

## SCHEDULE.

*Marks appropriated for use in or on Her Majesty's Naval and Victualling Stores.*

Hempen cordage and wire rope.—White, black, or coloured worsted threads laid up with the yarns and the wire respectively.

Canvas, fearnoughts, hammocks, and seamen's bags.—A blue line in a serpentine form.

Bunting.—A double tape in the warp.

Candles.—Blue or red cotton threads in each wick, or wicks of red cotton.

Timber, metal, or other stores not before mentioned.—The broad arrow.

Passed the Legislative Council this 23rd day of August, 1867.

(Signed) HENRY BYNG, *Clerk to the Council.*

## 22.

**An Ordinance for granting Carlos Guilherme, Manoel Rodrigo, and Manoel Pereira, the Privileges of British-born Subjects within the Colony of the Falkland Islands.**

In the Year 1867.—No. 6.

1. Ordinance No. 2 of 1867 shall be, and the same is hereby repealed.

WHEREAS Carlos Guilherme, Manoel Rodrigo, and Manoel Pereira, of the Western Islands, have prayed that they, the said Carlos Guilherme, Manoel Rodrigo, and Manoel Pereira, may be admitted to enjoy the privileges of British-born subjects;

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

2. The said Carlos Guilherme, Manoel Rodrigo, and Manoel Pereira when and so soon after they shall have taken the oath of allegiance before the Governor, which oath the Governor is hereby authorised to administer, shall be to all intents and purposes whatsoever entitled, within the limits of this Colony, to all the privileges of British-born subjects of Her Majesty.

3. The Governor shall, immediately after such oaths have been taken before him, certify the same, and cause such certificates to be recorded in the office of the Registrar-General of this Colony.

(L.S.) (Signed) WILLIAM ROBINSON, *Governor.*

Passed in Council this 24th day of December, in the year of Our Lord 1867.

(Signed) H. BYNG, *Clerk to the Council.*

## 23.

**Vaccination Ordinance.**

In the Year 1868.—No. 1.

By His Excellency WILLIAM FRANCIS CLEAVER ROBINSON, Esquire, Governor, and Commander-in-Chief of the Falkland Islands and the Dependencies thereof, with the advice and consent of the Legislative Council thereof.

THAT whereas it is expedient to provide for the compulsory vaccination of children born in the Falkland Islands, Be it enacted—

1. That it shall be lawful for the Governor from time to time to divide the Falkland Islands into as many districts as he may deem advisable or necessary, and to appoint the Colonial Surgeon or other public medical officers of these Islands; or any duly qualified medical practitioner to be the public vaccinator or vaccinators

Preamble.

Governor to appoint public vaccinator.

of such districts, whose duty it shall be to attend at such time or times as may be appointed by the Governor at some convenient place within each such vaccination districts as the Governor may direct, and the said public vaccinator or vaccinators shall and are hereby required to vaccinate all persons resident in any such district or districts, who may come or be brought to them for that purpose, being fit subjects for vaccination, subject to such regulations as may be issued by the Governor in that behalf: Provided always, that the provisions of this Ordinance shall not apply or be in force in any district until a public vaccinator has been appointed for such district.

Proviso that Ordinance shall not be in force till public vaccinator be appointed.

Children born after the passing of this Ordinance to be vaccinated.

2. The father or mother of every child born in the Falkland Islands after the passing of this Ordinance shall within three months after the birth of such child, or when by reason of the death, illness, absence, or inability of the father or mother, or other cause any other person shall have the custody of such child, such person shall within three months after receiving the custody of such child take it or cause it to be taken to the Public Vaccinator of the district to be vaccinated, unless such child shall have been previously vaccinated by some duly qualified medical practitioner and the vaccination, or unfitness, or insusceptibility of successful vaccination duly certified, and the public vaccinator is hereby required with all reasonable despatch subject to such conditions hereinafter mentioned to vaccinate such child.

Children under the age of twelve years to be vaccinated.

3. The father or mother of every child on these Islands, who at the time of the passing of this Act shall be under the age of twelve years shall within three months after the passing of this Ordinance (or in the event of the death, illness, absence or inability of the father or mother, then the person who shall have the custody of such child) take it or cause it to be taken to the public vaccinator of the district to be vaccinated, unless it shall previously have been successfully vaccinated by a duly qualified medical practitioner and the vaccination duly certified; and the public vaccinator shall and is hereby required as soon as it may be conveniently and properly done to vaccinate such child.

Provision for inspection of vaccination.

4. Upon the same day in the following week when the operation of vaccination shall have been performed by the public vaccinator such parent or other person, as the case may be, shall again take the child, or cause it to be taken to him, that he may inspect it and ascertain the result of the operation, and if he see fit take from such child lymph for the performance of other vaccinations, and in the event of the vaccination being unsuccessful such parent or other person shall, if the vaccinator so direct, cause the child to be forthwith again vaccinated and inspected as on the previous occasion.

Certificate of successful vaccination.

5. Upon and immediately after the successful vaccination of any child the public vaccinator or other qualified medical practitioner shall deliver to the father or mother of the said child, or to the person having the custody of such child a certificate under his hand according to the form in the Schedule hereunto annexed, marked A, or to the like effect that the child has been successfully vaccinated, and such certificate shall, without further proof, be admissible as evidence of the successful vaccination of such child in any information or complaint which shall be brought against the father or mother of the said child, or such person as aforesaid, for non-compliance with the provisions of this Ordinance.

Provision for the unfitness of child to be vaccinated.

6. If the public vaccinator or medical practitioner shall be of opinion that the child is not in a fit and proper state to be successfully vaccinated, he shall forthwith deliver to the parent or other person having the custody of such child a certificate under his hand according to the form in the Schedule hereto annexed marked B, or to the like effect, that the child is then in a state unfit for successful vaccination, which certificate shall remain in force for two months, and shall be renewable for successive periods of two months until the public vaccinator or medical practitioner shall deem the child to be in a fit state for successful vaccination, when the child shall with all reasonable despatch be vaccinated, and the certificate of successful vaccination duly given if warranted by the result, and at or before the end of each successive period the parent or such person as aforesaid shall take or cause the child to be taken to the public vaccinator or medical practitioner who shall then examine the child and give the certificate according to the said form B, so long as he deems requisite under the circumstances of the case, and the production of such certificate shall be a sufficient defence against any complaint which may be brought against the father or mother or such person as aforesaid for non-compliance with the provisions of this Ordinance.

Provision for the insusceptibility of successful vaccination.

7. If the public vaccinator or medical practitioner shall find that a child whom he had three times unsuccessfully vaccinated is insusceptible of successful vaccination,

or that a child brought to him for vaccination has already had the small-pox, he shall deliver to the parent or other person as aforesaid a certificate under his hand according to the form in the schedule hereunto annexed marked C, or to the like effect. And the parent or such person as aforesaid shall thenceforth not be required to cause the child to be vaccinated, and the production of such certificate shall be sufficient defence against any complaint that may be brought against father or other person for non-compliance with the provisions of this Ordinance.

8. That the father or mother or other person as aforesaid shall pay to the public vaccinator the sum of two shillings and sixpence for each child successfully vaccinated.

Remuneration to public vaccinator for successful vaccination.

9. That the Registrar for the time being acting under and by virtue of the Registration Ordinance, No. 12, 1853, shall, upon the registration of the birth of any child, give notice according to the form in the Schedule hereunto annexed, marked D, or to the like effect to the father or mother or person having the custody of such child, requiring such child to be duly vaccinated according to the provisions of this Ordinance.

Registrar to give notice of vaccination to parent or other person registering birth.

10. Every father or mother or other person having the custody of such child who shall neglect to take such child or cause it to be taken to be vaccinated, or after vaccination to be inspected according to the provisions of this Ordinance, and shall not render a reasonable excuse for the neglect, shall be guilty of an offence and be liable upon conviction to pay a penalty not exceeding twenty shillings.

Penalty on parent or other person neglecting to procure vaccination of the child.

11. Every public vaccinator or medical practitioner who shall neglect or refuse to fill up and sign any certificate required of him by the provisions of this Ordinance or who shall refuse to deliver the same to the parent or other person on request, shall be liable to pay, upon a summary conviction, a penalty not exceeding twenty shillings; and every person who shall wilfully sign a false certificate under this Ordinance, shall be guilty of a misdemeanour and be punished accordingly.

Penalty on vaccinator neglecting to give certificate, and persons signing false certificates.

12. That the public vaccinator and any medical practitioner who shall have vaccinated any child, shall every quarter send to the Governor a certified list containing the names of each person so vaccinated and the results of such vaccination, and any public vaccinator or medical practitioner who shall neglect or refuse to do so shall be liable to a penalty not exceeding ten pounds.

Public vaccinator or medical practitioner to send to the Governor quarterly list of persons vaccinated.

13. Any person who shall, after the passing of this Ordinance, produce or attempt to produce in any person, by inoculation with variolous matter, or by wilful exposure to variolous matter, or wilfully by any other means whatsoever produce the disease of small-pox in any person, shall be guilty of an offence and shall be liable to be proceeded against summarily, and upon conviction to be imprisoned for any term not exceeding two months.

Penalty on persons inoculating with small-pox.

14. That all penalties under this Ordinance shall be sued for and recovered in the same way that penalties are sued for and recovered under and by virtue of the Summary Jurisdiction Ordinance, No. 11, 1853.

Recovery of penalties.

15. That, in any prosecution for neglect to procure the vaccination of a child, it shall not be necessary in support thereof to prove that the defendant had received notice from the Registrar, or any other officer, of the requirements of the law in this respect.

Notice not to be proved by prosecution.

16. That this Ordinance shall come into operation from the day of the passing thereof.

Commencement of Ordinance.

## SCHEDULES.

### (A.)

I, the undersigned, being a [*here insert nature of professional qualification*] hereby certify \_\_\_\_\_, the child of \_\_\_\_\_, aged \_\_\_\_\_, of \_\_\_\_\_ in the district of \_\_\_\_\_, has been successfully vaccinated by me. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 186 .

(Signed)

Public Vaccinator [or] Medical Practitioner,  
[as the case may be.]

### (B.)

I, the undersigned, being a [*here insert nature of professional qualification*], hereby certify my opinion that \_\_\_\_\_, the child of \_\_\_\_\_, of \_\_\_\_\_  
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in the district of \_\_\_\_\_ aged \_\_\_\_\_, is not now in a fit state to be successfully vaccinated, and I do hereby postpone the vaccination until the day of \_\_\_\_\_, 186 .

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

(Signed)

*Public Vaccinator of the District [or] Medical Practitioner,*  
[as the case may be].

(C.)

I, the undersigned, being a [*here insert nature of professional qualification*], hereby certify my opinion that \_\_\_\_\_, the child of \_\_\_\_\_, in the district of \_\_\_\_\_, is insusceptible of the vaccine disease.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 186 .

(Signed)

*Public Vaccinator of the District [or] Medical Practitioner,*  
[as the case may be].

(D.)

I, the undersigned, hereby give you notice and require you to have vaccinated within three months after the birth, pursuant to the provisions of the Vaccination Ordinance, No. 1, 1868.

As witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

(Signed)

*Registrar.*

Passed the Legislative Council, this twenty-eighth day of April, one thousand eight hundred and sixty-eight.

(L.S.) (Signed)

WILLIAM ROBINSON.

(Signed) H. BYNG, *Clerk of the Councils.*

24.

### An Ordinance to render Owners of Dogs liable for injuries done to Cattle, Sheep, or other Stock.

In the Year 1868.—No. 3.

By His Excellency WILLIAM CLEAVER FRANCIS ROBINSON, Esquire, Governor and Commander-in-Chief of the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof; Be it enacted :—

Owner of dog to be liable in damages for any injury committed by his dog.

1. THE owner of every dog in this Colony shall be liable in damages for injury done by worrying to any cattle, sheep, or other live stock by his dog; and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner, such damages to be recovered by the ordinary process of law in force in this Colony.

2. The occupier of any house or premises where any dog was kept or permitted to live or remain at the time of such injury, shall be deemed to be the owner of such dog, and shall be liable as such unless the said occupier can prove that he was not the owner of such dog at the time the injury complained of was committed, and that such dog was kept or permitted to live or remain in the said house or premises without his sanction or knowledge: Provided always, that where there are more occupiers than one in any house or premises let in separate apartments, or lodgings, or otherwise, the occupier of that particular part of the premises in which such dog shall have been kept, or permitted to live or remain at the time of such injury, shall be deemed to be the owner of such dog.

Commencement of Ordinance.

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

(L.S.) (Signed) WILLIAM ROBINSON, *Governor.*

Passed the Legislative Council this 7th day of October, 1868.

(Signed) H. BYNG, *Clerk to the Council.*