constable and not to the Colonial Secretary as it was not the duty of the Executive to take action in the matter, he also stated that he had no power to compel private schools to send in fortnightly returns of attendances, but was glad to find from the School Inspector that such information had been willingly given by the Reverend Mr Diamond who kept the only important private school.

The Governor then said he had received an application from the Colonial Secretary for leave of absence but that as it was a matter which he had first to refer to the Secretary of State he would not submit it for their consideration until he received His Lordship's reply.

The Council was then adjourned sine die

Wm

Governor

Read & Conferred  
1<sup>st</sup> April 1890

Henry B Lameson  
Clerk to the Councils

file Guard Book  
18th February  
1890

H.B. 19

## Executive Council

1<sup>st</sup> April 1890

Present

H. S. Governor Kerr CMG

The Hon. Col. The Colonial Secretary

" " The Colonial Surgeon

" " Read The Colonial Chaplain

The minutes of the last Council held on the 10<sup>th</sup> March were read and confirmed.

H. S. said he had summoned the Council to lay before them the Annual account and financial statements of the Colony of the Falkland Islands for the year 1889 and he also laid on the table a printed abstract of the account and remarked that the actual amount in the Savings Bank up to date was £17665. 10. 11.

He pointed out that the actual balance to the credit of the colony was less than <sup>that</sup> at the end of 1888. This arose chiefly from the larger expenditure on Revenue Services for the purchase of a Pilot Boat and the falling off in Revenue. There was a deficiency of nearly four hundred pounds under the head of Customs alone on the receipt side. It would be found however when the dividends accruing on investments were taken into account that the Balance was larger than it appeared in the printed statement.

He then informed the Council that in consequence of a correspondence with the Secretary of State on the subject of a new jetty he had had plans prepared and estimates made by a competent engineer, while he was in England on leave of absence: but the amount was so high that he <sup>had</sup> taken no further action until he could ascertain whether the plan might be so modified as to be practicable, he had brought tracings of the plans with him which members could see at their convenience and he was about to have borings made to ascertain whether the bottom was suitable for the screw-piles of which the pier was proposed to be made.

Copies of the abstract of accounts were given to the Colonial Surgeon and the Colonial Chaplain.

The next matter H.-S. had to bring before the Council was an ordinance for the summary punishment of Witnesses committing perjury. This ordinance was framed pursuant to instructions from the Secretary of State and was a copy of an ordinance passed in Hong Kong of a very simple character only consisting of one clause and he intended to introduce it at the next meeting of the Legislative Council.

Mr Brandon asked if the ordinance referred to the Supreme Court only.

H.-S. said it referred to any court but that there was always a right of appeal from the inferior Courts to the Supreme Court.

H.-S. then said he also intended to introduce in the Legislative Council another ordinance to amend the ordinance relating to Juries and Jurors. This was necessary in consequence of the disallowance of the Coroners abolition ordinance.

Both ordinances were laid before the Council.

H.-S. then informed the Council that the Revd W. H. Philip Presbyterian minister at Darwin had resigned his appointment and that it would be necessary to appoint a Deputy Registrar for the Darwin District.

The Governor then read a letter from the British Vice Consul at Sandy Point relative to the two orphan children of Robert Pringle Mercer.

Mr Brandon said he was going to write by the next mail for the eldest of the two to be sent here to the relatives but he did not know of any plans with regard to the youngest child.

H.-S. then said that in consequence of the resignation of the Revd G. H. Harris he had appointed Mr George Turner to be a member of the Burial Board.

The Council was then adjourned sine die.

Read and confirmed

10 May 1890

S. Parker  
Clerk of the Council

Kerr  
Gurn

Executive Council  
10<sup>th</sup> May 1890

Present. H. S. Governor Kerr C M G  
Honble The Colonial Secretary  
" " Colonial Surgeon  
" Revd. Colonial Chaplain

The Minutes of the meeting held on the 1<sup>st</sup> April 1890 were read and confirmed.

In the absence of the Clerk to the Council the Minutes were taken by the Colonial Secretary.

The Governor informed the Council that he proposed to introduce the following ordinances at the meeting of the Legislative Council to be held this day viz. Ordinance No 3 of 1890 entitled "An Ordinance to provide for payment of expenses arising out of the trial under the Foreign Jurisdiction acts of British subjects, ~~or~~<sup>who are natives of</sup> or residents in the Colony of the Falkland Islands. and Ordinance No 4 of 1890. "An Ordinance to amend Ordinance No 2 of 1889 entitled an Ordinance to amend the Customs Consolidation Ordinance 1882." Copies of both these ordinances had been already sent to the members for their consideration. The first of them had been framed in accordance with directions contained in a circular despatch from the Secretary of State and was similar in every respect to an enactment passed in the Gambia.

The amendment to the Customs ordinance had been framed with a view of reducing the tonnage dues imposed on vessels entering elsewhere than at Stanley and in order that these dues might not weigh too heavily on certain large steamers which it was anticipated would call shortly at the West Falkland for frozen mutton.

Provision was also made for the Assistant Collector of Customs being empowered to depute a fit and proper person to receive the entry and clearance of any vessel during his unavoidable absence - and there was also provision for amending

the customs tariff by exempting Perfumed spirits Cologne water and Lemonade from duty and methylic spirits under certain conditions.

The Colonial surgeon asked as to the number of vessels that arrived at the West Falklands during the course of a year.

The Governor said it was impossible to say exactly as the number varied.

The Colonial Captain stated that he respectfully advised that all shipping calling at the Islands whether at Stanley or at other ports be charged the same dues as at present there are differential rates in favour of Stanley 2 That as there is now a Customs officer on the West Falkland who as Doctor is continually moving about from station to station, the sheep farmers most of whom are Justices of the Peace be allowed to enter and clear all shipping calling at their respective ports making the returns and paying the dues collected direct to the customs officer, as shipping master to the West Falklands and adjacent Islands is most seriously hampered by having to wait it may be days while the Doctor who may be at the extreme end of the Island is being hunted up and brought to the Port where the vessel is laying.

The Governor said that he did not agree with the Honble member that the entry and clearance of vessels by Justices of the Peace who were in most cases their own consignees had already been tried and had been found to be impossible. That every vessel coming to any harbour in the West Falkland must be expected beforehand; and that there could be no difficulty in informing the customs officer beforehand of such expected arrival, so that he or his deputy as was now proposed could be at hand to enter the vessel on her arrival at any particular place.

The Governor then stated he had been the subject of a vile and cowardly attack by a member of Parliament in the House of Commons on the 17<sup>th</sup> of

February

February last in which under the shelter of privilege of Parliament like an assassin firing at his victim from behind a hedge had imputed to him the odious crime of embezzling the Public money and of falsifying the accounts to conceal it he found this <sup>reported</sup> in an Irish newspaper the Belfast newsletter of the 18<sup>th</sup> February ~~of the 18<sup>th</sup> February~~ last and that he proposed to bring the matter before the Legislative Council which would follow this meeting where members might hear might hear the statement in full and obviate the necessity of repetition.

~~Mr Brandon said that he would not attend to hear the statement as proposed by His Excellency~~

The Council was then adjourned sine die.

Read and confirmed  
this 19<sup>th</sup> June 1890

Kerr  
Governor

Hawryl Jameson  
Clerk to the Council

Copied to date

## Executive Council

19<sup>th</sup> June 1890

Present.

H. S. Governor Kerr C M G.

The Honorable The Colonial Secretary

" " The Colonial Surgeon

" " Revd The Colonial Chaplain

The Minutes of the last meeting held on the 10<sup>th</sup> May last were read and confirmed.

H. S. informed the Council that he had summoned the meeting to lay before them a notice to be substituted for one issued on the 11<sup>th</sup> September 1889 relative to the Boarding by the Health Officer of vessels more than twenty (20) days at sea from South American ports (in accordance with instructions received from the Secretary of State).

He then read a draft of the notice proposed in which the Council concurred.

The next matter he had to lay before the Council was the amendment of Port Regulations No 4 relative to the boarding of ships by the public before they had anchored; he referred to the minute of H. S. Governor Barkly on the subject and said he had always opposed indiscriminate boarding before the Customs officer had sealed up and taken a list of the ship's stores but now he proposed to amend the rule as follows:

"No vessel entering the Port to be boarded except by the Pilot until she is at anchor and pratique has been given by the authorities except in the case of vessels which have been at sea more than twenty (20) days from their last port of departure in which case they may be boarded before coming to anchor after the Pilot has declared that there is no sickness on board, and after being visited by an officer of Customs"

The Council concurred in the amendment.

The Governor then informed the Council that Mr Brooks the Colonial Secretary had applied some months ago for 3 months vacation leave to be followed by 6 months leave of absence which had been referred to the Secretary of State who approved of the leave applied for being granted to Mr Brooks and had sent out Mr Sanguinetti an experienced officer as Mr Brooks' locum tenens.

The Secretary of State had directed that Mr Sanguinetti's name should be placed first on the Commission of the Peace on the assumption of his duties after Mr Brooks' departure by the next mail steamer in order that should occasion arise he might be able to administer the Government.

H. S. then stated he had received a despatch from the Secretary of State respecting the payment of percentage on Government House furniture by the Governor and he read Rule 284 Colonial Rules and Regulations on the subject.

The Governor said that Rule 284 like some of the other rules had never hitherto been applied to this Colony, neither his predecessors nor himself had paid any percentage on furniture and no valuation had been made on his assumption of the Government, but as the Secretary of State had intimated that it should be applied in future, it was necessary that appraisers of the value should be appointed. He proposed to appoint Mr J J Felton and Mr G Turner both of whom had experience as auctioneers to make a valuation of the furniture on which a percentage should be paid.

The Council concurred

The Governor then laid before the Council an application from Mr Hansen the lessee of Carcase and the Jason Islands for a seal license for the remaining portion of the open season (application from Mr Hansen read) at a lower rate than hitherto charged as as he had relinquished the former license in consequence of it being so high that he could not obtain any profit under it.

Mr Brandon thought £20 would be sufficient

Dr Hamilton said £25 was a fair charge as seal fishing was a lucrative business

Mr Brooks considered £25 a fair price & charge for the license: and the majority of the Council being in favour of it, it was decided to inform Mr Hansen that a license would be granted to him for £25 to be in force to the end of September 1890

The Council was then adjourned sine die.

Read and confirmed  
the 14<sup>th</sup> day of July  
1890

Henry  
Governor

Henry B. Jameson  
Clerk to the Council

Executive Council  
14<sup>th</sup> July 1890

Present. H. S. Governor Kerr C.M.G.  
Honbl The Colonial Secretary  
The Colonial Surgeon  
Rev'd The Colonial Chaplain

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

H. S. informed the Council that an application had been received from Mr Wm Stickney on behalf of Stickney Bros. for the refund of duty on one case of Brandy entered by them but which could not be found on board the ship.

The Governor referred to a previous case where an affidavit was procured from the master and officers of the ship stating the non landing of dutiable goods; no such affidavit was forthcoming in this case and he did not see how they could grant the refund.

The Council concurred

H. S. then stated he intended to introduce the following ordinances in the Legislative Council

1. No 5 of 1890 "An ordinance to make further provision for the Service of the Colony of the Falkland Islands for the year 1890"

2. No 6 of 1890 "An ordinance to provide for the Service of the Colony of the Falkland Islands for the year 1891" with the Estimates of Revenue and Expenditure, all of which had been sent to Honbl members for their consideration.

The only change in the Expenditure was a reduction in the Educational vote as to the amount set down for School materials of which there was a stock in hand of the value of £100 and in the amount set down as fees to be received by the

schoolmistress of the Infant school which had hitherto been set down at £36 a year although fixed by the Secretary of State at the time of her appointment at £20 a year.

The attendance at the Infant school had lately fallen off and the fees in consequence were so much decreased that during the first six months of this year the fees received only amounted to £15. 19. 0 whereas the schoolmistress had been paid £18. for which there was no authority: he had therefore in the Estimates for 1891 set down £20 the sum originally fixed by the Secretary of State, although it had been increased by the Governor to £36 in consequence of the representation of the Schoolmaster that she was capable of teaching 55 children, the fees from whom would have made up that amount.

Mr Brandon asked leave to put the following paper which he had prepared.

"I most respectfully advise that the Fees received "by the Schoolmistress should not be reduced from £36 "to £20"

1 Because Mrs Durose was authorized by H. S. to draw school fees to the amount of £36 per annum in a letter dated 4<sup>th</sup> June 1883

2 That the Schoolmistress has drawn this sum ever since id. est. for 7 years.

3 That the school fees of orphans and deserted children having been remitted by Ordinance No 5 of 1889 the amount received has been considerably reduced through no fault of the Schoolmistress.

4 That no official intimation has been made to the schoolmistress of the intended reduction she is therefore quite uncertain as to whether H. S. will propose it or not. In any case it will now be too late for her to represent her side of the question to the Right Hon'ble the Secretary of State for the Colonies as the period to receive petitions to go home by the next mail is passed.

I respectfully ask His Excellency to forward my advice with the Estimates for the information of

The Right Honourable the Secretary of State for the  
Colonies

The Council was then adjourned sine die.

Read and conformed  
this 11<sup>th</sup> day of September

1890

Henry Blamey  
clerk to the council

Merr  
Governor

Executive Council  
11<sup>th</sup> September 1890

Present      H. S. Thomas Kerr C M G. Governor  
                 The Honble The Acting Colonial Secretary  
                 "        The Colonial Surgeon

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

H. S. said he had summoned the Council to lay before them a proposition to reduce the postage to and from this Colony from 4<sup>d</sup> to 2<sup>d</sup> per half oz. He read the circular despatch from the Secretary of State on the subject and pointed out that letters were posted at a cheaper rate from the Continent and the Postmaster had told him this reduction would involve a loss of £83 a year to the local revenue.

The Council agreed with the Governor that it would be advisable to reduce the postage to 2<sup>d</sup> per 1/2 oz.

The acting Colonial Secretary suggested that a rate of postage should be charged on letters to and from the West Falklands.

H. S. said he had thought of Parcel post rates being established to the West Falkland and he would be very glad to consider the Parcel post and letter postage to the West Falkland if a scheme were elaborated and placed before him.

H. S. then called <sup>the</sup> attention of the Council to a letter from the Postmaster General respecting Insurance on Parcels and said there was an ordinance passed in 1889 to provide for loss or damage of Parcels in the post.

After some discussion H. S. said he would

would look up the correspondence on the subject of compensation for parcels and if he could do so without first communicating with the Secretary of State on the subject he would bring the matter before the Legislative Council with a view to legislation.

H. S. then read a letter from Mr Hennah Manager at Port Stephens applying for a licence to kill seal on Bird Island. This Island, H. S. said, was included in Port Stephens lease but was only a Tusac Island not available for pasture and only useful for sealing purposes.

It was decided that Mr Hennah be informed that the end of the open season being so near his request could not be considered but on his making application before the next open season commences it will be brought before the Council.

H. S. then said that in the School Time Table passed by the administrator on the 13<sup>th</sup> August last and in the one passed the preceding year provision had been made for Drawing Classes.

It would be in the remembrance of Dr Hamilton that he (The Governor) had stated Drawing might be useful to such persons as would have to earn their living as artisans; but since the last Time Table had been approved of Freehand Drawing had been introduced into the schools a subject unsuitable for an elementary school.

He read a letter from the Schoolmaster which he said was worthy of consideration but teaching in the Government Schools was

strictly confined to elementary subjects and the secretary of state had laid down that should pupils wish for a higher rate of education they must be prepared to pay for it.

H.-E. did not object to one hours drawing lesson a week but thought that children who wished to learn drawing should apply to the schoolmaster and learn out of hours.

This subject was then deferred for further consideration.

H.-E. then said he did not approve of the children being allowed out for 10 minutes at 11 o'clock. School hours were very short only 4½ hours a day 5 days out of the week.

After some discussion it was decided to inform Mr Durose that the 10 minutes at 11 o'clock is no longer allowed and that the children must stay in school until they are dismissed at 12 o'clock.

The Council was then adjourned sine die.

Read and confirmed  
this 20<sup>th</sup> day of October

1890

Henry B. Jameson  
Clerk to the Council

Merr  
Governor

Executive Council  
20<sup>th</sup> October 1890

Present. H. L. Thomas Kerr C M G. Governor  
Hornbl & Sheldon Sanguinetti Ag Col. Secy  
" Hamilton Colonial surgeon

A letter was read from the Honble & Read L & Brandon excusing himself on the ground that he had to attend a funeral

The Minutes of the last meeting held on the 11<sup>th</sup> September 1890 were read and confirmed.

H. L. informed the Council a difficulty had arisen as to the conveyance of the West Falkland mail for this month there being at present no vessel in the port to carry it.

Under these circumstances the Governor suggested the employment of the Government Pilot schooner "Hadassah".

The Council concurred

The Council was then adjourned sine die

Read and Conformed  
This 20<sup>th</sup> December 1890 *W. Kerr*  
Governor

*Henry B. Lamson*  
Clerk to the Council

## Executive Council

20th December 1890

Present.

A. S. Thos. Kerr Esquire C M G Governor  
 Honbl. F. Sheden Sanguinet Col<sup>t</sup> Secretary  
 - Hamilton Col<sup>t</sup> Surgeon  
 " Revd. L. P. Brandon Col<sup>t</sup> Chaplain

The Minutes of the last meeting held on the 20th October were read and confirmed.

A. S. informed the Council that he intended at the next meeting of the Legislative Council to introduce an ordinance to provide for taking a census of the Colony of the Falkland Islands on Sunday 5th April 1891 which is the day fixed for taking the census of Great Britain and of the Colonies.

The Governor said that some time ago he had been requested to forward an application from the Falkland Islands Company to the Secretary of State for the Colonies for the purchase of certain Crown lands which they held on lease and by the last mail he had received a despatch from the Secretary of State who had sanctioned the sale of the land in question at 3/- per acre, part of the purchase money to be paid at once and the remainder by instalments extending over a term of ten years.

Interest at 2½ per cent to be paid on the unpaid balances.

The Secretary of State had suggested that an ordinance should be passed to enable the land to be sold at less than the upset price of Country lands.

He therefore proposed to introduce an ordinance in the Legislative Council to provide for the sale of the land in question for the price agreed on.

At the request of the Colonial Chaplain the correspondence on the subject was read.

The Colonial Surgeon and Colonial Chaplain both said they thought 3/- an acre was too low and that if the Crown lands were sold they ought

ought to be sold at the price provided by the Land ordinance.

The Colonial Chaplain also said that he thought the Executive Council should have been consulted before the application was sent to the Secretary of State.

The Governor said that although he had not presumed to advise the Secretary of State as to the expediency of selling the Crown lands instead of continuing to lease them, he had expressed his opinion that in the case of entire stations being sold (including all the mountain ranges and other valueless land) three shillings an acre was a fair value and that the purchase money when invested at 2½ per cent would produce a larger revenue to the Colony than the rents at £20 a section and that the question of the Crown land had been fully debated and considered in 1882 when the Land Tax was laid.

H. S. — then read a letter from the Postmaster General relating to insurance of parcels in the Post and said he intended to introduce an ordinance on the subject at the next meeting of the Legislative Council.

The Governor then laid before the Council a proposal by the Falkland Island Company to land all Government goods from the steamers at the Dockyard jetty at a moderate charge.

It was decided to ask the Company to state the terms on which they were willing to do this, to be considered next meeting.

H. S. — then said he wished to bring to the notice of the Council the propriety of giving a shorter vacation at Christmas to the Government schools in consequence

of the long period during which they had been closed during the prevalence of the late epidemic.

The Rules sanctioned by the Council provided for three weeks vacation at Christmas but he had given notice that on this occasion only two weeks vacation would be given and that the schools would be reopened on the 5<sup>th</sup> of January next.

It had been intended to put a new floor on the Senior School during the Christmas vacation but as no carpenters could be had now in consequence of the work on board a disabled ship he thought that a weeks holiday might be given some time during the summer when carpenters might be available.

The Council concurred.

The Council was then adjourned sine die

Wm

Governor

Read and confirmed

this 27<sup>th</sup> day of December

1890

Henry B. Lameyer  
Clerk to the Council

Copied to date  
15 January 1891

## Executive Council

27<sup>th</sup> December 1890

Present H. S. Kerr Esq. C M G. Governor  
 The Honble. T. Sheddell Languinetti Colonial Secy  
 - " " Hamilton Colonial Surgeon  
 " " Revd L. S. Brandon Colonial Chaplain

The Minutes of the last meeting held on the 20<sup>th</sup> instant were read and confirmed

H. S. said he had summoned the Council in consequence of a petition he had received from the Colonial Surgeon and the Colonial Chaplain to forward to the Secretary of State concerning which it would be his duty in reporting on it to point out the inaccurate statements which it contained.

They all knew or ought to know that both the Land Ordinances and the Proclamations gave the lessees of the Crown lands the right to purchase their lands during the continuance of their leases.

With reference to the price at which the land might be sold the ordinance of 1871 left it entirely in the discretion of the Secretary of State, and although it was then fixed at 4/- an acre for Country lands it had for a long time been contended that as the leases had been granted under an ordinance in which the price was fixed at 2/- an acre, and the leases so granted had been confirmed by subsequent legislation they had a right to purchase at that price and it rested with the Secretary of State to determine finally at what price the land should be sold.

H. S. reminded the Colonial Surgeon that the subject of the actual value of the Country lands of the Crown had been very carefully considered in Executive Council at several meetings in 1882 before the passing of the Land ordinance No 9 of that year

when the conclusion was come to that the highest rent which the Government could fairly charge for fully stocked stations was at the rate of £20 a section and acting on the decision then arrived at he had always said that although he would resist the claims to purchase at £1/- an acre or any less price than would yield to the Government a revenue fully equal to £20 a year for each section, he had constantly and openly expressed his willingness to report favourably on applications to purchase the land at 3/- an acre which was the equivalent of the £20 rent. There was no secrecy. The value had already been agreed upon in Council, and it was not necessary to submit for its consideration any applications from the lessees to the Secretary of State; but it had been his duty to inform them that he intended to introduce an ordinance to give effect to the Secretary of State's directions.

The Governor's despatch to the Secretary of State forwarding the application from the Falkland Islands Company for the purchase of their leasehold land was then read.

H. E. then said it was stated in the petition that the proposed ordinance was not laid before them at all from which it might be inferred that it was withheld from them, whereas they were informed that it was in the hands of the printer and they were informed of its purport and might have seen it had they so desired.

It was not correctly stated that there was a large export of hides the returns showed that during the last three years the value of hides exported averaged £800 and would soon cease entirely as nearly all the wild cattle were already killed.

It was not true that applications had been made to rent sections of crown land at from 200 to 500 per cent above what was paid by the Falkland Islands Company. In the first place no crown land could come into the possession of the Government for more than 20 years hence and.

and although persons had offered in case of land being vacant to give a higher rent than £20 it was a great exaggeration to call it 200. to 500 per cent.

It was incorrectly stated that any preference or advantage is given to the Falkland Islands Company in proof of which he was about to forward an application from Mr Bertrand for the purchase of his station "Roy Cone" on the same terms (which was read).

H. S. said he had been thus explicit because he wished that when the minutes of the last meeting should be confirmed and sent in at the end of the year the Honourable Members who had sent a petition to the Secretary of State should be clearly aware of his reasons for reporting adversely respecting it and exposing its inaccuracies.

H. S. appealed to Hon'ble Members as to whether they had not heard of the matter outside.

The Colonial Secretary replied he had heard of it shortly after his arrival in the Colony.

The Colonial Surgeon admitted that he had also heard of it but "as a profound secret".

The Colonial Chaplain ~~stated~~ <sup>stated</sup> in reply to that he had not heard of it until the 19<sup>th</sup> instant.

The Colonial Chaplain in reply to what had been stated by H. S. adhered to the statements contained in the Petition except as regards the percentage of the price offered for land by outsiders over what was the Government limit to present lessees. He admitted it to be an exaggeration.

The Council was then adjourned sine die

Read and Confirmed  
This 9<sup>th</sup> day of March 1891

Henry L. Garrison  
Clerk to the Council

Merr  
Governor