

Close time for Seal Fishery, and penalties for breach.

1. No person shall kill or capture, or attempt to kill or capture, any seal within the limits of this Colony and its dependencies, between the days hereinafter mentioned (which interval is hereinafter referred to as the close season), that is to say, between the first day of October and the first day of April following, both inclusive, and any person acting in contravention of this section shall forfeit any seals killed or captured by him, and shall in addition thereto incur a penalty not exceeding one hundred pounds, and a further penalty of five pounds in respect of every seal so killed or captured.

Liability of owner and master of ship.

2. Any owner or master, or other person in charge of any ship or vessel, who shall permit such ship or vessel to be employed in killing or capturing seals, or who shall permit any person belonging to such ship or vessel to be employed in killing or capturing as aforesaid during the close season, shall forfeit any seals so killed or captured, and in addition thereto shall be liable to a penalty not exceeding three hundred pounds for each offence.

Prosecution of offences.

3. Every offence under this Ordinance may be prosecuted, and every penalty under this Ordinance may be recovered before the Police Magistrate or any two Justices of the Peace in a summary manner, or by action in the Supreme Court of this Colony, together with full costs of suit. Provided that the penalty imposed by the Police Magistrate or two Justices shall not exceed one hundred pounds exclusive of costs.

One half of every penalty recovered under this Ordinance shall be paid to the person who prosecuted the offence or sued for such penalty.

All fines, forfeitures, and penalties recovered under this Ordinance, where not otherwise hereinbefore provided, shall be to Her Majesty, her heirs and successors, and shall be paid to the treasurer for the use of the Government of this Colony.

For all purposes of and incidental to the trial and punishment of any person accused of any offence under this Ordinance, and the proceedings and matters preliminary and incidental to and consequential on his trial and punishment, and for all purposes of and incidental to the jurisdiction of any Court, or of any constable or officer with reference to such offence, the offence shall be deemed to have been committed either in the place in which it was actually committed, or in any place in which the offender may, for the time being be found.

Liability of ship to penalty.

4. Where the owner or master of a ship or vessel is adjudged to pay a penalty for an offence under this Ordinance, the Court may, in addition to any other power they may have for the purpose of compelling payment of such penalty, direct the same to be levied by distress or arrestment and sale of the said ship or vessel and her tackle.

Definition of "Seal."

5. In this Ordinance the expression "seal" means the "fur seal," the "sea otter," the "hair seal," the "sea elephant," the "sea leopard," and the "sea dog," and includes any animal of the seal kind which may be found within the limits of this Colony and its dependencies.

Short title.

6. This Ordinance may be cited as the Seal Fishery Ordinance, 1881.

(Signed) T. KERR, *Governor*.

Passed the Legislative Council this twenty-seventh day of December, one thousand eight hundred and eighty-one.

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

## An Ordinance to Provide for the Payment of Compensation in respect of the loss of Registered Letters in certain cases.

In the Year 1882.—No. 2.

Preamble.

Whereas by a Treaty, signed at Paris on the 1st June, 1878, and subsequently duly ratified, it was agreed that various countries of which this Colony was one, should form under the title of "Universal Postal Union," a single postal territory for the reciprocal exchange of correspondence between their Post Offices; and it was also agreed that in the case of the loss of a registered article, and except in the case of

force majeure, there should be paid an indemnity of 50 francs to the sender, or at his request, to the addressee, and provision was also made determining the incidence of the liability in respect of any such loss: And whereas it is expedient to make provision by legislation for carrying into effect in this Colony the aforesaid provisions of the said treaty.

Be it enacted by the Governor of the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof, as follow:—

1. Where, according to the Rules of the said Universal Postal Union, an indemnity in respect of loss is payable in this Colony to any sender or addressee of a registered article, the Governor shall cause the amount thereof to be paid to such sender or addressee, out of the Public Revenues of this Colony, on account nevertheless of the country liable to pay such amount, or any part thereof, in all cases where, under the Rules of the said Postal Union, any other country is liable.

Indemnity for loss of certain Registered Articles.

2. This Ordinance may be cited for all purposes as "The Postal Union Registration Ordinance, 1882."

Short title.

(Signed) T. KERR, *Governor*.

Passed the Legislative Council this twelfth day of January one thousand eight hundred and eighty-two.

(Signed) ALAN KERR, *Acting Clerk to the Council*.

64.

### An Ordinance to extend to this Colony certain Acts of Parliament in force in England relating to Merchant Shipping.

In the year 1882.—No. 3.

Be it enacted by the Governor of the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof, as follows:—

1. The Acts of Parliament specified in the Schedule hereunto annexed shall be in force in this Colony as far as they can be applied and as local circumstances will permit.

2. The provisions of Ordinance No. 3, of 1857, entitled "An Ordinance to provide for the application of the Merchant Shipping Act of 1854 within the Colony," of No. 3, of 1871, entitled the "Wreck and Salvage Ordinance," of No. 2, of 1873, entitled "An Ordinance to extend to the Colony a certain Act of Parliament," and of No. 2, of 1875, entitled "An Ordinance relating to unseaworthy vessels, and to provide for surveys of vessels in certain cases"—shall continue in force in so far as they are not repugnant to the provisions of the Acts of Parliament specified in the Schedule of this Ordinance.

(Signed) T. KERR, *Governor*.

Passed the Legislative Council this twelfth day of January, one thousand eight hundred and eighty-two.

(Signed) ALAN KERR, *Acting Clerk to the Council*.

#### SCHEDULE.

17 & 18 Vict. cap. 120, 11th August, 1854	An Act to repeal certain Acts and parts of Acts relating to Merchant Shipping, and to continue certain provisions in the said Acts.
18 & 19 Vict. cap. 119, 14th August, 1855	An Act to amend the Law relating to the Carriage of Passengers by Sea.
25 & 26 Vict. cap. 63, 29th June, 1862	An Act to amend "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1855," and "The Customs Consolidation Act, 1853."
26 & 27 Vict. cap. 51, 13th July, 1863	An Act to amend the Passengers Act, 1855.

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