

E.—(SECTION 11.)

Esquire,
 You are hereby summoned to appear as a Magistrate at the (Magistrate's or Form of summons of a magistrate. Police Court, *as the case may be*), to be holden at _____ o'clock, in the _____ at _____ on the _____ day of _____ next, and there to attend from day to day until you shall be discharged from the said Court.
 (Signed)

N.B.—The penalty for disobedience hereto is any sum not exceeding ten pounds. *Clerk.*

F.—(SECTION 2.)

To _____ Esquire,
 Notice is hereby given to you that the Magistrate's Court will be holden at _____ o'clock, in the _____ noon of the _____ day of _____ next at _____
 (Signed) *Clerk of the said Court.*
 (Signed) GEORGE RENNIE, *Governor.*
 Passed the Legislative Council on the 29th of August, 1853.
 (Signed) J. R. LONGDEN, *Colonial Secretary.*

8.

Summary Jurisdiction Ordinance.

In the year 1853.—No. 11.

Clause.

1. Fines to be recovered before a Justice. The Procedure in Summary Cases in England to be applied to Summary Procedure under this or any Ordinance.
2. Mode of enforcing fines on summary conviction. Instead of a fine, imprisonment and hard labour. Term of imprisonment in default.
3. Power to award costs on hearing charges.
4. Appeal from conviction by a single Justice.
5. Compensation for damage not exceeding £10.
6. Aiders and abettors in the commission of offences to be punishable on summary conviction as principals.
7. Justice may upon first conviction permit arrangement.
8. Governor may pardon where a portion of the fine does not belong to the Crown.
9. Governor may appoint constable. Oath.
10. Constables to have the privileges of parish constables.
11. Summonses and warrants to be executed by constables.
12. Penalty for neglect of duty.
13. Powers of constables. Search boats, &c.
14. Constable to search vessel on suspicion of felony.
15. Persons apprehended to be taken to the watch-house.
16. Penalty for assaulting constables or others.
17. Offences in town of Stanley. Fine not exceeding 40s. Turning cattle loose. Driving cattle through the town. Driving cattle and causing mischief. Cattle straying. Furiously riding. Using profane or indecent language or behaviour. False alarms. Using threatening language or behaviour. Throwing stones. Discharging fire-arms. Putting out lamps or ringing bells. Rubbish in public places. Filth or carcass of dead animal. Foot-paths, drains or water-courses. Penalty of dangerous dog unmuzzled. Bitches at heat at large. Setting chimneys on fire. Chimneys accidentally on fire.
18. Offences within the town of Stanley. Fine not exceeding £5. Slaughtering cattle. Turf-houses. Every house to have a privy. Keepers of coffee-houses, &c., permitting drunkenness. Power of Justice or constable to enter.
19. Penalties for drunkenness.
20. Injuries to public roads. Deepening ditches; breaking up surface of public road. Obstructing public road or jetty. Throwing rubbish on public road or jetty. Removing night-soil. Games or slides. Fine for every twelve hours' materials left on roads or jetty after notice to remove the same. Justice may order removal of nuisances. Road under repair.
21. Penalty for keeping unlawful quantities of gunpowder.
22. Smoking in a boat loaded with gunpowder.
23. Seamen belonging to foreign vessels to be punished for offences committed in the Falkland Islands the same as British seamen. Instead of imprisonment a fine may be imposed. Misconduct of seamen. *Ex parte* affidavit may be used after departure of vessel.
24. Taking boat without leave of owner.
25. Obstructing Surveyor-General. Removing surveyor's marks.
26. Tearing or defacing notice on Gazette Board.

- 27. Offences not exceeding £5. Penalty on persons suspected of having stolen property. Party from whom stolen goods received to be examined. Riding or catching horses. For obtaining money by threatening information. Assault.
- 28. Justice may punish servant for not observing contract, and also hear and determine complaints against master.
- 29. A master may bring an action against any person employing his servant.
- 30. Possession of tenements may be recovered by order of a Justice. On proof of right Justice may issue warrant to deliver possession.
- 31. Possession of shipwrecked goods.
- 32. Offering shipwrecked goods for sale.
- 33. Warrant to search for goods unlawfully obtained.
- 34. Power to order delivery of goods stolen or unlawfully obtained, and in possession of others.
- 35. Weights and measures.
- 36. Punishment for false weights and measures.
- 37. Penalty on killing wild cattle. Power to arrest.
- 38. Setting fire to the camp.
- 39. Damaging property value under £5.
- 40. Penalty for cutting peat on Crown land.
- 41. Limits of Stanley.
- 42. Ordinance to commence on 1st October, 1853.

By his Excellency GEORGE RENNIE, Esquire, Governor and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof, be it enacted :

Fines to be recovered before a justice.

1. THAT any fine, penalty, forfeiture, sum of money, duty or costs imposed under the provisions of this or any Ordinance containing no provision to the contrary, or any sum of money upon any recognizance taken before any Court of Justice, and afterwards forfeited in case of nonpayment thereof, shall be sued for and recovered upon information in a summary way before any Justice, and it shall be lawful for any Justice to hear and determine (either on the oath of one or more credible witnesses, or on the confession of the person against whom the information shall be laid) any information relating to any offence, claim or other matter, under any of the provisions of the said Ordinances, and to order such fine, penalty, forfeiture, imprisonment, compensation, expenses and sums, or to make such other order relating to each offence or other matter as such person shall be liable to under the said provisions, and all proceedings as to compelling the appearance of any such person or of any witness, and as to the hearing and determination of such information, and as to the making and executing such orders, shall, so far as is consistent with the provisions of this Ordinance, be carried on in the manner directed by an Act passed in the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, cap. 43, and be subject in all respects to the provisions of the Statutes which regulated summary prosecutions before Justices of the Peace in England, on the 1st day of January, 1850, so far as the said provisions can be applied.

The procedure in summary cases in England to be applied to summary procedure under this or any Ordinance.

Mode of enforcing fines on summary conviction.

2. That in any case of summary jurisdiction before any Justice under the provisions of this or any Ordinance, it shall be lawful for the Justice to exercise the following powers :—

Instead of fine, imprisonment and hard labour.

1st. In any case where the Ordinance shall authorize the Justice to impose a fine, he may, instead of so doing, order that the person shall be imprisoned, with or without hard labour, for any term not exceeding the period specified in the following scale :—

For any sum—	Imprisonment not to exceed—
Not exceeding 10s.	One week.
Exceeding 10s., but not exceeding £1.	Two weeks.
" £1. " " £2. 	Twenty-one days.
" £2. " " £5. 	One month.
" £5. " " £10. 	Two months.
" £10. " " £20. 	Three "
" £20. " " £30. 	Four "
" £30. " " £40. 	Five "
" £40. " " £50. 	Six "
" £50. 	One year.

Term of imprisonment in default.

2nd. That in any case where a Justice may order any person to be imprisoned in default of the payment of any fine, forfeiture, duty or sum, he may order that, in default of payment as directed, the person shall be imprisoned for any term not exceeding the period specified in the aforesaid scale, the imprisonment to be determinable on payment of the amount and costs.

3. That it shall be lawful for any Justice who shall hear and determine any information under this or any Ordinance, whether or not a warrant or summons shall have been issued, to award such costs as to him shall seem meet, to be paid to or by either of the parties.

Power to award costs on hearing charges.

4. That in any case of a summary conviction by and before a *single Justice* under this or any Ordinance, where the sum adjudged to be paid shall exceed five pounds, or the imprisonment adjudged shall exceed one month, and in no other case it shall be lawful for the party convicted to appeal to the Police Court, and the Police Court shall hear and determine the matter in a summary way upon the evidence adduced before the convicting Justice, unless the Court shall think proper to examine further into the matter, and shall make such order thereon, with or without costs to either party, as shall be just.

Appeal from conviction by a single Justice.

5. That any person who by committing an offence contrary to this or any Ordinance shall have caused any hurt or damage to any person, upon conviction of the offence, he shall pay such sum, not more than ten pounds, as shall appear to the Justice to be reasonable amends to the person aggrieved, besides any fine or punishment to which he may be liable for the offence and the evidence of the person aggrieved may be admitted in proof of the offence.

Compensation for damage not exceeding £10.

6. That any person who shall aid, abet, counsel, or procure the commission of any offence which is or shall be punishable on summary conviction under this or any Ordinance, shall be liable to be proceeded against and convicted for the same, either together with the principal offender, or before or after his conviction, and shall be liable, on conviction, to the same fine and punishment to which such principal offender shall be by law liable.

Aiders and abettors in the commission of offences to be punishable on summary conviction as principals.

7. That where any person shall be convicted of any offence against this or any Ordinance and it shall be a first conviction, it shall be lawful for the Justice, if he shall think fit, to discharge the offender from his conviction, upon his making satisfaction to the party aggrieved for his damage or costs, or either of them.

Justice may upon first conviction permit arrangement.

8. That it shall be lawful for the Governor to extend the royal mercy to any person imprisoned by virtue of this or any Ordinance, although he shall be imprisoned for nonpayment of any fine, penalty, or penal sum of money or portion of either, to some party other than the Crown.

Governor may pardon where a portion of the fine does not belong to the Crown.

9. That it shall be lawful for the Governor, for any period he may think fit, to appoint any person to be a constable, by either of the following forms; that is to say:—

Governor may appoint constable.

“ I hereby appoint (*his name*) to be a constable for the Falkland Islands [to hold the said office until the _____ day of _____].

 (Signature).”

Form.
 The words in the bracket to be inserted if required.

and to revoke any such appointment; and any Justice, upon the production of any such appointment, shall, if required, administer to the person appointed, the following oath; that is to say:—

“ I (*his name*), do swear that I will well and truly serve our Sovereign Lady the Queen in the office of constable for the Falkland Islands, without favour or affection, malice, or ill-will, and that I will, to the best of my power, cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's subjects, and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof according to law. So help me God.”

Oath.

And the said Justice shall thereupon certify the same upon such appointment, and if any constable shall act before he has taken the oath as aforesaid, he shall pay a fine not exceeding five pounds.

10. That any constable so appointed and sworn shall in the Falkland Islands have, exercise, and enjoy all such powers, authorities, advantages, and immunities, and be liable to all such duties and responsibilities as any constable duly appointed in England had on the first day of January, one thousand eight hundred and fifty, within his constablewick by virtue of the common law or of any statute or statutes then in force.

Constables to have the privileges of parish constables.

11. That all summonses and warrants to be issued in any criminal proceeding by any Court or Justice shall be served and executed by a constable, save and except such as shall be specially directed to the Sheriff for the time being, or any other person.

Summonses and warrants to be executed by constables.

12. That any constable who is guilty of any neglect or violation of his duty as constable, or shall resign, absent, or withdraw himself from his duty, unless allowed

Penalty for neglect of duty.

so to do by the Governor, or unless he shall have given to the Governor one month's notice of his intention so to do, he shall pay a fine not exceeding twenty pounds.

Powers of constable.

13. That it shall be lawful for any constable to apprehend any loose, idle, or disorderly person, whom he shall find disturbing the public peace, or any person whom he shall have reasonable cause to suspect of having committed or being about to commit any offence, and any person whom he shall find between sunset and the hour of eight in the morning lying or loitering in any street, yard, or other place, and not giving a satisfactory account of himself, and any person found by any constable committing any offence punishable by this or any Ordinance, and any constable may also stop, search, or detain any boat, cart, or carriage in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained may be found, and also any person who may be reasonably suspected of having or conveying in any manner anything stolen or unlawfully obtained.

Search boats, &c.

Constable to search vessel on suspicion felony.

14. That it shall be lawful for any constable having reasonable cause to suspect that any felony or misdemeanor has been or is about to be committed in or on board of any boat or other vessel lying in any harbour or port in the Falkland Islands, to enter at all times, as well by night as by day, into and upon such boat or other vessel, and therein to take all necessary measures for the effectual detection or prevention of all such felonies or misdemeanors, and to take into custody all persons suspected of being concerned in such felonies or misdemeanors, and also to take charge of all property so suspected to be stolen.

Persons apprehended to be taken to the watch-house.

15. That any person taken into custody without a warrant by any constable, except a person detained for the mere purpose of ascertaining his name and residence, shall be forthwith delivered into the custody of the constable in charge of the nearest watch-house or gaol, in order that such person may be secured until he can be brought before a justice, to be dealt with according to law.

Penalty for assaulting a constable or others.

16. That any person who shall assault, resist, or obstruct, or shall use any abusive, threatening, obscene, or profane language towards any constable in the execution of his duty, or towards any person in the execution of any act under the provisions of this Ordinance, shall for such offence pay a fine not exceeding ten pounds.

Nuisances

Offences in town of Stanley. Fine not exceeding 40s.

17. That any person shall be liable to a fine not exceeding forty shillings who within the town of Stanley shall commit any of the following offences, that is to say:—

[Sections A, B, C and D of Clause 17 repealed, see page 44.]

Furiously riding or driving.

(E.) Any person who shall ride or drive furiously, so as to endanger the life or limb of any person, or to the common danger or annoyance of the passengers.

Using profane or indecent language or behaviour.

(F.) Any person who shall use any profane, indecent, or abusive language, or be guilty of any riotous, indecent, or disorderly behaviour, or make any disturbance, or sing any obscene song or ballad, to the annoyance of the inhabitants, or make causeless cry of murder, or other false alarm in any way.

False alarms.

Using threatening words or behaviour.

(G.) Any person who shall use any threatening, abusive, or insulting words or behaviour with intention to provoke a breach of the peace, or whereby a breach of the peace may be occasioned.

Throwing stones.

(H.) Any person who shall throw or discharge any stone or other missile to the damage or danger of any person or property, or make any bonfire, or throw or set fire to any firework.

Discharging fire-arms.

(I.) Any person who shall discharge any fire-arms loaded with shot, slugs, or ball without lawful cause, or any gun loaded with ball from the harbour, or from the land on the opposite side of the harbour towards the town, or shall discharge any gun to the common danger of the inhabitants or passengers.

Putting out lamps or ringing bells.

(J.) Any person who shall wantonly disturb any inhabitant by ringing or pulling any door bell, or knocking at any door without lawful excuse, or who shall wilfully and unlawfully extinguish the light of any lamp.

Rubbish on public places.

(K.) Any person who in any public place other than such as may be authorised for that purpose by the Governor, shall throw or lay, or caused to be thrown or laid, any dirt, ashes, litter, or any carrion, fish, birds, offal, or rubbish, broken glass, delf, or bottles, or any other sharp substances.

Filth or carcass of dead animal.

(L.) Any person who shall place any filth or rubbish, or shall leave the

- carcass of any animal belonging to him unburied, so as to become a nuisance.
- (M.) Any owner or occupier of a house, tenement, or land, who shall not keep sufficiently swept and cleansed all public footpaths, drains, and watercourses adjoining his premises; and if any house or tenement shall be empty or unoccupied, the owner thereof shall be deemed the occupier with reference to this enactment. Foot-paths, drains, or water-courses.
- (N.) Any person who shall suffer to be at large any dangerous dog not effectually muzzled, or set on or urge any dog to attack, worry, or put in fear any person or animal; and it shall be lawful for any justice to issue a warrant to any constable directing him to seize or kill any such dangerous dog which shall have been so at large contrary to the provisions of this Ordinance; and any constable may accordingly seize or kill any such dog. Penalty on dangerous dog unmuzzled.
- (O.) The owner or keeper of any bitch who shall suffer her when at heat to be off the chain or not shut up in some secure place. Bitches at heat at large.
- (P.) Any person who wilfully sets or causes to be set on fire any chimney: Provided always that nothing herein contained shall exempt the person from liability to be indicted for felony. Setting chimneys on fire.
- (Q.) If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimney is situated: Provided always, that such penalty shall not be incurred if such person shall prove to the satisfaction of the Justice before whom the case is heard that such fire was in no wise owing to omission, neglect, or carelessness of himself or servant. Chimneys accidentally on fire.
18. That any person shall be liable to a fine not exceeding five pounds who, within the town of Stanley, shall commit any of the following offences; that is to say— Offences within the town of Stanley. Penalty not exceeding £5.
- (A.) Any person who shall slaughter any cattle. Slaughtering cattle.
- (B.) Any person who shall erect or cause to be erected any building for human habitation constructed wholly or in part of turf. Turf-houses.
- (C.) Any person who shall build any dwelling-house, and permit the same to be occupied without a sufficient watercloset or privy. Every house to have a privy.
- (D.) Any person who shall keep any house, shop, room, or place of public resort wherein provisions, liquor, coffee, or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere), who shall wilfully or knowingly permit drunkenness or other disorderly conduct therein, or permit any unlawful games, or permit any gaming whatsoever therein; and it shall be lawful for any justice or constable to enter and search any part of such premises at any hour, and any person who shall obstruct or use any abusive language or conduct to any such justice or constable. Keepers of coffee-houses permitting drunkenness.
Power of justice or constable to enter.
19. That if any person shall be drunk in Stanley, he shall pay upon conviction, for the first offence, five shillings; upon the second conviction, a sum not exceeding twenty shillings; and upon any subsequent conviction, a sum not exceeding two pounds. Penalties for drunkenness.
20. And with respect to the public roads and jetties in the town of Stanley, be it enacted as follows:— Public Roads.
- (A.) That any person who, without the authority of the Surveyor-General, shall deepen, widen, or fill up any public ditch or drain more than may be necessary for the cleaning thereof, or who shall build any wall, or make any ditch, drain, or water-course, or dig any pit or hollow on or otherwise break up the surface of, or draw any timber, vessel, or stones, without being supported by wheels, from touching upon any public road, shall pay a fine not exceeding forty shillings. Injuries to public roads.
Deepening ditches, breaking up surface of public road.
- (B.) That any person who in any manner shall cause any unnecessary obstruction to any public road or jetty shall pay a fine not exceeding five pounds. Obstructing public road or jetty.
- (C.) That any person who shall throw any dirt, ashes, litter, broken glass, delf, bottles, or other sharp substances, carrion, fish, birds, offal, filth, or rubbish, or permit any offensive matter to run from his premises on any public road or jetty or into any public drain, well, water-course, or reservoir, shall pay a fine not exceeding five pounds. Throwing rubbish on public road or jetty.
- (D.) That any person who shall move along any public road any night-soil between the hours of six in the morning and ten at night, or who shall not carefully sweep or clean any public road or place in which any night-soil or other Removing night soil.

- offensive matter shall have been slopped or spilled by him, shall pay a fine not exceeding forty shillings.
- Games or slides. (E.) That any person who shall play at any game, or make or use any slide upon ice or snow, to the damage or annoyance of passengers, shall pay a fine not exceeding twenty shillings.
- Fine for every twelve hours materials left on road or jetty after notice to remove the same. (F.) That any person that shall have been required by any Justice or the Surveyor-General to remove any obstruction caused by him to or material placed by him contrary to the provisions of this or any Ordinance upon any public road, jetty, or other place, or in any public well, water-course, or reservoir, in addition to any fine he may be liable to, shall also pay a further fine not exceeding forty-shillings for every twelve hours the same shall be allowed to remain there after being required to remove the same.
- Justice may order removal of nuisances. (G.) That it shall be lawful for the Surveyor-General for the time being, or for any person duly authorised by him, or any constable duly authorised in writing by any justice, to remove any of the hereinbefore-mentioned objects which may be left contrary to the provisions of this or any Ordinance on any public road, jetty, or other place, or in any public well, water-course, or reservoir, at the expense of the offender; and it shall be lawful for any Justice, upon complaint of the Surveyor-General, or any constable, as the case may be, and, upon proof of the expense incurred, to issue a warrant for the levy of such expenses by distress and sale of the goods and chattels of the offender.
- Road under repair. (H.) That it shall be lawful for the Surveyor-General, with the approval of the Governor in writing, to forbid any person from passing on, riding, or driving any kind of beast or carriage on any new road or any road whilst under repair, for such space of time as to him shall appear necessary, not exceeding six months; and any person who shall wilfully disobey such order (the same being duly notified by a notice affixed to a board erected upon such road), shall pay a fine not exceeding forty shillings.

Gunpowder.

- Penalty for keeping unlawful quantities of gunpowder. 21. That if any person, being a dealer in gunpowder, shall keep in Stanley, at any one time more than twenty-five pounds of gunpowder, and not being a dealer, more than five pounds in or upon his premises or elsewhere (except in any building approved of by the Governor for keeping unlimited quantities of gunpowder), he shall pay a fine of one hundred pounds; and all beyond the quantity hereby allowed to be kept, and the barrels in which the same shall be, shall be forfeited; and any Justice (upon reasonable cause assigned upon oath) may issue his warrant for searching in the daytime any place in which gunpowder, so suspected to be kept contrary to this section, and all such gunpowder together with the barrels, shall be seized by the searcher, who shall with all convenient speed remove the same to such authorised place as aforesaid, and may detain there such gunpowder and barrels till it shall be adjudged, on the hearing of the case, whether the same shall be forfeited: Provided that this section shall not extend to any gunpowder belonging to Her Majesty.
- Smoking in a boat loaded with gunpowder. 22. That if any person, whilst removing or in any boat loaded with gunpowder, shall bring, have, or use any fire or lucifer match, or shall smoke, he shall pay a fine of five pounds.

[Clause 23, relating to seamen, repealed. See page 46.]

General Sections.

- Taking boat without leave of owner. 24. That any person who shall take and use or cause to be taken and used any boat in Stanley Harbour without the consent of the owner shall be liable to pay a fine not exceeding ten pounds, and such sum as the Justice shall award as a compensation for the loss, use of, or damage done to his boat.
- Obstructing Surveyor-General. 25. That any person who shall unlawfully and wilfully prevent or assault or threaten to prevent or assault or unlawfully obstruct the Surveyor-General in the execution of his duty, or any person employed by his authority in surveying or measuring for the Crown, or who shall wilfully destroy, pull up, deface, or injure any such Surveyor's instruments or implements used in any such survey, or who shall

wilfully break, deface, pull down, or take away any such Surveyor's marks or posts or stones out of any battlement, wall, mound, fence, or out of any bridge, pipe, arch, or gullet, or from any land belonging to the Crown, shall for any such offence pay a fine not exceeding ten pounds.

Removing Surveyor's marks.

26. That if any unauthorised person shall tear or deface any notice placed on the gazette board, he shall, upon conviction, be imprisoned and kept to hard labour for ten days, or if a boy under fourteen years of age, he shall be liable to be once privately whipped instead of such imprisonment, and the convicting Justice shall order some fit and proper person to inflict such punishment of whipping when ordered to be inflicted out of prison.

Tearing or defacing notice on gazette board.

27. That any person shall be liable to a fine not exceeding five pounds who shall commit any of the following offences: that is to say,

Offences not exceeding £5.

(A.) Any person who shall have had possession of anything, and shall have had reasonable cause to suspect the same to have been stolen or unlawfully obtained, and any person who is charged with having in his possession or conveying in any manner anything which may reasonably be suspected of being stolen or unlawfully obtained, and who shall not give account to the satisfaction of the Justice before whom he is brought how he came by the same.

Penalty on persons suspected of having stolen property.

(B.) Any person who shall be brought before any Justice charged with having or conveying anything stolen or unlawfully obtained, and shall declare that he received the same from some other person, or that he was employed as a carrier, agent, or servant to convey the same for some other person, such Justice is hereby authorised and required to cause every such person, and also, if necessary, every former or pretended purchaser or other person through whose possession the same shall have passed to be brought before him and examined, and to examine witnesses upon oath touching the same.

Party from whom stolen goods received to be examined.

(C.) Any person who without the authority of the owner shall catch, ride, or use any horse.

Riding or catching horses.

(D.) Any person who shall obtain any sum of money or other reward from any person by threatening directly or indirectly to lodge any information or make any complaint before any justice, or as an inducement for forbearing to lay such information or to make such complaint.

For obtaining money by threatening information.

(E.) Any person who shall unlawfully assault or beat any other person.

Assault.

28. That whenever any domestic servant, artificer, labourer, guacho, capataz, or other person, shall have contracted verbally or in writing to serve any person at any time and in any capacity, and he shall not enter into or commence his service according to such contract, or whenever having entered into such service he shall absent himself before the expiration of his contract, or shall neglect to fulfil the same, or shall be guilty of any misconduct in the execution of the same, or in any way respecting the same, it shall be lawful for any Justice to hear and determine any such complaint made against him by his employer, or by the steward, manager, or agent, of his employer, and upon conviction to punish him by fine not exceeding £5 and to abate the whole or part of his wages; and also to hear and determine all complaints concerning breach of contract or ill-usage which shall happen and arise between any such domestic servant, artificer, labourer, guacho, capataz, or other person and his employer, or the steward, manager, or agent of his employer, and to impose any fine not exceeding £5, and to make such order for payment of wages as shall seem just, and every such order to enforce by execution against the goods, effects, or other property of the party against whom such order shall be made.

Justice may punish servant for not observing contract.

And also to hear and determine complaints against master.

29. That it shall be lawful for any person with whom such domestic servant, artificer, labourer, guacho, capataz, or other person shall have so contracted to maintain an action on the case against any person who shall employ, retain, harbour, or conceal any such domestic servant, artificer, labourer, guacho, capataz, or other person during the existence of such contract, knowing that he was under any such contract.

A master may bring an action against any person employing his servant.

30. The decision of claims to small tenements in Stanley to be subject to the following provisions:—

Landlord and tenant.

Whenever the term or interest of the tenant of any house or of any part of a house situate in Stanley, which shall be held by him for any term not exceeding one month, at a rent not exceeding the rate of £2 sterling by

Possession of tenements may be recovered by order of a Justice.

the month, shall have ended or shall have been duly determined by a legal notice to quit, if such tenant (or where such tenant shall not himself occupy the premises, or only a part thereof if the person by whom the same or any part thereof, shall be occupied) shall neglect or refuse to deliver up possession of the same, it shall be lawful for the landlord or his known agent to cause such tenant or occupier to be served with a summons in writing, signed by any Justice to show cause why possession of the premises should not be delivered up; and—

On proof of right, Justice may issue warrant to deliver possession.

If any such tenant or occupier shall not appear at the time and place so appointed, or shall appear but shall not show to the satisfaction of the Justice reasonable cause why possession should not be given, and shall still refuse or neglect to deliver up the possession of the said premises to the said landlord or agent, it shall be lawful for any justice, upon proof of the holding and of the end or determination of the tenancy, with the time and manner thereof (and where the title of the landlord shall have accrued since the letting of the premises, upon proof of the right by which he claims), to issue a warrant to any constable requiring and authorising him, within a period to be therein named to give possession of the premises to such landlord or agent, and such warrant shall be a sufficient warrant to the said constable to enter upon the premises with such assistants as he shall deem necessary, and to give possession accordingly at any time between the hours of nine in the morning and four in the afternoon.

Possession of shipwrecked goods.

31. That any person in whose possession or on whose premises any goods, merchandise, or other articles belonging to any ship or vessel in distress, or wrecked, stranded, or cast on shore shall be found, and who shall not satisfy the Justice before whom he shall be brought that he came lawfully by the same, or that the same was on his premises without his knowledge or assent, shall be liable to a fine not exceeding £50.

Offering shipwrecked goods for sale.

32. That any person who shall offer or expose for sale any goods, merchandise, or articles which shall have been unlawfully taken or reasonably suspected to have been taken from any ship or vessel in distress or wrecked, stranded, or cast on shore as aforesaid (whether found by virtue of a search warrant or not), and who shall not satisfy the Justice before whom he shall be brought that he came lawfully by the same, shall be liable to a fine not exceeding £30.

Warrant to search for goods unlawfully obtained.

33. That if any information shall be given upon oath to any Justice that there is reasonable cause to suspect that anything stolen or unlawfully obtained is concealed or lodged in any dwelling-house, ship, or any other place, it shall be lawful for such Justice by warrant under his hand directed to any constable to cause any such dwelling-house, ship, or other place to be entered and searched at any time of the day or by night (if power for that purpose be given by such warrant), and the said Justice, if it shall appear to him necessary, may empower such constable, with such assistance as may be found necessary (such constable having previously made known such his authority), to use force for effecting of such entry, whether by breaking open doors or otherwise, and if upon search thereupon made any such thing shall be found, then to convey the same before a justice, or otherwise dispose thereof in some place of safety, and to take into custody and carry before a justice any person found in such house, ship, or place, who shall appear to have been privy to the deposit of any such thing knowing or having reasonable cause to suspect the same to be stolen or otherwise unlawfully obtained.

Power to order delivery of goods stolen or unlawfully obtained and in possession of others.

34. That if any goods shall be stolen or unlawfully obtained, or being lawfully obtained shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and complaint thereof shall be made to a Justice, and that such goods are in the possession of any person who shall have advanced money upon the credit of such goods, it shall be lawful for the Justice to issue a summons or warrant for the appearance of such person and for the production of such goods, and to order such goods to be delivered to the owner thereof, either without payment or upon payment of such sum, and at such time as the Justice shall think fit, and any person so ordered who shall refuse or neglect to deliver up the goods, or who shall dispose of or make away with the same, after notice that such goods were stolen or unlawfully obtained, shall forfeit to the owner of the goods twice the value thereof, to be determined by the Justice.

Weights and measures.

35. That so much of the Act passed in the fifth and sixth years of the reign of King William the Fourth, chap. 63, as is applicable to and in force in England, shall be applied and be in force in the Falkland Islands, so far as the same can be applied, from and after the appointment of an Inspector of weights and measures, and when

the Governor shall have provided one complete set of the imperial standard weights and measures, verified and stamped at the Exchequer, together with the proper beams, scales, and stamps, the Justices resident in Stanley assembled at a meeting, or at any adjournment thereof, to be called from time to time by the stipendiary magistrate, are hereby empowered from time to time to appoint an inspector of weights and measures, and to dismiss any Inspector so appointed as occasion may require; and the Inspector so appointed shall possess and exercise all the powers and authorities within the Falkland Islands, and be subject to the like penalties for any neglect or offences in the discharge of his duty, which any inspector may possess or exercise, or be liable to by virtue of the said Act; and the weights, measures, scales, and stamps so provided shall be kept by the inspector for the time being, unless the Justices shall otherwise order, and shall be considered to all intents the same for all purposes as if they had been provided under the authority of the said Act, and the fees in the schedule contained in the said Act shall be paid to and received by the inspector for his own use.

36. That any person who shall use any weight or measure other than those authorised by the said recited Act for the sale of any article shall on conviction thereof be liable to a fine not exceeding five pounds; and any contract, bargain, or sale by any fraudulent weights or measures so used shall be void, and every such light or unjust weight or measure so used shall, on being discovered by any constable, be seized by him; and upon the conviction of the person so using or possessing the same shall be forfeited and forthwith destroyed.

Punishment for false weights and measures.

[Clause 37, relating to wild cattle, repealed. See page 71.]

38. That if any person shall wilfully or negligently set on fire any grass or other herbage on land not in his own possession, and if on Crown land, without the consent of the Governor for the time being, if on land in the possession of any other party without his authority, he shall pay a fine not exceeding twenty pounds.

Setting fire to the camp.

[Clause 39, relating to injury to Property, repealed. See page 54.]

40. That if any person shall cut, or cause to be cut, any peat upon land the property of the Crown, without the consent of the Governor, he shall pay for every day the peat shall be so unlawfully cut a fine not exceeding forty shillings.

Penalty for cutting peat on Crown land.

41. That the town of Stanley, for the purposes of this Ordinance, shall extend to such place as the Governor shall from time to time define by any proclamation for that purpose issued.

Limits of Stanley.

42. Whereas the delay incident to a previous communication with Her Majesty to know Her royal pleasure hereupon would be productive of inconvenience: Be it therefore enacted that this Ordinance shall take effect and come into operation on the 1st day of October, 1853, and the Ordinance intituled "Police Ordinance," No 6, of 1851, shall from and after that day be repealed, save and except as to all offences contrary to the said Ordinance committed before that day, which shall be dealt with and punished as if this Ordinance had not passed.

Ordinance to commence on 1st October 1853.

(Signed) GEORGE RENNIE, *Governor.*

Passed the Legislative Council on the 1st of September, 1853.

(Signed) J. R. LONGDEN, *Colonial Secretary.*

9.

Registration Ordinance.

In the year 1853.—No. 12.

Clause.

1. Registry Office. Governor may appoint a Deputy Registrar.
2. Deed, contract, voluntary conveyance affecting land to be registered.
3. Judgment, private Ordinance, &c., affecting land to be registered.
4. Wills affecting land to be registered.
5. Memorial of Judgment.
6. Memorial of Inquisition.
7. Memorial of bankruptcy.
8. Memorial of insolvency.
9. Memorial of private Ordinance.
10. Memorial to describe the land.