

Tobacco Licence Ordinance.

In the year 1878.—No. 5.

By His Excellency THOMAS FITZGERALD CALLAGHAN, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof, as follows:—

Recital.

WHEREAS it is expedient to make further provision for regulating the sale of tobacco, spirits, and wine, in the Colony. Be it therefore enacted:—

After the 1st March, 1878, no persons except those holding spirit licenses to sell tobacco in Stanley or within 15 miles thereof.

1. That on and after the first day of March, 1878, it shall not be lawful for any person except anyone holding a licence wholesale or retail under the Spirit Licence Ordinances now in force in this Colony to sell tobacco—including that imported for sheep washing—cigars or cigarettes, in the settlement or port of Stanley or anywhere in the Colony within a distance of fifteen miles from the said settlement, either by sea or land, unless such person shall have received a licence from the Police Magistrate authorising him to do so.

Police Magistrate to grant licences.

2. That it shall be lawful for the Police Magistrate, any time after the passing of this Ordinance to grant such a licence for the sale of tobacco, cigars and cigarettes, as aforesaid, on the payment to him of £10, the duration of which licence shall be twelve months from the date thereof.

Penalty for selling without licence.

3. If any person not being licensed as aforesaid shall directly or indirectly sell within the settlement or port of Stanley, or within the distance therefrom defined in Section 1 of this Ordinance, tobacco, cigars or cigarettes, he shall pay for every such offence a penalty not exceeding £50.

Descriptive Board on Licensed Houses.

4. That each person holding a licence as aforesaid shall cause to be placed over the front door of his licensed house, a board, on which shall be distinctly and legibly painted his christian and surname at full length, together with the words "licensed to sell tobacco," and if he make default herein he shall pay a fine not exceeding £5.

Governor may grant permission to sell tobacco, &c., outside limits.

5. That it shall be lawful for the Governor for the time being to grant to any person he shall think fit permission to sell tobacco, cigars and cigarettes, outside the limits defined in section 1, which permission may be granted subject to such conditions as the Governor may impose.

Penalty for selling tobacco, &c., outside limits without permission.

6. That any person who after the first day of June, 1878, shall sell tobacco, cigars or cigarettes outside the limit defined in Section 1, without having such permission from the Governor, as aforesaid, shall pay for every such offence a penalty not exceeding £20.

The Governor may grant permission to sell spirits, wine, &c., in West Falklands.

7. That it shall be lawful for the Governor to grant to any person he shall think fit, permission to sell spirits, wine and beer in the West Falklands, which permissions shall be subject to such conditions as the Governor may impose.

Penalty for selling spirits, &c., in West Falklands without permission.

8. Any person who within the limits of the West Falklands or the ports thereof shall after the first day of June, 1878, sell spirits, wines, or beer, without having such permission from the Governor, as aforesaid, shall pay for every such offence a penalty not exceeding £50.

Recovery of Fines.

9. That any fine imposed by virtue of this Ordinance shall be sued for and recovered in the same way as fines are sued for and recovered under the Summary Jurisdiction Ordinance No. 11, 1853.

(Signed)

T. F. CALLAGHAN, *Governor.*

Passed the Legislative Council this twenty-third day of February, One thousand eight hundred and seventy-eight.

(Signed)

G. TRAVIS, *Clerk to the Council.*

An Ordinance for declaring the validity and effect of certain Leases of Crown Lands in the Falkland Islands.

In the year 1879.—No. 1.

By His Excellency THOMAS FITZGERALD CALLAGHAN, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

WHEREAS in the year 1870 an Ordinance was passed entitled, "An Amalgamation Ordinance of the Leases of Crown Lands in the Falkland Islands," and herein referred to as Ordinance No. 6 of 1870. Preamble.

And Whereas the said Ordinance was disallowed by Her Majesty, and Whereas after the passing of the said Ordinance and before the proclamation of the disallowance thereof, certain persons, including the persons named in the Schedule of this Ordinance, applied to the Governor to grant to them leases of Crown Lands in the Falkland Islands, under the provisions of the said Ordinance, and in pursuance of said applications leases have been granted by the Governor of such Crown Lands, which leases purport and are expressed to be made in accordance with the said Ordinance, and of which leases some were granted before and the others after the proclamation of the disallowance of the said Ordinance.

And Whereas leases were promised to be granted by the Governor under the provisions of the said Ordinance to the persons named in the said Schedule, of the respective lands, the description whereof is set opposite to their respective names in the said Schedule for terms of twenty-one years from the respective dates specified in the said Schedule, and the said persons have accordingly held and paid rent for the said lands in the same manner as if such leases had been granted to them, but no leases have yet been granted to them of the said lands.

And Whereas doubts have arisen as to the validity and effect of the leases which have been so granted as aforesaid and also as to the rights of the said persons named in the said Schedule in respect of the lands described in the same Schedule.

And Whereas it is expedient that such doubts should be removed.

Be it therefore enacted by the Governor of the said Islands with the advice and consent of the Legislative Council as follows:—

1. The Governor shall forthwith grant to the several persons named in the Schedule to this Ordinance, leases of the lands the description and quantity whereof are contained and specified in the second and third columns of the said Schedule opposite to their respective names for terms of twenty-one years commencing from the respective days specified in the fourth column of the said Schedule.

The Governor shall forthwith grant Leases to the persons named in Schedule.

2. The leases so to be granted as aforesaid, and also all leases of Crown Lands heretofore granted by the Governor for the time being which purport or are expressed to have been granted in accordance with the Ordinance No. 6 of 1870, shall, subject to the proviso hereinafter contained, have the same force and effect in all respects as if such leases had been granted under and in accordance with the Land Ordinance 1871, and the Land Ordinance 1872, Provided always that the price to be paid by the Lessees under the said leases for the purchase of the blocks of land which they will be required to purchase under the provisions of the Land Ordinance 1872, shall be at the rate of 2s. per acre, and that as to each of the leases so to be granted as aforesaid the said compulsory purchases shall be made within ten years from the date of the commencement of the term of twenty-one years for which the leases shall be granted.

The leases aforesaid and all those purporting to have been granted in accordance with Ordinance No. 6 of 1870 to have same effect as if granted under Land Ordinances, 1871 and 1872, subject to a proviso.

3. This Ordinance shall come into operation from the day of the passing thereof.

Commencement of Ordinance.

(Signed) T. F. CALLAGHAN, *Governor.*

Passed the Legislative Council this fifteenth day of April, One thousand eight hundred and seventy-nine.

(Signed) JOHN WRIGHT COLLINS, *Clerk to the Council.*

SCHEDULE.

Name of Lessee.	Description of Land.	Acreage.	Date on which the present Lease is supposed to have been granted.
Andrez Pitaluga .	No. 19, Shailer's Creek .	10,000	7th November, 1871.
J. Llamosa .	No. 36, Middle Point .	6,000	13th October, 1870.
Do. .	No. 42, Elephant Creek .	6,000	
John Bonner .	No. 39, South San Carlos .	6,000	
Andrez Pitaluga .	No. 40, Cape Dolphin .	6,000	16th January, 1871.
J. Pitaluga .	No. 41, Limpet Creek .	6,000	do.
Andrez Pitaluga .	No. 53, Salt Lagoon .	6,000	22nd October, 1870.