

Penalty for keeping a dog without having obtained a license. 1. That if any person in Stanley shall keep any dog above the age of three months without having obtained a license for the same, he shall pay a fine of two pounds, one half of which shall be paid to the informer for his own use, and upon the hearing of any information against any person for keeping a dog without having obtained a license, the dog shall be taken to be unlicensed, and above the age of three months, unless the contrary is proved by the defendant.

Licenses to be granted by the stipendiary magistrate. 2. That the stipendiary magistrate shall, upon the payment of eight shillings for a dog and twelve shillings for a bitch, grant to the keeper thereof a license in the form in the schedule hereunto annexed, which shall be in force for twelve months from the date thereof, and shall not be transferable; and the stipendiary magistrate shall cause to be kept a register of every such license.

Justice may order an unlicensed dog to be killed. 3. That it shall be lawful for any Justice to issue a warrant to any constable directing him to kill any dog in Stanley above the age of three months for which a license shall not have been obtained, and the constable to whom such warrant shall be directed shall forthwith kill or cause to be killed any such dog: Provided nevertheless, that the owner of such dog shall not be thereby exonerated from the penalty he may have incurred for keeping an unlicensed dog.

Ordinance to commence on 1st September, 1853. 4. That this Ordinance shall come into operation on the first day of September next, and the Ordinance intituled "Dog License Ordinance" of 1850 shall, from and after that day, be repealed, except as to licenses issued under the provisions of the said Ordinance since the first day of September, one thousand eight hundred and fifty-two, each of which shall be and continue in force for one year from the day of its date, anything to the contrary in the said Ordinance or license contained notwithstanding.

SCHEDULE.

LICENSE to for Dog.		
Name of Dog.	Sex and Description of Dog.	Date of License.

This license will expire on the _____ day of _____, and is not transferable.

(Signed)

(Signed) *Stipendiary Magistrate.*
GEORGE RENNIE, *Governor.*

Passed the Legislative Council on the 1st August, 1853.
(Signed) J. R. LONGDEN, *Colonial Secretary.*

Administration of Justice Ordinance.

In the Year 1853.—No. 10.

Clause

1. Jurisdiction of Magistrate's Court; Common Law; Equitable; Ecclesiastical; Probates; Letters of Administration; Sequester. To reserve power to grant probate to executor; to the next of kin; to such persons as Court shall see fit. In certain cases the Court to empower any person to collect effects.
2. Constitution of Magistrate's Court. Notice to other Justices.
3. Crimes to be tried upon an information, and by a Jury of six: Jury of twelve men where capital offence.
4. Verdict unanimous in criminal cases.
5. An inquisition by six Jurors to have the same effect as an inquisition by twelve.

6. Civil procedure to be summary.
7. Common Law Procedure Act applied to the Magistrate's Court. No replication or subsequent pleading. May be tried without pleadings. Setting down the cause for trial. Judgment by default for not proceeding to trial. Proceedings upon the hearing. Issue may be collected from examination of the parties. Trial may be postponed. Special finding; may be entered. Judgment upon special finding. Proviso as to costs where Plaintiff sued in wrong form.
8. Chairman, with consent of Governor, may make rules for applying the provisions of the said Act to the Magistrate's Court.
9. Appeal from Magistrate's Court to Governor in Council in Civil Cases. Security to be given for the prosecution of the appeal, and the due performance of the judgment.
10. Mode of Appeal.
11. Constitution of Police Court.
12. Civil jurisdiction under £50.
13. Appeal from Police Court under £20.
14. Criminal jurisdiction of Police Court.
15. Governor to appoint a Chairman and Deputy Chairman.
16. The authority of the Chairman of the Magistrates' and Police Courts respectively.
17. Justice not attending, to be re-summoned.
18. Clerk of the Court. Appointment of Officers.
19. Writs.
20. Sheriff.
21. Majority of Justices to decide. Jury at the request of either party.
22. Jury in Civil Cases.
23. General rule that the Trial is to be the same as in England.
24. Rules, Regulations, Practice, Procedure, Forms and Pleadings. Officers.
25. Chairman may settle issues.
26. No objection to Pleadings or Jury after verdict.
27. Persons summoned as Witnesses to be fined in default of attendance.
28. Sentences of Transportation. Convicts to be kept to hard labour.
29. The Court to make an order of transportation where the Crown extends mercy in a capital case.
30. Power of person in charge; illegally at large. Information. Certificate.
31. Regulating Mesne Process.
32. Arrest on proof of intended departure.
33. Chairman may inquire as to grounds of belief.
34. Qualification of Jurymen.
35. Jury List.
36. Errors of Jury List to be corrected.
37. List to be kept by the Stipendiary Magistrate.
38. Jurors summoned in order.
39. Chairman to give directions as to the summoning of Jurors. Jurors to try issues, civil and criminal.
40. Jurors how summoned.
41. Juror to be fined in default of attendance.
42. Panel.
43. Compensation to Jurors.
44. Names of Jurors to be drawn from a box.
45. Challenges, Juries of six.
46. Challenges, Juries of twelve.
47. Laws in force in England on 1st January, 1850, to be in force.
48. Acts of Parliament which in England direct any fine to be paid to any local purpose.
49. Appeal from one Justice to Magistrate's Court.
50. Mode of enforcing fines on Magistrates, Jurors, and Witnesses.
51. Stipendiary Magistrate to have power of two Justices.
52. Moneys paid to the Crown.
53. Solitary confinement may be substituted for imprisonment by any Court or Justice.
54. Gaols and Houses of Correction.
55. Governor may appoint a Gaoler. Misconduct of Officers.
56. Justice may visit the Gaol, and may report abuse.
57. Carrying anything to or from a Gaol. Assaults. Escapes. Verbal or other communication.
58. The Governor may appoint a Notary Public until one arrives from England.
59. Ordinances to be enrolled in the Magistrate's Court.
60. Records of the old Court to be continued in the new.
61. Indemnity for acts done under certain Ordinances.
62. Interpretation Clause.
63. Not to affect an Ordinance to extend to the Colony certain Acts of Parliament.
64. Ordinance to commence on 1st October, 1853.

By His Excellency GEORGE RENNIE, Esq., 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:—

Magistrate's Court.

1. That there shall be a Court called the Magistrate's Court, which shall be a Court of Record, and have jurisdiction in the Falkland Islands in all cases as fully as Her Majesty's Courts of Queen's Bench, Common Pleas, and Exchequer, or either of them, or any Court of General Quarter Sessions have or hath in England, and shall be a

Jurisdiction of
Magistrate's Court.
Common Law.

Equitable.	Court of Oyer and Terminer and Gaol Delivery, and Assize and Nisi Prius, and shall be a Court of Equity, and shall have power and authority to do all such acts as the Lord High Chancellor lawfully may within England, and shall also have power to appoint and control guardians of infants and their estates, and also keepers of the persons and estates of idiots, lunatics, and such as, being of unsound mind, are unable to govern themselves and their estates; and shall have such power, authority and jurisdiction as to the administration of the effects of all persons dying possessed of personal property within the Falkland Islands in all such cases as fully as the Prerogative Court of the province of Canterbury has within that province as to the administration of the effects of persons dying possessed of personal property within that province; and shall have power and authority to grant probates of the last wills and testaments of all persons who shall die and leave personal effects within the Falkland Islands; and to commit letters of administration of the goods, chattels and credits, and all other effects whatsoever of the persons aforesaid who shall die intestate, or who shall not have named an executor resident within the Falkland Islands, or where the executor being duly cited shall not appear and sue forth such probate, annexing the will to the letters of administration when such persons shall have left a will without naming any executor, or any person for executor who being duly cited thereunto will appeal and sue forth a probate thereof; and to sequester the goods and chattels, credits and other effects whatsoever of such persons so dying; and to demand, take and examine, and allow, and, if occasion require, to disallow and reject the accounts of them in such manner and form as the said Magistrate's Court may think fit: Provided always that the said Court in such case as last aforesaid, where letters of administration shall be committed with the will annexed, for want of any executor applying in due time to sue forth the probate, reserve in such letters of administration power to revoke the same and to grant probate of the said will to such executor whenever he shall appear and sue forth the same; and the said Court shall grant and commit such letters of administration to any one or more of the lawful next-of-kin of such person so dying as aforesaid, and being then resident within the jurisdiction of the said Court, and being of the age of twenty-one years; and in case no such person shall then be residing within the jurisdiction of the said Court, or being duly cited shall not appear and pray the same to such person (whether creditor or not) of the deceased person as the Court shall see fit: Provided that, in all cases where the executor of any will being duly cited shall refuse or neglect to take out probate, or where the next of kin shall be absent, and the effects of the deceased shall appear to the said Court to be exposed and liable to waste, it shall be lawful for the said Court to authorise and empower any person the Court shall think fit to collect such effects, and to hold or deposit or invest the same in such manner and place, or upon such security and subject to such orders and directions as shall be made, either as applicable in all such cases or especially in any case, in respect of the custody, control, or disposal thereof.
Ecclesiastical.	
Probates.	
Letters of administration.	
Sequester.	
To reserve power to grant probate to executor.	
To the next of kin.	
To such persons as Court shall see fit.	
In certain cases the Court to empower any person to collect effects.	
Constitution of Magistrate's Court.	2. That the said Court shall be holden before a chairman, or in his absence before a deputy chairman, and three or more justices, and whenever it is necessary that the Court shall be holden, the chairman shall fix the day of sitting, and shall cause to be summoned, in the Form E annexed, the justices resident in Stanley in rotation, beginning with the first three names on the commission, and he shall summon three only to attend at each sitting; and shall also cause a notice, in the Form F, to be served on every other justice resident as aforesaid.
Notice to other justices.	
Crimes to be tried upon an information and by a jury of six.	<i>Criminal.</i>
Jury of twelve men where capital offence.	3. That all crimes, misdemeanours, or offences cognizable in the said Court shall be prosecuted by information in the name of such officer as the Governor shall from time to time appoint to prosecute (and the Governor may revoke any such appointment), or upon a coroner's inquisition; provided that the person so appointed by the Governor shall not preside upon the bench upon the trial of any information filed by him; and all issues of fact joined upon any information, or upon any coroner's inquisition or inquest of office, shall be tried by a jury of six men, as hereinafter provided; except that where any information or coroner's inquisition shall charge any person with an offence punishable with death, all issues of fact joined upon any such information or coroner's inquisition shall be tried by a jury of twelve men, as hereinafter provided.
Verdict unanimous in criminal cases.	4. That the jury in every criminal case in the Magistrate's Court, and upon every

coroner's inquest or inquest of office, must unanimously concur in their verdict, and no alien in any case shall have a jury *de medietate lingue*.

5. That if a verdict of murder or accessory before the fact shall be found by a jury upon any information or coroner's inquisition against any person, the coroner holding the inquest and the Magistrate's Court, the sheriff and his deputy, or if there be no sheriff the chief constable and his deputy duly appointed, the gaoler and all other officers, shall have and be deemed to have had the same powers respectively for the commitment, trial and execution of the person so charged and convicted as by law is possessed in England by the coroner, or the justices of oyer and terminer and gaol delivery, sheriff and his deputy, the gaoler and other officers, with regard to the commitment, trial and execution of the sentence upon any person in England convicted of either of the said offences upon any indictment or coroner's inquisition.

An inquisition by six jurors to have the same effect as an inquisition by twelve.

Civil.

6. That all civil cases in the Magistrate's Court shall be heard and determined in a summary way at law, as hereinafter provided; and all matters in equity and ecclesiastical shall be heard upon a petition, and the parties and witnesses examined *viva voce* before the Court: Provided that in any action at law either of the parties shall be entitled to a jury, as hereinafter provided.

Civil procedure to be summary.

7. And with respect to the process, practice and mode of proceeding in actions in the Magistrate's Court, be it enacted as follows:—

(A.) That all the enactments and provisions of the Common Law Procedure Act of 1852 shall extend and apply to the Magistrate's Court and actions and proceedings therein, so far as the same are consistent with this Ordinance, except the provisions with respect to the sealing of writs and such as relate to the test thereof in the name of a judge, and to replications and subsequent pleadings to the jury, to the proceedings in error, to the proceeding where the plaintiff neglects to bring on the cause to be tried, and to the *Nisi Prius* records: Provided that all the powers under the said Act exercisable by any one judge, or by one or more of the masters, shall and may be exercised by the Chairman of the Magistrate's Court.

Common Law Procedure Act applied to the Magistrate's Court.

(B.) That no replication or subsequent pleading, joinder of issue, or *Nisi Prius* record shall be necessary, but each cause shall be taken to be ready for trial when the Chairman has settled the issues, or when the defendant has filed a plea or demurrer, or when the parties have agreed to proceed without pleadings, and have filed a consent in the following form:—

No replication or subsequent pleading.

MAGISTRATE'S COURT.

A. versus B.

We, the parties in this cause, have agreed that the same shall be tried without pleadings.

May be tried without pleading.

(Signed) A. *Plaintiff's Signature.*
B. *Defendant's Signature.*

And in any such case, at the request of the plaintiff, the Clerk of the Court shall take the necessary steps to summon a jury or the Court, as the case may require, for the trial, and shall cause a notice of the day appointed for the trial to be served upon the defendant; and if the plaintiff shall neglect to bring his cause on to be tried, after the same shall have been ready for trial as aforesaid, the defendant may give four days' notice to the plaintiff to bring the case on to be tried; and if the plaintiff shall not before the expiration of four days take the necessary steps to bring the case on for trial, or having done so shall not proceed in the trial, the defendant may sign judgment for his costs: Provided that the Court or Chairman shall have power to extend the time for proceeding to trial with or without terms.

Setting down the cause for trial.

Judgment by default for not proceeding to trial.

(C.) That upon the day appointed for the trial of any cause, the clerk shall have in Court the summons, the appearance, and each and every document in the cause, upon which documents the cause shall be tried; and whether the issues shall have been settled by the Chairman or not, the Court may, at discretion, either before the jury are sworn or at any period of the trial, collect the issue or issues, whether of fact or law, from the declaration and plea or demurrer, if there be any, or from the examination of the parties upon oath, and in any such case may, at discretion, order the clerk to enter in the Record Book the issue or issues of fact or law or matter in dispute, and from time to time to alter or amend the entry, upon the decision of which

Proceeding upon the hearing.

Issue may be collected from examination of the parties.

Trial may be postponed.

Special finding ;

may be entered.

Judgment upon special finding.

Proviso as to costs where plaintiff has sued in wrong form.

Chairman, with approval of Governor, may make rules for applying the provisions of the said Act to the Magistrate's Court.

Appeal from Magistrate's Court to Governor in Council in civil cases.

Security to be given for the prosecution of the appeal and the due performance of the judgment.

Mode of appeal.

Constitution of Police Court.

Civil jurisdiction under £50.

Civil County Court Act.

the verdict or judgment, as the case may be, shall depend ; or the Court, at discretion may order the plaintiff to state his case, and then call his witnesses, and afterwards the defendant the like, and the trial proceed without any such examination or entry being made ; and the Court may in any case make such order as to the postponement of trial or method of eliciting the issue, or both, having reference to the question whether either party has been misled or prejudiced in the conduct of his case, or otherwise in the matter, as the Court shall think best calculated to promote substantial justice in the case, or the Court may find, or direct the jury to find, as the case may require, the facts according to the evidence, notwithstanding the issues settled by the chairman, the declaration and plea, or the issues entered by the clerk as aforesaid ; and such finding shall be entered by the clerk in the Record Book ; and if the Court shall think the parties have not been prejudiced in the conduct of their cause, the Court may give judgment upon the facts so specially found and entered according to the substantial merits of the case, notwithstanding that the form of action had been misconceived, or any other objection whatever in respect of the pleadings : Provided that in such case the question of costs and form of judgment shall be in the discretion of the Court, and that no plaintiff who has sued in a wrong form of action shall be entitled to any other costs than such as he would have been entitled to in case he had sued in the proper form of action.

8. That it shall be lawful for the Chairman for the time being of the Magistrate's Court, with the approval of the Governor, from time to time to make rules for applying any of the provisions of the said Act or of the rules to be made in pursuance thereof to the Magistrate's Court, with such modifications and alterations with reference to the constitution and peculiar circumstances of the Colony as they may think fit and reasonable, and for modifying any of the provisions hereby applied to the said Court, and, from time to time to rescind, amend, or alter such rules.

9. That it shall be lawful for any person feeling aggrieved by any judgment, decree, order, or sentence of the Magistrate's Court in any civil case to appeal therefrom to the Governor in Council, in case such judgment, decree, order, or sentence shall be given or pronounced for or in respect of any sum or matter above the amount or value of one hundred pounds, or in case such judgment, decree, order, or sentence shall involve, directly or indirectly, any claim, demand, or question to or respecting property, or any civil right amounting to the value of one hundred pounds, within fourteen days next after the same shall have been pronounced, made, or given : Provided that security shall be given by the party appellant to the satisfaction of the said Court for the prosecution of the appeal, and for the due performance of such judgment or order as the Governor in Council shall think fit to make thereupon.

10. That the party shall appeal by petition to the Governor in Council, and shall transmit, together with such petition, a true and exact copy of all evidence, proceedings, judgments, decrees, and orders had or made in such case appealed, so far as the same have relation to the matters of appeal ; and the Governor in Council on hearing the petition and the evidence taken in the Magistrate's Court, unless the Governor in Council shall think fit to examine further into the matter, shall make such order as justice shall seem to require ; and the Governor shall certify the same under his signature to the Chairman of the said Court, and the said Court shall conform to and execute, or cause to be conformed to and executed, such judgment and order as the Governor in Council shall think fit to make in the premises, in such manner as an original judgment, decree, order or, rule by the said Court should or might have been executed.

Police Court.

11. That there should be a Court of Record, which shall be called the Police Court, and be holden before a Chairman, or in his absence before a Deputy Chairman, alone or with one or more Justices, and whenever the Chairman shall deem it expedient, he may at discretion summon one Justice ; and in any case of appeal or criminal trial, as hereinafter provided, he shall summon two justices, in the Form E annexed, beginning with the first Justice on the Commission, and summoning the Justices resident in Stanley in rotation.

12. That the said Police Court shall have cognizance of all civil cases where the amount or damage sought to be recovered shall not exceed fifty pounds, which shall be heard and determined in a summary way, provided that either party shall be entitled to a jury as hereinafter provided ; and except as herein altered the Statutes and Rules for the more easy recovery of small debts and demands in force in any County

Court in England, the Insolvent Law and Protection Statutes in force in England, as administered in the Insolvent Court, Portugal Street, and the Bankrupt Law in England, as administered in the Court of Bankruptcy in London, shall be applied in the administration of justice in the said Police Court, so far as they respectively can be applied.

13. That either of the parties may, by petition, within ten days from any judgment or order of the Police Court, in case such judgment or order shall be given in respect of any sum or matter above the value or amount of twenty pounds, or shall involve, directly or indirectly, any claim, demand, or question to or respecting property, or any civil right amounting to the value of twenty pounds, appeal to the Magistrate's Court, which Court, on hearing the petition and the evidence taken in the Police Court (unless the Court shall think fit to examine any further into the matter), shall make such order as justice shall seem to require.

Appeal from Police Court above £20.

14. That the said Police Court, holden before the Chairman and two or more Justices, shall also have cognizance of all crimes and offences punishable in England by fine or imprisonment, or both, or imprisonment with hard labour or whipping, or both, all which crimes and offences shall be heard, determined, and punished upon information in a summary way without a jury.

Criminal jurisdiction of Police Court.

Both Courts.

15. That the Chairman and Deputy Chairman of the Magistrate's and Police Courts respectively shall, from time to time, be appointed to and removed from his office by the Governor; and it shall be lawful for the Governor, from time to time, to appoint the Deputy Chairman, either in any particular case or generally, as the Governor may deem it expedient.

Governor to appoint a Chairman and Deputy Chairman.

16. That the Chairman of the Magistrate's Court and Police Court respectively shall have such and the like jurisdiction and authority in the Falkland Islands as any Judge of any Court in England, the jurisdiction whereof is vested in the Court whereof he is the Chairman lawfully hath and may exercise in England, and as shall be necessary for carrying into effect the several jurisdictions, powers, and authorities hereby given to the Magistrate's and Police Courts respectively.

The authority of the Chairman of the Magistrate's and Police Courts respectively.

17. That when a summons cannot be served on a Justice in his turn to attend the Magistrate's or Police Court respectively, by reason of his being absent, or other cause, the Justice next in rotation shall be summoned in his stead; and also in any case where any Justice having been duly summoned shall not have attended in pursuance of such summons, in either case the Justice who has not served in his turn shall be summoned to the next Court or any succeeding Court, or oftener, if necessary, until he shall have served in his turn; and if any Justice being duly summoned shall neglect or fail to attend in pursuance of such summons, or shall withdraw himself without the permission of the Court, the Court, if there be a full Court, or Chairman alone, or with such Justice or Justices as attend, as the case may be, shall in a summary way, unless some reasonable excuse be proved, set upon the Justice so making default any fine not exceeding the sum of ten pounds.

Justices not attending to be re-summoned.

18. That there shall belong to the Magistrate's and Police Courts respectively an officer, who shall be called the Clerk of the Court, who, in all cases whatsoever, as fully and amply, to all intents and purposes, shall have and exercise in their respective Courts such and the like power and authority, and discharge such and the like duties as are incident to and correspond with the duties performed by each and every officer of and belonging to each and every Court in England, the jurisdiction of which is by this Ordinance extended to the Court of which he is the officer; and there shall also belong to the said Courts respectively such other as shall from time to time appear necessary to the Governor; and the clerks of the said Courts and officers respectively shall, from time to time, be appointed and removed by the Governor, subject to the approval of Her Majesty.

Clerk of the Court.

Appointment of officers.

19. That all writs and process in either of such Courts shall be tested in the name of the Chairman or Deputy Chairman of the Court from which the same shall issue, and shall in no case require to be sealed with any seal.

Writs.

20. That it shall be lawful for the Governor, if he shall think proper, from time to time, to appoint a sheriff, either to act in any particular case or for any period His Excellency may deem expedient, and to revoke any such appointment, and the person who shall be so appointed sheriff shall by himself, or his sufficient deputies to be by him appointed and duly authorised under his hand and seal, or if there be no sheriff appointed, the chief constable for the time being shall by himself or his

Sheriff.

sufficient deputies, to be by him appointed and duly authorized under his hand and seal, and approved by the Governor, execute, and such sheriff or chief constable and their deputies are hereby respectively authorized to execute all writs, summonses, rules, warrants, orders, commands, and processes of either of the said Courts, and to make return of the same, together with the manner of the execution thereof, to the said Courts respectively, and to receive and detain in prison all such persons as shall be committed to the custody of such sheriff or chief constable, as the case may be, by either of the said Courts, or the respective Chairmen thereof, or any Justice, and shall in all respects be subject and liable to such and the same laws as in England apply to any sheriff or his deputies respectively in the discharge of the duties of his office, which laws shall be applied to the sheriff appointed under this Ordinance and his deputies respectively, or chief constable and his deputies respectively so far as the same can be applied.

Majority of justices to decide.

21. That in the said Magistrate's and Police Courts respectively all questions shall be decided by the majority of the Court, and in any case where the votes shall be equal the Chairman shall have a second or casting vote; and any Justice, except the Chairman or Deputy Chairman, as the case may be, shall be liable to be challenged upon such and the same grounds as may be lawfully alleged as a cause of challenge against any person empannelled as a juror, and such challenge shall be made in open Court and decided by the Court, if there be a full Court, or Chairman alone, or with such Justice or Justices as attend, as the case may be: Provided always, that in any action at law any issue of fact may be tried, or damages assessed by a jury, as hereinafter provided, at the request of either of the parties: Provided also that in the said Police Court no person shall be entitled to a jury unless the sum or matter in dispute shall amount to twenty pounds or upwards, or shall involve, directly or indirectly, any claim, demand, or question to or respecting property, or any civil right amounting to the value of twenty pounds.

Jury at the request of either party.

Jury in civil cases.

22. That in any civil case in either of the said Courts the jury shall consist of six persons, and if, after having remained six hours or upwards in deliberation, all of them shall not agree as to the verdict to be given or amount of damages to be assessed, the decision of five-sixths in number of them shall be entered as a verdict or assessment for all; and if, after having remained twelve hours or upwards in deliberation, five-sixths of them shall not concur in any such verdict or assessment, such jury shall be discharged, and the cause shall or may be set down for trial or assessment either at the same or any subsequent sittings, as the Court may think fit to order.

General rule that the trial is to be the same as in England.

23. That in every case of trial by a jury, whether in a civil or criminal case, under the provisions of this Ordinance, where no other mode of proceeding is by this Ordinance specially provided, the jurors and jury, and every assessment or trial by them, shall, as far as may be practicable, be subject to the same rules of procedure as in England would be observed, if a civil case, in an action at law in the Court of Queen's Bench, or, if a criminal case, upon the trial of an indictment before justices of gaol delivery.

Rules, regulations, practice, procedure, forms and pleadings.

Officers.

24. That it shall be lawful for the Chairman of the said Courts respectively from time to time to make rules for regulating the time and place of holding the said Courts, and the practice, procedure, forms, and pleadings upon all informations, suits and other proceedings therein, in criminal as well as civil cases, the proceedings of the Sheriff, Chief Constable, and other officers, the admission of barristers and solicitors, the fees and poundage to be paid to any officer, costs of suits and the taxing thereof, and all matters relating to the business of either of such courts, and such rules from time to time to alter or revoke; provided that the same shall not be repugnant to any of the provisions herein contained; and provided, also, that no such rules shall be in force until the same shall have been approved by the Governor.

Chairman may settle issues.

25. That it shall be lawful in either of such courts for the plaintiff and defendant at law or in equity at any time if they both agree so to do, to submit themselves to be examined, without oath by the Chairman, who may, at his discretion, do so, and elicit the issue, whether of fact or law, or matter in dispute between them, which issue or matter in dispute shall be settled and signed by the Chairman; and upon the trial of which issue or matter in dispute, so settled and signed, the judgment in the action or suit shall depend.

No objection to pleadings or jury after verdict.

26. That no objection shall be allowed to prevail in a civil case, either in arrest of judgment or after verdict, in respect of the pleadings or the jury, in any case in the Magistrate's or Police Courts, if, upon the whole, justice shall appear to the Court to have been done.

Persons summoned as witnesses to be

27. That if any person, having been duly summoned as a witness before any

Court or justice, shall fail to attend when his name is called, such Court or justice, as the case may be, shall, in a summary way, unless some reasonable excuse be proved, set upon the person so making default any fine not exceeding ten pounds.

fined in default of attendance.

Transportation.

28. That when any person shall be convicted of any offence for which in England such person would be liable to be transported, it shall be lawful to pass the same sentence in this colony; and every such sentence of transportation, or order of transportation as hereinafter mentioned, shall subject the offender to be conveyed and sent to such place beyond the sea as shall or may be duly appointed as the place to which offenders convicted in this colony shall be transported; and in the meantime it shall be lawful for the Governor, whenever he shall think fit, to order any such offender or any offender under any sentence of imprisonment and hard labour, either with or without whipping, or order of transportation, as hereinafter mentioned, to be kept to hard labour, either in the gaol or out of the gaol, as he may think fit, in any part of the Falkland Islands, and under the custody or management of any person he may think proper, and to give all necessary and proper orders for the removal or due working and safe custody of such offender for all or any part of the time for which such offender shall be under sentence; and the time during which every such offender shall continue in or at any gaol or place of confinement, or be kept to hard labour as aforesaid, shall be taken and reckoned in part discharge of the term of his sentence.

Sentences of transportation.

Convicts to be kept to hard labour.

29. That whenever Her Majesty or the Governor having lawful authority shall be pleased to extend mercy to any offender convicted of any crime punishable with death on condition of transportation, and such intention of mercy shall be signified by the Governor to the Court before whom such offender shall have been convicted, such Court shall allow to such offender the benefit of a conditional pardon, and shall make an order for the immediate transportation of such offender accordingly, and which order shall have the same force and effect as any sentence of transportation.

The Court to make an order of transportation where the Crown extends mercy in a capital case.

30. That the constable or other person in charge of or employing, or having the management of any offender working under any sentence or order as aforesaid, shall have the same powers and authority over him as are incident to the office of Sheriff or gaoler; and if any such offender whilst under any such sentence or order shall be convicted before any justice of disobedience, idleness, profane swearing, indecent or abusive language or conduct, insolence, or absence without leave, insubordination, or other misconduct, he shall be liable, at the discretion of any such justice, for any such offence to be punished in a summary way, either by imprisonment and hard labour, for any term not exceeding thirty days, or by extending the original sentence for any term not exceeding thirty days, or by sentencing such offender, if a male, to be worked in irons for any period of his original sentence or any extension thereof, or to be flogged with any number of lashes not exceeding fifty; provided that no such punishment of whipping shall be inflicted unless the Governor shall certify under his signature his approval thereof on the back of the warrant commanding its infliction, either alone or in addition to any such punishment; and every such offender under any such extended sentence shall be subject to and liable to be dealt with and punished under this section for any offence the same as if such offender had committed such offence under any original sentence; and if any such offender shall be illegally at large within the the Falkland Islands before the expiration of the term of his sentence, he shall be guilty of felony, and shall be liable to be transported beyond the sea for the term of seven years, or imprisonment, with or without hard labour, for any less term the Court may think fit; and in any information or indictment against any offender for any such offence, it shall be sufficient to allege that the offender was illegally at large before the expiration of the term of his sentence, without alleging any information, indictment, trial, or other matter, and the clerk of the Court, or officer having the custody of the records of the Court where the sentence shall have been recorded, shall give a certificate in writing signed by him, containing the effect and substance only (omitting the formal part) of the conviction and sentence of such offender, which certificate shall be sufficient evidence of the conviction and sentence.

Power of person in charge.

Illegally at large.

Information.

Certificate.

Arrest for Debt.

31. That no mesne process shall be issued for the arrest of any person in any civil action except in the cases and upon such orders to be made as hereinafter provided.

Regulating mesne process.

Arrest on proof of intended departure.

32. That if the plaintiff in any action or suit in which the defendant is now liable to arrest, shall, by the affidavit of himself or some other person, show to the satisfaction of the Chairman of either of the said Courts, as the case may be, that such plaintiff hath a cause of action against the defendant to the amount of twenty pounds or upwards, or hath sustained damage to that amount, and such person shall also make oath that he believes, and that in his opinion there is sufficient reason to believe that the defendant, or any one or more of the defendants, is or are shortly about to depart from this Colony, it shall be lawful for such Chairman, by an order in writing, to direct that such defendant as last aforesaid be held to bail for such sum as such Chairman shall think fit, not exceeding twice the amount of the debt or damages, such order may be made and such defendant arrested at any time before final judgment, and thereupon it shall be lawful for such plaintiff, within such time as shall be expressed in such order, but not afterwards, to sue out a writ of *capias* against any such defendant.

Chairman may inquire as to grounds or belief.

33. That it shall be lawful for the Chairman of either of the said Courts, as the case may be, to examine *vivâ voce* upon oath the person making such affidavit as to the grounds of such belief, and to refuse to make such order, if, in the opinion of such Chairman, such belief is unfounded.

Jury.

Jury list.

(Section 34 repealed. For qualification of jurymen, see page 65.)
(Section 35 repealed. For qualification of jurymen, see page 65.)

Errors of jury list to be corrected.

36. That the stipendiary magistrate shall have the power from time to time to strike out of the said list the names of all persons who shall not be liable to serve as jurors, and also of such as are disabled by lunacy or unsoundness of mind, deafness, blindness, and other cause or infirmity, and shall correct all errors therein.

List to be kept by the stipendiary magistrate.

37. That a copy of the list as corrected from time to time, and signed by the stipendiary magistrate, shall be kept by the stipendiary magistrate, or be transmitted before the tenth day of April, and from time to time as corrected, to the sheriff (if there be a sheriff), and kept by him, and such copy shall be called the "Jury List," and shall be brought into use on the said tenth day of April, and shall be used for one year then next ensuing.

Jurors summoned in order.

38. That the sheriff or clerk of the Court, or chief constable, as the case may be, shall summon the persons whose names shall appear on the jury-list in the order in which they shall be placed; provided that when a summons cannot be served on a juror in his turn by reason of his being absent or other cause, the juror next on the list shall be summoned in his stead, and also in case any other person having been duly summoned shall not attend in pursuance of such summons, in either case the juror who has not served in his turn shall be summoned upon the next jury or any succeeding jury, and oftener, if necessary, until he shall have served in his turn; and provided that at the commencement of every year the names shall be taken from the new list, beginning with the name of the person who stands next to the person last summoned in the preceding list.

Chairman to give directions as to the summoning of jurors.

39. That it shall be lawful for the chairman of the magistrate's and police courts respectively verbally to direct the proper officer to summon the jurors for disposing of the business pending in either of such Courts, as the case may be, and to give directions as to the time and place for which such jurors shall be summoned, and as to all such other matters as to such chairman shall seem requisite, and to direct that the jurors be summoned for the trial of all issues, whether civil or criminal, or both, which may come on for trial at the same sittings, and the jurors shall be summoned accordingly.

Jurors to try issues civil and criminal.

Jurors, how summoned.

40. That the sheriff or clerk of the Court when a jury is required shall issue summonses in the Form A; or chief constable, when a coroner's inquest is required, shall issue summonses in the appropriate form in Schedule B, hereunto subjoined, requiring the attendance of twelve men for juries of six, and twenty-four for juries of twelve, and every summons, except in the case of a coroner's inquest, shall be personally served upon or left at the usual place of abode of the person summoned three clear days before the day appointed for the sitting of the Court: Provided that upon the coroner's inquest the summons may be made returnable immediately or at such time and place as the coroner shall specially order in each case.

Jurors to be fined in default of attendance.

41. That if any person, having been duly summoned, shall fail to attend as a juror when his name is called, or after appearance shall withdraw himself without the permission of the Court, the Court shall, in a summary way, either on the same or at

any future day, to be appointed by the Court, as to the Court shall seem most expedient, notice being in such last-mentioned case given to the party, if the Court shall see fit, of the time and place so appointed, unless some reasonable excuse be proved, set upon the person so making default such fine, not exceeding the sum of ten pounds, as to the Court shall seem meet: Provided that, in any case in which it shall be made to appear, by affidavit or otherwise, that any juror summoned or selected as hereinafter provided is or was unable to attend, or ought for any reasonable cause to be excused from attendance, it shall be lawful for the Court to excuse such juror from attendance upon any particular trial, or on any day, as to such Court shall seem meet.

42. That the sheriff or clerk, or chief constable, on a coroner's inquest, as the case may be, shall cause to be delivered to the Court, at the sitting of the Court, a panel containing the names of the persons so summoned. Panel.

43. That each juror summoned to attend upon any jury in any civil case under this Ordinance shall receive from the clerk of the Court the sum of three shillings for every day during which he shall be in attendance upon the Court in obedience to such summons, whether he shall have actually served upon a jury or not; and the plaintiff (or party applying for a jury as herein directed) shall pay to the clerk of the Court the sum of one pound sixteen shillings for the jury at the time of the application for a jury, which shall be allowed as costs in the cause to the prevailing party, unless the Court shall otherwise order. Compensation to jurors.

44. That at the opening of the Court in any case of trial by jury, as well in civil cases as in criminal, or on a coroner's inquest, the name of each juror who shall attend, written upon a separate piece of card, shall, by the officer of the Court, be put into a box in open Court, and the officer shall, in open Court, draw out the said cards, until a sufficient number of jurors shall appear; and in case of a sufficient number of jurors not being in attendance, the Court or coroner may, at discretion, order the sheriff or chief constable, as the case may be, to complete the number from amongst the bystanders, and the officer of the Court shall place the name of each person chosen (unless excused as hereinbefore provided) upon a card, which he shall put into the box, and such person shall attend as a juror, or in default the Court may set upon him any fine, not exceeding ten pounds, as to the Court shall seem meet to be levied, as in any other case of default by a juror, or the Court may commit him for contempt for any term not exceeding thirty days. Names of jurors to be drawn from a box.

45. That in any case of a jury of six, each party shall be allowed three peremptory challenges, and no more. Challenges, juries of six.

46. That in any case of a jury of twelve, each party shall be allowed six peremptory challenges, and no more. Challenges, juries of twelve.

Laws.

47. That all laws and statutes which were in force within the realm of England on the first day of January, 1850, shall be applied in the administration of justice in the Falkland Islands so far as the same can be applied: Provided that, if in any matter there appears to be a conflict of laws betwixt any provision of an Act of Parliament and any provision of this or any Ordinance, the case shall be governed by the provision of the Ordinance. Laws in force in England on 1st January, 1850, to be in force.

48. That where any Act of Parliament provides that any fine, penalty, forfeiture, or sum of money, or any portion of either, shall be paid to the overseers of the poor, to the treasurer of a county, or to any other local purpose, or to any body corporate, or to Her Majesty, or to any person or persons whomsoever, other than to any party aggrieved, or to any informer, in each and every such case such Act notwithstanding shall be in force within the Falkland Islands, and the whole fine, penalty, or forfeiture, or sum of money shall be paid over monthly to the officer appointed by the Governor to receive the same, for the use of Her Majesty for the public uses of the Settlement. Acts of Parliament which in England direct any fine to be paid to any local purpose.

49. That in any case of a summary conviction by and before any justice under the provision of any Act of Parliament (where in England there is an appeal to any Court of Quarter Sessions), it shall be lawful in a like case in this Colony for the party to appeal to the magistrate's court, which 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 one justice to Magistrate's Court.

Mode of enforcing
fines on magistrates,
jurors, or witnesses.

50. That in any case where a fine shall be imposed on any person for non-attendance as a magistrate, juror, or witness, the clerk of the Court or of the justice, as the case may be, shall, within twenty-four hours from the imposition of such fine, unless previously paid, send a notice to such person, informing him of the imposition of such fine, and that if not paid within five days from the date of such notice, a warrant of distress will be issued to levy the same; and if the fine be not paid within five days the clerk (unless the same shall have been remitted by the Governor) shall issue a warrant of distress to levy the amount; and it shall be lawful for the officer by whom such warrant shall be issued to use the like form of warrant of distress as any justice, and also to direct by such warrant that in default of distress for the sum therein directed to be levied, the person against whose goods such warrant shall be issued shall be committed to gaol for the like period for which any person might be imprisoned in any like case in default of distress by a justice.

Stipendiary magi-
strate to have the
power of two justices.
Moneys paid to the
Crown.

51. That the stipendiary magistrate shall have all such powers as may by law be exercised by any two justices in England.

52. That all moneys, duties, fines, fees, forfeitures, or penalties, or portions of either, received under this or any Ordinance, containing no special provision to the contrary, shall be accounted for and paid over monthly to the officer appointed by the Governor to receive the same to the use of Her Majesty for the public uses of the settlement and the support of the Government thereof: provided that so much of any such fine or penalty as the Court or convicting justice shall determine, not exceeding in any case one-fourth, shall be paid to the informer or person upon whose discovery or information the same shall be recovered.

Solitary confinement
may be substituted
for imprisonment by
any Court or justice.

53. That where any court or justice may sentence, order, or direct any person to be imprisoned, or to be imprisoned and kept to hard labour, such court or justice, as the case may be, may also direct that such person be kept in solitary confinement for any portion of the time not exceeding fourteen days at a time, with intervals between the periods of solitary confinement of not less duration than such periods of solitary confinement: Provided that, when any single justice shall direct that the imprisonment, or any portion of it, shall be solitary, the total period of solitary imprisonment shall not be more than fourteen days.

Gaols.

Gaols and houses of
correction.

54. That the building now used as a public gaol in Stanley shall be a house of correction as well as a public gaol, and it shall be lawful for the Governor from time to time, by proclamation, to establish any other building as and to be a public gaol and house of correction; and it shall be lawful for the Governor from time to time to make rules for the government of any such gaol, and for the classification, discipline, and treatment of offenders imprisoned therein, and for the duties to be performed by the officers of the same.

Governor may
appoint a gaoler.

55. That it shall be lawful for the Governor from time to time to appoint for any such gaol a gaoler, and such other officers as may be necessary, and at pleasure to remove all or any of them: and if any such gaoler or officer shall convey, or attempt to convey, or cause to be conveyed into or out of, or knowingly allow to be conveyed into or out of any such gaol, or to or from any prisoner, anything whatsoever not allowed by the rules of the gaol, or shall be guilty of any other misconduct contrary to the said rules, he shall pay a fine not exceeding fifty pounds.

Justice may visit the
gaol.

56. That it shall be lawful for any justice at such time or times, and so often as he may think fit, to enter into and examine any such gaol, or any part thereof, and to visit and inspect the apartment or place in which any prisoner shall be confined, and there to see such person, and to hear and receive any representation from him as to his treatment in such gaol, and to inquire and examine into the same; and if he shall discover any abuse, such justice is hereby required to report the same in writing to the Governor, and so often as a report of any abuse shall be made by any justice, the abuse so reported shall be taken into consideration by the Governor, with a view, if necessary, of rectifying such abuse so soon as the nature of the case will allow.

and may report
abuse.

Carrying anything
to or from gaol.

57. That if any person shall convey or attempt to convey or cause to be conveyed in or out of any such gaol anything whatsoever, without the sanction of the gaoler, or to or from any prisoner working as hereinbefore provided, without

the sanction of the person in charge, or if any person shall assault or resist any officer of any such gaol, or person in charge of prisoners, in the execution of his duty, or shall aid or incite any person to assault or resist any such officer or person so in the discharge of his duty, or shall by any means whatsoever aid or assist any prisoner to escape or in attempting to escape from any such gaol or from the custody of any such person, whether an escape be actually made or not, he shall pay a fine not exceeding fifty pounds; or if any person, without the consent of the gaoler or person in charge of any prisoner, as aforesaid, or constable in whose custody any prisoner shall be, as the case may be, shall hold or attempt to hold any communication with any prisoner in such custody or charge, he shall pay a fine not exceeding five pounds.

Assaults.

Escapes.

Verbal or other communication.

General.

58. That it shall be lawful for the Governor from time to time, at his discretion, to appoint any person whom His Excellency may think fit, by warrant in the form in Schedule D hereunto annexed, and to revoke any such appointment, to be a notary public, who shall have the same authority and receive such and the like fees for his own use in every respect as a notary public duly appointed by the law of England; provided that if any duly appointed notary public shall reside in Stanley, any appointment of a notary public under this Ordinance shall thereupon determine, and it shall not be lawful to appoint any other notary public under this Ordinance so long as a notary public duly appointed by the law of England shall reside in Stanley, and shall be able and willing to discharge the duties of his office.

The Governor may appoint a notary public until one arrives from England.

59. That this and every Ordinance shall be transmitted by the clerk of the Legislative Council to the Magistrate's Court, to be there enrolled and recorded, and when enrolled and recorded shall be returned to the said clerk.

Ordinance to be enrolled in the Magistrate's Court.

60. That the records, papers, books and documents of and belonging to or received under the authority of the Magistrate's and Police Courts respectively established under the Ordinance intituled Administration of Justice Ordinance, No. 5, 1851, shall, from and after the passing of this Ordinance remain and continue in the custody of the Magistrate's and Police Courts respectively to be established under this Ordinance, and the said records shall be taken to be equally the records of the Magistrate's and Police Courts respectively to be established under this Ordinance.

Records of the old Court to be continued to the new.

61. Whereas doubts have been entertained whether the Ordinances named in the Schedule hereunto subjoined marked C are not without force and effect, by reason of certain alleged defects in the constitution of the Legislative Council; be it therefore enacted, That all proceedings, acts, matters and things whatsoever, which may have been taken or done under and by virtue of the said Ordinances or any of them, or in pursuance of any authority thereby granted, shall be and the same are hereby declared to be of the same force and validity as if the said Ordinances had been in all respects of full legal force and effect.

Indemnity for acts done under certain Ordinances.

62. That in this or any Ordinance, unless there is anything in the subject or context repugnant to such construction, words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural, and the plural the singular, and the word "month" to mean calendar month, and words "oath, swear and affidavit," shall include "affirmation, declaration, swearing and declaring," in the case of persons allowed by law to declare and affirm instead of swearing, and the word "land" shall include messuages, tenements, hereditaments, houses and buildings of any tenure, and the words "person or party," shall include a company as well as a corporation, whether aggregate or sole, and where the matter shall be authorized or required to be done by one or by two, or by any specific number of justices, the language used shall be understood to mean "one, two or more justices met and acting together," and the words "Falkland Islands" shall be understood to mean "the Falkland Islands and the Dependencies thereof," and the words "Chairman, or Chairman of the Magistrate's Court, or Chairman of the Police Court, shall be understood to include the deputy chairman of the said Courts respectively, and the words "Stipendiary Magistrate" shall, in case of the illness, absence, or incapacity of that officer, be construed to include "the person appointed by the Governor to discharge the duties of the office for the time being," and the word "Governor" shall be construed to mean "the Governor or Lieutenant-Governor for the time being, or other person administering the Government for the time being," as well as the Governor, and the words "any

Interpretation clause.

Masculine.

Singular.

Plural.

Month, oath, &c.

Land.

Person or party.

Justices.

Falkland Islands.

Chairman.

Stipendiary magistrate.

Governor.

Any Ordinance. Ordinance" shall be understood to mean "any Ordinance that has been or may hereafter be made by the Governor, with the advice and consent of the Legislative Council," and the words "Her Majesty" shall be understood to mean "Her Majesty, her heirs and successors," and the words "in Stanley" shall be understood to mean and extend to a circle of ten miles from the junction of Villiers Street, "and the Ross Road in Stanley," and the word "Justice" shall mean "Justice of the Peace."

Her Majesty. 63. That nothing in this Ordinance contained shall be taken to affect or alter the Ordinance intituled "An Ordinance to Extend to the Colony certain Acts of Parliament," No. 1, 1853.

In Stanley. 64. Whereas the delay incident to a previous communication with Her Majesty, to know Her Royal pleasure hereupon, would be productive of serious inconvenience; be it enacted, that this Ordinance shall take effect and come into operation on the first day of October, 1853, and the Ordinance intituled Administration of Justice Ordinance, No. 5, 1851, shall from and after that date be repealed.

Justice.

Not to affect an Ordinance to extend to the Colony certain Acts of Parliament.

Ordinance to commence on 1st October, 1853.

SCHEDULES.

A.—(SECTION 40.)

Mr. You are hereby summoned to appear before the (Magistrate's or Police Court, as the case may be,) to be holden at _____ on the _____ day of _____ next, at the hour of _____ o'clock, in the _____ noon, and there to attend from day to day until you shall be discharged from the said Court.

(Signed)

Clerk or Sheriff.

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

B.—(SECTION 40.)

Summons of a juror on a coroner's inquest. You are hereby summoned to appear as a juror before _____ Coroner, at _____ on the _____ day of _____ next, at the hour of _____ o'clock, in the _____ noon, then and there to inquire of and execute all such things as shall be lawfully given you in charge, touching the death of _____ By virtue of a precept from _____ Coroner. (Signed)

Chief Constable.

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

C.—(SECTION 61.)

List of Ordinances referred to.

13 Vict. No. 1.	Administration of Justice Ordinance.
13 Vict. No. 2.	Dog Licence Ordinance.
13 Vict. No. 3.	Spirits, Wine, Beer and Tobacco Licence Ordinance.
13 Vict. No. 4.	Aliens Amendment Ordinance.
13 Vict. No. 5.	Cattle Trespass continuation Ordinance.
13 Vict. No. 6.	Militia continuation Ordinance.

D.—(SECTION 58.)

Appointment of a notary public. Falkland Islands.) Whereas there is not as yet any Notary Public resident in the town To wit. _____ of Stanley: Now therefore I, the Governor and Commander-in-Chief of the Falkland Islands, do hereby appoint you _____ being a fit and proper person to be a Notary Public, to practise within the Falkland Islands.

In testimony whereof I have caused the seal of the Colony to be hereunto affixed, at Government House, Stanley, in the said Islands, this _____ day of _____ 18 _____

(L.S.)

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.