

7. The Postmaster shall, on demand, pay to the Master of any ship (not under contract with the Government) 1d. for every letter and $\frac{1}{4}$ d. for every other postal packet contained in any mail safely carried and delivered.

Payment for carrying mails.

8. Where, according to the rules of the Universal Postal Union, or other agreement, an indemnity in respect of loss is payable, the Governor shall cause the amount thereof to be paid to the sender, or at his request to the addressee, out of the public revenues of this Colony, on account of the country liable to pay such amount or any part thereof.

Indemnity for loss of postal packet.

9. Every postal packet shall, for the purposes of laying any information, be deemed to be the property of the Governor.

In indictments it shall be sufficient to name the Governor.

10. This Ordinance may be cited as "The Post Office Ordinance, 1898."

Short title.

SEAL FISHERY.

Ordinance No. 1 of 1899.

As amended by No. 8 of 1904.

[30th March, 1899.]

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

1. In this Ordinance:—

Interpretation.

"Seal" means the "Fur Seal," the "Hair Seal," the "Sea Otter," the "Sea Elephant," the "Sea Leopard," the "Sea Bear," the "Sea Lion," the "Sea Dog," and any animal of the seal kind.

"Skin" means the skin of any seal.

"Sealing Season" means the period from the 1st day of April to the 30th day of September, both inclusive.

"Close Season" means the whole of the year except the "Sealing Season."

"Seal Reserve" means any portion of land or water set apart by the Governor in Council within the limits of the Colony for the breeding of seals.

Licences—issue
and bond.

2. The Colonial Secretary, or such other officer as the Governor may appoint, shall issue sealing licences to such persons as may apply for them on payment into the Colonial Treasury of the sum of ten pounds :

Provided that each person so applying shall enter into a bond with the Colonial Government.

(a) To pay into the Colonial Treasury the royalties specified in the schedule hereto.

(b) To render an accurate account of the number of seals taken by him during each sealing season.

Conditions of
licence.

3. A sealing licence shall entitle the holder thereof to kill or capture seals during the sealing season of the calendar year in which the licence is issued in such manner and subject to such conditions and restrictions as may be therein prescribed or as are laid down in this Ordinance and the rules and regulations made under Section 7 hereof.

Saving of
existing rights
to seal.

4. Any person who at the date of the passing of this Ordinance has, by lease from the Crown or otherwise, an existing right to kill or capture seals, shall receive annually while such right continues, a sealing licence under this Ordinance without payment of the sum of ten pounds as aforesaid, and without being required to enter into the bond specified in the proviso to Section 2 hereof.

Offences against
the Ordinance
and penalties
and forfeitures
consequent
thereon.

5. Any person who does any of the following acts shall be guilty of an offence against this Ordinance, and shall be liable upon conviction to a penalty not exceeding one hundred pounds for each such offence, and to forfeiture of any seals or skins found in his possession :—

(a) Kills or captures, or attempts to kill or capture any seal, or carries or has in his posses-

sion any club, firearm or other lethal weapon, or any engine, net, trap or other device, with intent to kill or capture any seal without a licence, or contrary to the terms of his licence, or beyond the limits specified in such licence.

(b) Is in or upon any seal reserve with intent to kill or capture any seal therein.

(c) Has in his possession, or in any ship under his command, any seal or skin of which he cannot give a satisfactory account.

(d) Kills or captures, or attempts to kill or capture, any seal during the close season.

(e) Neglects or refuses to bring to, when lawfully required, any ship or vessel of which he may be in charge.

6. The Governor in Council may, by proclamation—

Powers of the Governor in Council to be exercised by proclamation.

(a) Suspend the issue of all licences except such as shall have been granted under Section 4 hereof.

(b) Prohibit the taking in any year of one or more kinds of seals or of the males or females or young of any kind.

(c) Vary in any year the limits of the sealing season for any kind of seal or for the males or females or young of any kind.

(d) Declare any territorial waters or any Crown land, or with the consent of the owner any private land, to be a seal reserve.

7. The Governor in Council may also from time to time make rules—

Further powers of the Governor in Council to make rules.

(a) For fixing the terms and conditions under and upon which sealing licences shall be granted.

(b) For regulating the number of sealing licences to be issued in any year.

(c) For defining or restricting the limits within which any holder of a sealing licence shall be allowed to take seals.

(d) For regulating the number of seals to be taken in any year by any holder of a sealing licence.

(e) For disposing of any skins forfeited under the provisions of this Ordinance by sale or otherwise.

Liability of
owner and
master of ship.

8. Any owner or master, or other person in charge of any vessel, or any boat or canoe belonging to such vessel, who shall permit such vessel to be employed in killing or capturing seals, or who shall permit or negligently suffer any person belonging to such vessel to be employed in killing or capturing seals within the limits of this Colony without a licence, or contrary to the terms of his licence, or beyond the limits specified in such licence, or during the close season, or in any seal reserve, shall forfeit any seals so killed or captured and any skins found in his possession, and in addition thereto shall be liable to a penalty not exceeding three hundred pounds for each offence.

Special exemp-
tion.

9. The Governor and any person duly authorised in writing by him, may kill or capture for scientific or other special purposes any seal, and in so doing shall be exempt from any penalties and forfeitures provided by this Ordinance.

Arrest of vessel
and person in
charge.

10. (1) Whenever any vessel is found in colonial waters and there is good cause to suspect that the owner, master or other person in charge of such vessel, or any person belonging thereto has committed any offence under this Ordinance, it shall be lawful for any person duly authorised by the Governor without warrant to seize and apprehend the person in charge of such vessel, and any person belonging thereto, and to arrest and detain such vessel until the master has given security to be approved by the Chief Justice to abide the event of any action, suit or other legal proceeding that may be instituted in respect of such vessel or of any person belonging thereto, and to pay all penalties, costs and damages that may be awarded thereon.

(2) In any legal proceeding under this section the person giving security may be deemed to be the owner of the detained vessel.

(3) No duly authorised person shall be liable for any costs or damages in respect of any vessel detained under this section unless the detention is proved to have been made without reasonable grounds.

11. Every offence under this Ordinance may be prosecuted, and every penalty and forfeiture 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 :

Prosecution of offences.

Provided that the penalty imposed by the Police Magistrate or two Justices shall not exceed one hundred pounds exclusive of costs.

12. A moiety of any penalty and of the value of any forfeiture recovered under this Ordinance shall be paid to the person who shall prosecute any offender against it, or sue for such penalty, or upon whose information such penalty is imposed :

Reward to informers.

Provided that no one in the employment of the Government shall receive any remuneration under this section.

13. 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.

Venue.

14. Where the owner or master, or other person in charge of a 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 vessel and the tackle thereof.

Vessel may be sold to secure penalty.

15. This Ordinance may be cited as " The Seal Fishery Ordinance, 1899."

Short title.

SCHEDULE.

			£	s.	d.
Royalty upon every fur seal	...	...	0	4	0
Royalty upon every hair seal	...	...	0	2	0
Royalty upon every other seal	...	...	0	3	0

WRECKS.

Ordinance No. 3 of 1899.

[5th October, 1899.]

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

Interpretation.

1. In this Ordinance:—

The expression "Court" means a Magistrate or two Justices.

The expression "Receiver" means a Receiver of Wrecks appointed under Section 11 of this Ordinance.

The expression "Ship" includes every description of vessel not propelled by oars only.

The expression "Wreck" includes jetsam, flotsam, lagan and derelict found in or on the shores of the sea or any tidal water.

A "Shipping Casualty" shall be deemed to occur:—

(a) When any ship is lost, abandoned, or materially damaged.

(b) When any ship has been stranded or damaged.

(c) When any ship causes loss or material damage to another ship.

(d) When any loss of life ensues by reason of any casualty happening to or on board any ship.

(e) When any British ship is lost or is supposed to have been lost and any evidence is obtainable in the Colony as to the circumstances under which she proceeded to sea or was last heard of.