Despatches
Sec. of State to the Gov. & Council of Nevis
Colebrooke

Jas Daniell Pres. of Nevis
1836 — 1839

felt by the late Majesty on the occasion, and the
of the Majesty's Government at the Loyal and
and that they were precluded for the reasons
from recommending the relief applied for

I have &c

W. M. G. Colebrook

The President of Devis

&c &c

No. 4

Lord

Lord Stanley Act

Sir

I have had the honor to receive
Lordship's dispatch of the
of March enclosing a Memorial addressed to
late Majesty by the inhabitants of Sherbrooke
&c &c, praying for a grant of money and a
relief to those from the distress in which they
have been brought by the fire which lately took
a large part of Chambly town and that Sherbrooke had been
destroyed at a moment when a great fire
had been brought into so narrow by a sought and
prevailing of the wind & fire

I did not think to lay before the late Majesty this
Petition, which attributed the other loss and
misfortune, that the cancellation of the
duty hereafter by the late Majesty
declined complying with the prayer of it. I
could not give His Majesty to anticipate that
Parliament would grant relief in a case of this
nature, at a time when there were so many
urgent demands from Ireland and Scotland
[illegible] to consider the

and when the obvious answer to any such application to Parliament would be, that the Parties might have secured themselves against the risk by insurance. —

You will be pleased for these reasons to convey to the Petitioners the expression of the regret felt by Her Majesty's Government at the losses sustained by the inhabitants of Charleston and of their inability to afford them the relief which they solicit —

I have &c.
(s.d.) "Glenelg"

Governor
Sir W. M. G. Colebrook
&c. &c. &c.

No. 5.

Government House
22nd August 1837

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

The accompanying despatches which I have the honor to submit to you from the Governor in Chief with reference to the state of the House of Correction, the Prison, and Prison discipline, require your serious deliberation. —

The suggestions of His Excellency are so replete with sound judgment, policy and humanity, that I am anxious to call your attention to the modes of punishment pointed out by His Excellency for the treatment of offenders, in lieu of corporal punishment — to carry into operation this system, much greater care and application will be required than is at present exercised, either in the Gaol [illegible] of Correction. my [illegible] opinion

is, that by strict discipline, perseverance, and a constant attention to the prisoners, especially in the Police Establishment, this desirable end may be accomplished, a greater number of Constables must permanently remain in the House of Correction, in order to strictly attend and enforce the different degrees of punishment, awarded by the Special Justice and the Magistrates, and I make no doubt a reformation amongst them will soon take place.—

The future prosperity of the Colony, and the favorable working of the remainder of the apprenticeship, will mainly depend on the policy you now adopt. and I have been induced after much anxiety and consideration, to offer these remarks to Your Honorable Board and House in order that you might take such steps as your own good feeling and prudence dictate. it will be a source of much gratification to me to cooperate with you in the furtherance of this important object.— I have the honor to be

Gentlemen

Your Most Obedient

Humble Servant

James Carnell President

To

The Honorable Administering the Government

The President and Members of the Council

The Speaker and Members of the Assembly

No. 6

Extracts of Letters addressed by Lieutenant Governor Colebrook to the Board of Superintendence of Gaols and Houses

in the Bahamas established under the Bahama Act 6th Wm. 4. C. 15. for the regulation of Prison discipline and for other purposes —

Government House Bahamas
18th July 1836

Gentlemen,

As you have been appointed by the Act 6th Wm. 4. C. 15 for regulating prison discipline to constitute a general Board of Superintendence of the Gaol and Workhouse, and of other prisons which may be established in New Providence and to frame Rules and Regulations under the Act for all persons throughout the Colony, I avail myself of the occasion of your first meeting to bring under your consideration the measures which have been taken with a view to remedy the defects of the existing establishment, as far as it has been practicable —

The subject of prison management has for several years engaged attention in England, and the results of the most recent enquiries have been embodied in the evidence published with two Reports of a Committee of the House of Lords in 1835 — The Reports were sent to me by the Secretary of State, with instructions to bring the subject before the Legislature, and the Act which has been passed comprehends the leading provisions recommended for adoption —

On my arrival in the Colony, I was to observe the inefficiency of the system under the altered circumstances of Society, an Act had been previously passed for the erection of a Gaol in

in the out Island Districts, and the Special Justices were instructed to carry it into effect.

Recent reports have been received of the inefficiency of the out Island Gaols, where they have been created, and these reports will be given to you personally. The introduction of an improved system in the Gaol and Work house of New Providence, becomes therefore an object of primary importance, and its salutary effects may be extended even to the Districts. By increasing the Gaol and Workhouse a more effectual means of Classification may be found than has hitherto been practicable, and although good effects have resulted from the employment of Male Convicts in hard labor, the employment within the walls has been defective.

The effects of solitary confinement in some cases, and of hard labor strictly enforced in others, reducing the diet in the former case, and regulating the subsistence by the degree of bodily exertion called forth, have been found elsewhere the most effectual means of reforming those habits of prisoners which have commonly led to the commission of crime, and the moral and religious instruction of the prisoners has been found in all instances a powerful auxiliary, and some proofs of the good effects of it, especially upon juvenile offenders, have been experienced here. It is indispensable to provide constant employment for those who are not confined in solitary cells, more with a view to reformation than to profit, although the latter object is not to be lost sight of.

Inconvenience has been experienced from the [illegible]nt of some place of temporary confinement

at Carmichael, a small building would be sufficient for this purpose, and the erection of such in the numerous small settlements throughout the Colony would be attended with a salutary effect. —

× × × ×

15th July 1836

In reference to my communication of this date, I have directed to be laid before you the printed forms of prison returns and reports which I have caused to be adopted in the Gaols of the Colony, with the objects of ensuring a regularity and of obtaining that information regarding the state of crime, which would guide the Legislature in its estimation of the causes of the prevalence of certain offences common to persons of particular classes with a view to the application of a remedy. These Statistics of Crime have been pursued with advantage in other Countries, and I shall be prepared to concur with you in any alteration in those forms which may appear to you better calculated to effect the object, and to propose a better classification of the prisoners in other Gaols. —

Returns in these forms have been made during the last year from which some information may be derived. —

I would draw your attention to the salutary effects upon juvenile offenders which have attended the institution of reformatory Schools in the English prisons, and the complete separation from the adults of the boys [illegible]

Ed. M. G. Colebrook

July 26th

Referring to the observations contained in my Letter of the 10th Instant, I beg to add some further remarks, which have been the result of experience during the last year, in regard to the efficacy of punishments, and the means of acting with effect upon the minds of prisoners.

When hard labor was brought into operation in Nassau Gaol as a substitute for corporal punishment upon male convicts, it was apparent that the latter had completely lost it's efficacy; the same offenders repeatedly returning and meeting the same punishment. The use of stocks had also become ineffective. Ignominious exposure in a prison dress at out-door labor had an effect at first, the continuance of which could not be relied on; but the strict enforcement of such labor and the observance of silence amongst the prisoners have been efficacious with all classes, and by diminishing the diet of the prisoners when not engaged to laborious exertion, and especially when under solitary confinement or in the stocks, to which they may be subjected for a sluggish performance of their work, the association in their minds of labor with food, and of inaction with abstinence, have a salutary effect upon those whose offences may have been the consequence of indolence or vagrancy.

There are various examples in the Colony to prove that the punishments not directed to the reformation of the prisoners, begently lessening their efficacy, and tendency ultimately to harden the offender, in which state of mind he is [illegible]ally [illegible]ed

prepared to indulge in vice and to endure the consequent punishment, if he should not be able to evade it. Experience has shewn that this has been the effect of the frequent use of corporal punishment. It has been observed by the Magistrates, that on the first introduction of the Stocks into the out Island settlements, great dread had been occasioned by them, even when flogging has been regarded with indifference. Hence it is that I have relied for a more permanent effect upon a reformatory system, which by classification and silence improves on the Prisoners the necessity of reflection and habitually associates in their minds the natural and ordinary condition of life, that of labor and subsistence; and in order to prevent so salutary an effect from being counteracted by the coercive enforcement of labor, from which they would afterwards acquire a repugnance to its voluntary performance. I have considered that the throwing back a slothful labourer into those solitary confinement with bread and water is calculated, as has indeed been proved, to excite that desire for employment by which an ample subsistence may be honestly acquired. —

Religious instruction is so powerful a means of reformation under favorable circumstances, that in accordance with the views of Parliament, this part of the improved mean of prison discipline should not be lost sight of. —

In situations where they may be no Constable or other religious teacher, it should be the duty of Magistrates, and even of Gaolers to read the Scriptures

to

to the prisoners, and to secure the observance of religious duties —

In regard to female prisoners and juvenile offenders, the discipline must be much modified; in the case of females the same principle of employment, with full seclusion only when employed may be applied, but seclusion is necessary for their reformation — Women who are committed to prison are too often insensible to shame, and are only to be corrected by being withdrawn from the opportunity of intercourse with others, and subjected to the strictest enforcement of silence and employment in such works of industry as are suited to them within the walls of the prison —

× × × × ×

I would only further advert to the circumstance that no provision has hitherto been made for the care and treatment of lunatics who are still confined in the Gaol, and as it is now ascertained that the cure of this severest of human afflictions is within the reach of professional skill, it would be consistent at once with humanity and justice that the recommendation of the Lords Committee on this point should be carried into effect. Their situation is not only positively injurious to themselves, but is not less calculated to disturb the prisoners and interfere with the economy and arrangements of the Gaol —

× × × × ×

31st October

I am led to bring under your consideration

an arrangement for the superintendence of the Establishments of the Gaol and Workhouse — which has long appeared to me to be indispensably called for in order that the provisions of the Act 5th Wm. 4. Ch. 15 may be carried into full effect — Being desirous in the last year of uniting these Establishments under one management and of introducing some uniformity of system in them I was led to reduce the office of Superintendent of the Workhouse to place the Gaoler in the immediate charge of both Establishments and to appoint an Overseer to treat the later of Male Convicts without the Walls —

(signed) W. M. G. Colebrook

* * * * *

Copy of a Despatch to the Secretary of State on the revision of the Larceny Act —

July 8th

On the receipt of Your Lordship's despatch No. 84 dated the 15th February I did not delay to require from the Attorney General his report upon the deviations which had been sanctioned by the Colonial Act 5th Wm. 4. C. 11 from the Act of Parliament of the 7th and 8th George 4. Ch. 29

In now forwarding you the report which has been made to me by Mr. Burrell, and which has been drawn up with much judgment and perspicuity I take the opportunity of offering some remarks on the subject —

I concur in the opinion of the Attorney General, that the Clauses which he has recommended to be inserted into the Colonial Act

should

should be adopted as comprising offences which may be committed, and upon this principle I recommend also that the 51st. 52nd. and 55th. Clauses should be re-enacted with the others he has enumerated.

Sedition also in his objection to the pain of death being attached to the crime of stealing in Shops, as well for the reasons he has stated as from the consideration that crimes are more effectually repressed by the strict enforcement of moderate and reformatory punishments. Although transportation may be attended with inconvenience the removal of offenders to a penal settlement in the Bahamas would be desirable, if practicable.

The secondary punishments which have been found efficacious and which I recommend for adoption preferably to others, are, solitary confinement and hard labor, which, under an improved system of Prison discipline, admitting of due classification may be made a means of reformation. Whipping I recommend to be wholly abolished, as a species of torture revolting in its character, and calculated to harden offenders.

On receiving from Your Lordship further instructions I shall be prepared to recommend to the Legislature a revision of this Act, in order that it may obtain the approval of His Majesty in Council.

I have &c.

The Rt. Honble. Lord Glenelg

Chas. M. G. Colebrook

Copy of a Despatch from the Secretary of State in reply —

Downing Street
24th August 1837

I have the honor to acknowledge the receipt of your Despatch No. 67. of the 8th of July enclosing a Report from the Attorney General on the improvement of the Colonial Act for the punishment of larceny —

I have to acquaint you in reply that I concur in, and adopt the suggestions contained in your despatch, and in the Attorney General's report, and you are at liberty to take the earliest opportunity of bringing these suggestions under the notice of the Colonial Legislature — acquainting them that Her Majesty's decision on the 5th Wm. 4. C. 11. will be suspended until the result of these recommendations shall be known. — I have &c

(Sd.) "Glenelg"

To
Lt. Governor Colebrook

Copy of a Letter from C. R. Nesbett Esq
Police Magistrate
5th November 1836

I have the honor to acknowledge the receipt of your Letter of the 3rd Instant — requesting me to report to the Lieutenant — Governor my opinion how far the system of prison discipline, which has been in operation since February 1835 has been effectual in — producing a salutary change in the habits of — offenders, in discouraging a repetition of offences

and

and as an example to others —

In reply I beg to state for His Excellency's information, that from the Month of February to the date hereof, there have been in this Office upwards of seven hundred summary convictions under the authority of local Acts, passed subsequently to the Month of October 1833. —

In the case of hardened male offenders, the Magistrates may by law sentence them to corporal punishment by whipping, to fine, imprisonment and hard labor — There have however been very few sentences of corporal punishment, and none in this Office since February 1835 —

The severest punishments for Male Offenders, since the above period, have been imprisonment, combined with hard labor, in the public stone Quarries, in going to and from which to the Gaol, the prisoners are exhibited in distinguishing party colored dresses. — operating at once as disgraceful humiliating and exemplary. —

Solitary confinement is the principal punishment resorted to in the case of abandoned females, the complete restraint this imposes on their vicious habits and propensities; the tedious leisure they have for reflection, combined with spare diet and other deprivations, produce a like salutary effect on them, as hard labor

There are minor points of prison discipline in operation here that essentially contribute to the efficiency of the punishments awarded, and although there are still [illegible]

unimportant improvements in contemplation yet I may safely refer in illustration of the efficacy of these punishments, combined with many important moral influences that have recently obtained to the quiet and orderly state of this Town, contrasted with a former period, the manifest improvements in the habits of the people; and the rare occurrence of any offences of a grave nature. —

In conclusion I will add that my conviction is that hard labor, and solitary confinement, have acted here powerfully on the minds of offenders, and in their reformatory and lasting effects, are, in my humble opinion, preferable to corporal chastisement, while they are sufficiently exemplary punishments to discourage the commission of Crime. —

Having in the Legislature, and as a Magistrate, taken considerable interest in the subject referred to me, and having anxiously watched the effects on Society of the punishments in operation here, I hesitate not in avowing my opinion, with due deference to that of others, that corporal punishment by whipping may be safely, by law, be taken out of the hands of all Magistrates in the case of Males, as it is in the case of females, whenever the modes of punishment by hard labor, and solitary confinement can be duly enforced. —

(signed) E. R. Nisbett
Police Magistrate

Copy of a Letter from J. R. Winder Esq.
Special Justice.

9th November 1836

I have the honor to acknowledge the receipt of your letter of the 5th Instant requiring me to report to His Excellency the Lieutenant Governor, upon the effects observed by me of the system of prison discipline in operation since the month of February 1835.

In reply thereto I beg to observe that the system adopted since that period, although imperfectly carried on into effect, has been productive of a salutary change in the habits of many offenders committed by the Special Magistrates.

These remarks apply to the effects produced by the Establishment of a Penal Gang without the Walls for Male Offenders, and the substitution of solitary confinement for females, in lieu of hard labor within the Walls.

From my observations and experience as a Magistrate, I am of opinion that these two modes of punishment are the most effective that can be devised for reforming the habits of offenders and deterring others from the commission of offences.

From the observations I have made of the effects of other modes of punishment, such as corporal punishment by whipping, on male offenders in the relation of apprentices, I am decidedly of opinion that they are not only ineffectual in reforming the offenders, but in most instances productive of the worst consequences to their future conduct and

The Act passed in the last Session which requires the classification of prisoners — the separation of the Sexes, and the enforcement of seclusion and silence within the walls of the Establishment, will when completely carried into effect, and placed under effectual superintendance, be productive of the most salutary effects.

(signed) T. R. Tidmarsh
Special Justice

(Copy)

No 7

Bd Aldermanbury
23rd March 1834

Sir,

I beg to acknowledge the receipt of your three Letters dated January 19th 21st and February 9th with the accompanying papers relative to the state of the prisons in the Colonies, and in compliance with the request of Lord Glenelg I have submitted the same to the Committee of the prison discipline Society for their consideration.

In looking over the various Reports, it is highly gratifying to find that Improvement are in progress in several of the Colonial Gaols, by the introduction of Laws and Regulations for their internal Government and discipline; some of those papers however, are by no means of recent date, and it cannot therefore be ascertained how far the spirit of improvement has generally prevailed.

The Committee are desirous to call the attention of Lord Glenelg to the annexed paper of Remarks as to the effects which appear to [illegible] in many of the prisons in the Colonies;

and

and with a view to remedy some of the evils, particularly as to the state of the Buildings, I beg to suggest that the plans of all the Gaols &c should be obtained, in order that the benefits resulting from an improved system of construction and arrangement may be pointed out, in reference to such new buildings as it may be found necessary to erect, or alterations to be made in the old Gaols.—

I have also to request to Your Lordship that an enlarged form of Returns (agreeably to the one annexed) should be sent to each Colony, with a view to obtain more detailed information on certain points, than is already possessed, and that the answers to such enquiries should in all cases be accompanied by copies of the Laws and Regulations, which have been or are about to be established in each Colony.—

The Committee wish also to urge the necessity of Local Inspectors being appointed, to visit the prisons at frequent intervals, (as suggested in my former letter to Lord Stanley) a measure which it is considered, would greatly facilitate the establishment of an effective system of discipline.—

I return herewith all the Original papers which you forwarded to me on this subject, and also send you by request of the Committee, a packet containing four books of prison plans, twelve copies of Rules for Gaols, and twelve descriptions of the Treadmill.—

I have &c

(signed) Samuel Hoare
Chairman of the Com

Sir George Grey Bart
&c &c &c

Remarks on the Colonial Prisons.

The official reports which have been recently received from the West Indian states, shew that new prison buildings are about to be erected at Jamaica, Barbados, Demerara, Tobago, Nevis, Dominica, &c.

It is therefore considered desirable that a plan of each prison should be forwarded to the Colonial Office, also plans of any new buildings which are about to be erected, and of any alterations or additions to be made in the present Gaols.

In Lower Canada, new Prisons are proposed to be constructed on the Auburn plan (of association at labor in silence) which has been recommended, by a Committee appointed to consider the penitentiary System of the United States, in preference to the solitary or separate system in used at Pennsylvania.

The prisons in the Colonies appear to be very defective in construction and arrangement, there being generally no separate day rooms, for the proper classification of Offenders, no sleeping cells for the individual separation of prisoners at night; no hospitals for the sick, or for lunatics and (with some few exceptions) no suitable chapel for religious services. Some of the Gaols have no yard or court, and others have only one yard, in which the prisoners associate together indiscriminately, but at several places the enclosures of the Gaol is stated to be so insecure, that the prisoners are not allowed to take exercise in the yard.

As to the regulations in force - there appears to be a great want of uniformity, even in those which have been recently established, particularly in the West India Islands. For instance at Jamaica where there are eighteen prisons, for nearly all of which new regulations have been framed, yet not more than two or three of these Codes are alike, on account of the Gaols being under different local authorities — and this Island contains some of the most important prisons, the Gaol at Clarendon having had not less than 10,900 persons committed to it during the year 1834.

With the exception of the Treadmill, which has been introduced as a means of compulsory labor, there appears to be scarcely any regular employment in the prisons - at several places the convicts are employed out of the prisons, on public works, repairing the roads, cleaning the streets &c. in gangs and wearing shackles. Negroes under sentence, are also let out for hire, to dig cane holes &c. all which practices must be considered as highly objectionable.

The allowance of food differs materially at some Gaols, each prisoner has only one pound of bread daily, but at others a pound and half of bread or biscuit together with two pounds of potatoes - the cost of maintenance also varying from four pence to one shilling and eleven pence (at St. Vincents). Debtors have no allowance at several prisons, at others they receive more than criminals - Clothing and bedding are not always allowed, and when

only to the convicted —

In consequence of Chaplains not being generally appointed, some prisons are without any religious service, but in many cases it is performed gratuitously by the parochial Clergyman — dissenting Ministers are also allowed free access to the prisoners — no provision is made for the instruction of the ignorant. —

There appears to be a neglect of frequent periodical visitation by the Magistrates, or their Authorities — In only one instance (at Honduras) it is stated that a local inspector had been appointed. —

The regulations most recently framed, and which appear highly deserving of imitation by other Colonies, are those for the Bahamas, established in September last, by direction of Lieutenant Colonel Colebrook —

As to the Returns —

The printed Tabular Form of Annual Returns is considered to be incomplete in some important particulars. — It does not state the number and description of persons in confinement at any one time, but only the whole number during the year — It also appears desirable to have a return made of the greatest number in prison at any one time, and to distinguish whites from blacks, and colored persons; also that males and females should be seperated (agreeably to the form No. 1 and 2 which is now submitted) The printed forms of Annual Returns, recently framed by the Gaolers of Prisons in England, may also

Serve

furnish some further suggestions on this subject.

Despatches laid before the Board of Council on Thursday the 12th day of October 1837

No. 1

Government House
2nd September 1837

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to transmit to you a Copy of a Letter from the Governor in Chief recommending for your consideration the passing of several Bills, where adequate provision has not been already made by Law.

I have the honor to be
Sir,
Your Most Obedient
Humble Servant
James Carmichael President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 2

(Circular)

Government House, Antigua
17th August 1837

Sir,

Adverting to my several letters of the dates specified in the margin – I request that

the occasion of the first meeting of the Legislature to bring under their consideration and to recommend that Bills should be passed for the following objects in terms a regulated provision may not already have been made by law —

1st A Bill for the revision of the penal laws in conformity to the later English Enactments. —

2ndly A Bill to invest the Magistrates with adequate powers for preserving the peace in their respective Districts and for the summary disposal of minor offences.

3rdly A Bill for the establishment of an improved system of discipline in Gaols and Houses of Correction.

4thly A Bill for the establishment of a Superior Town Police and the appointment of Rural Constables.

5thly A Bill for the appointment of an effective Militia for local defence and to aid in the preservation of the public peace.

6thly A Bill to provide for the incorporation of Savings Banks and friendly societies —

7thly A Bill to provide more effectually for the construction of roads and bridges and for the appointment of a Civil Engineer.

8thly A Bill to provide for the due observance of the Sabbath.

9th & 10th A Bill to provide for the general instruction of the youth of the Colony — I have &c

Jos. W. M. G. Colebrook

No. 3.

Government House
2nd September 1837

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

In conformity with the instructions forwarded to me by the Governor in Chief, a copy of which I have the honor to enclose to you - I request your concurrence, to enable me to transmit the plans alluded to by His Excellency -

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 4

(Circular)

Government House St Kitts
15th August 1837

Sir,

With reference to a suggestion contained in the papers which accompanied my despatch of yesterday relating to the arrangement and description of Jails and Lock houses - I request that you will cause to be prepared and transmitted to me the plans and elevation of the Jails and Houses of Correction in Nevis, with explanatory references -

I have &c
(Sd) M. Ch. Mc Culloch

Honor
President of Nevis
&c &c

No 5

Government House
20th September 1837

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to communicate to you the wishes of the Governor in Chief with reference to the spread of small pox, and the inconvenience attending the enforcement of the Quarantine laws. To obviate this inconvenience it will be necessary to provide for a regular of Vaccine Lymph, and to encourage competent persons to vaccinate in each District.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell Pres. Adm. Genl. Gen. Government

To
The Honorable
The President and Members of the Council.
The Speaker and Members of the Assembly

No 6

(Circular)

Government House Antigua
4th September 1837

Sir,

From the apprehensions entertained by the inhabitants in regard of the Islands of the spread of small pox in Tortola, and the inconvenience attending the strict enforcement of Quarantine Regulations even where practicable, I request that you will cause a report to be prepared for my information of the present state of the Island of Nevis, also that [illegible] communicate it to the Council

order that the most effectual measures may be taken in concert with them for extending to all classes the protection it is calculated to afford.

To secure this important object, it will be essential to provide for a regular supply of the Vaccine Lymph, and for the encouragement of competent persons to vaccinate in each district.

I have &c.

(Sd.) Ed. M. G. Colebrook

To
His Honor
The President of Nevis

No. 7

Government House
20th September 1837

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to call your attention to a copy of a Despatch I have received from the Governor in Chief, with reference to the working of the apprenticeship system, and to request you will afford to me the information called for, that I may transmit Your opinion to His Excellency at Antigua.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant

James Cassell President
administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 8

(Circular)

Government House Montserrat
9th September 1837

Sir,

With reference to my Despatch dated the 14th Ultimo, I enclose to you for your information, a Report of the Committee of the House of Commons, appointed during the last Session, to enquire into the working of the apprentice system, in the Colonies which I have received from Lord Glenelg — And I request that you will make the enquiries therein called for, and communicate to me the result for the information of the Secretary of State. —

I have &c.

(Sd) W. M. G. Colebrook

To
His Honor
The President of Nevis.

No. 9

Government House
11th October 1837

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Council

I have the honor to place before you a copy of a letter from Mr. McCleary, Superintendent of the Colonial Bank at Barbados: in reply to my Despatch on the subject of a branch Bank, being established in this Island, a copy of which I have the honor also to forward.

I beg to suggest the necessity of amending such of the laws, as are now in force, in order that transactions of the Bank with Individuals, may be made as safe as they are, in the neighbouring Islands. —

I have the honor to be
Gentlemen
Your Most Obedient

Humble Servant
James Daniell President
administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly —

No 10

Colonial Bank — Barbados
14th September 1837

Sir,

I beg to acknowledge receipt of Your Honors Communication of date the 22nd ult. enclosing copy of a letter addressed to Your Honor by the President of the Council, and the Speaker of the Assembly, relative to the establishment of a Branch of the Colonial Bank in the Island of Nevis. —

In reply I take leave to inform Your Honor, that the Directors contemplate establishing an agency in the Island of Nevis, at no very distant period but not until the Branches already opened have advanced a little further in their operations. —

In the mean time, I trust that the Legislature of that Island will take such steps towards the amendment of their laws as will render the transactions of the Bank with individuals, as safe as they are in the neighbouring islands. —

I beg further to inform Your Honor that Mr. Berridge the Manager of the Branch at St. Kitts has been instructed to extend all the accommodation in his power (consistently with the security of the Bank) to the inhabitants of Nevis until an Agency shall be established there. —

I wish an expression of my best thanks are

behalf of the Directors for your good wishes towards the Establishment —

I have &c.

(sig.d) Wm. McCleary

To
His Honor
The President
Administering the Government
&c. &c. &c.

A true Copy
Jno. W. Ilo

No. 11

(Copy)

Government House Nevis
22nd August 1837

Sir,

I have the honor to transmit to you a Copy of a Letter from the President of the Council and the Speaker of the Assembly relative to the establishment of a Branch in this Island of the Parent Bank. —

In the accompanying Communication from the Legislature you will perceive little doubt is entertained that a business advantageous to the Bank and beneficial to the interests of this Community will be transacted. —

I fully do succeed with the views entertained in the Despatch, and at the same time being desirous that the clearest and fullest information should be laid before you — I have procured a sketch of the probable amount of business that would be transacted with the Establishment — it has been drawn up by a Resident Merchant, and professes to be much under the average amount of business transacted in this Island. —

In furtherance of the views of the President of the Council and the Speaker of the Assembly I deem it my duty to bring before your notice, the very great inconvenience, the inhabitants of this Island will suffer, if they are compelled in the absence of an Establishment here, to transact their business with the branch of Saint Christopher. In the first place though the two Islands are at no great distance from each other, yet the uncertainty of opportunities - the great risk of transferring money from one Island to another, the want of knowledge on the part of the Director at Saint Christopher, of the responsibility and stability of the Parties applying, and of the security offered - all prove difficulties of the greatest importance to the inhabitants of this Island. I would further add that should the business in your opinion be insufficient to encourage the appointment of a Branch, that you will be pleased to meet the views of the legislature in the establishment of an Agency in this Island, and it does not appear that the Director at Saint Christopher has had the least communication with either of the Public Authorities, and such a proceeding is not in unison with the instructions laid down by the Secretary of State. It affords me much pleasure to add my strenuous recommendation with that of the President and Speaker to the Treasurer of the Island, as a Gentleman well adapted to fulfil the important functions necessarily attendant upon the direction of so important a Concern.

I remain, Sir, that I shall be happy at a

times to co-operate with you in any arrangements you may consider advantageous to the interests of the establishment in this Island.—

I have &c.

To,
Michael McCleary Esquire
Superintendent of the
Colonial Bank
&c. &c. &c.

(sig.) James Lamell
President

True Copy
J. A. Hes

No. 12.

Government House
12th October 1833.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

At the commencement of this New Session, I think it my duty to submit for your serious attention and consideration the present situation of this Island, and from the rapid changes which will in all probability take place amongst the apprentices labourers in a very short period to a state of unrestricted freedom, I cannot impress upon your minds too forcibly the indispensable necessity there is of enacting further laws suitable to the present policy of this Island.—

Our Police Establishment appears to me to be in a very disorganized condition, and requires much attention. If only six Police Constables of respectability and good character were employed at a higher salary (say £120 per annum each) and a certain number of rural Constables were attached to each of these six Police Constables, allowing their Masters for their services a

given

given sum per Month, with a station at the Shoal in Gingerland and another at New Castle, much benefit might accrue.—

It is absolutely necessary also that more attention should be paid to the prisoners in the Gaol and those in the Houses of Correction under a reformatory system as recommended by the Governor in Chief. A copy of a circular addressed to me by His Excellency, on this important subject, I have also the honor to submit for your consideration. Taking a deliberate and serious view of passing events, and of those changes in Society, which must soon take place, I must candidly acknowledge, that too much apathy and indifference appears to preside over your deliberations, and unless more zeal and promptitude is exercised, the state of the Island will be in the course of a few months in a dangerous and awful predicament, in a great measure to be attributed to the supineness of the acts of those, whose duty it is to watch over the interests of the Country, and by their Legislative Enactments to protect by every means in their power all classes of Her Majesty's subjects.

Gentlemen, I trust, give me credit for my assertions, when I say these observations have been offered to you in a spirit of conciliation, and an earnest wish for the prosperity of this Colony — I have the honor to be

Gentlemen

Your Most Obedient

Humble Servant

James Horwell

Administering the Gover

To

The Honorable

The President and Members

of the Council.

The Speaker and Members

of the Assembly

(Circular) No. 13

Government House, Antigua
23rd September 1837

Sir,

I have already requested that the Returns of Jails and Houses of Correction together with the ground plans and answers to interrogatories called for by the Secretary of State should be sent up to me as soon as they could be prepared. These returns are made up for the year 1836, and as I am at this time engaged in the consideration of the Reforms, which are required in these Establishments throughout the Islands, I request that you will be so good, as to cause copies in the same form to be prepared for my information, which and to be filled up to the 30th September of the current Year.

If an opportunity should offer of transmitting to me these documents immediately, it will not be necessary to delay the completion of the Return other wise than may be made up to the 30. September and by transmitting it with the plan and printed forms for 1836. I shall be enabled to compare the returns of the past with those of the present year.

In consequence of the practice in some of the Islands of employing the Convicts in labor, without the walls, and the difficulty experienced in employing them effectually in the prisons and Houses of Correction, preserving due classification, I have been led to consider of the means that may be found of obviating the general objections entertained to their employment

of

the Males on public works. The objection of this mode of Employment for females cannot be stated, and where the practice has obtained for employing them it should be discontinued. But if a respectable and intelligent person should be engaged and adequately paid to superintend the Males employed in out-door labor, with a sufficient number of Overseers to preserve silence and prevent intercourse and all other infringement of the prison Rules, a gang might be employed in this manner within such distance of any prison, as to admit of their return to it at night.—

And in the Rural Districts, the Gaoler might take charge of the Gang, leaving the Matron with the females and a Turnkey in charge of the Prison.—

It is however to be strictly kept in view that the reformation of the Convicts is the primary object, not the public work to which their labor may be applied.—

In cases of refractory conduct the superintendency of the Gang is on no account to be entrusted with the authority to punish Convicts otherwise than by putting them into close solitary confinement with reduced diet for 24 hours, or with the authority of the Magistrate for a longer period, or occasionally into field stocks for a few hours.—

I am gratified in the opportunity of informing you, that the salutary effects of this system have not only been experienced in the Bahamas, but that the disciplines of the Gaol and House of Correction in Antigua, has been preserved without the infliction of a single lash.—

From my own experience of the injurious effects of maintaining discipline of prisoners by the lash, and the abuses to which it leads. I regard its entire suppression, as essential for the prevention of those abuses, and for the successful introduction of a reformatory system. —

I have &c.
(Sd.) Ed. M. G. Colebrook

To
His Honor
The President of Nevis

&c. &c. &c.

A true copy
John A. Iles

Despatches laid before the Board of Council on Thursday the 19th day of October 1837

No. 1

Government House
17th October 1837

Mr President and Gentlemen of the Council

I have the honor to transmit to you a Communication from the Governor in Chief with a copy of a Circular Despatch from Lord Glenelg with an Order of Her Majesty in Council relative to the Royal Arms.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Carnell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker

No 2

Government House Antigua
9th October 1837

Sir,

I have the honor to enclose to you for your information and guidance the Copy of a Circular Despatch from Lord Glenelg forwarding an Order of Her Majesty in Council relative to the Royal Arms, and which I request you will communicate to Her Majesty's Council at Nevis.

I have &c.

(Sd) Tho. M. G. Colebrook

To
His Honor
The President of Nevis
&c &c &c

True Copy
John A. Iles

No 3

(Copy) Circular

Downing Street
August 1837

Sir,

I have the honor to transmit for your information and guidance, the Copy of an Order of Her Majesty in Council, stating the alterations which it has been deemed necessary to make in the Royal Arms, in consequence of the demise of the Crown, the Crown and Dominions of His late Most Sacred Majesty having thereupon devolved upon His Royal Highness the Duke of Cumberland, now Ernest Augustus King of Hanover.

I have &c.

(Sd) Glenelg

Sir Tho. Colebrook

A true Copy
John A. Iles

No. 4

At the Court at Buckingham Palace the 26th July 1837

Present

The Queen's Most Excellent Majesty in Council

Whereas there was this day read at the Board a Report from the Lords of the Committee of the whole Council in the words following viz.—

In pursuance of Your Majesty's Order in Council bearing date the 21st day of this Instant July, directing a Committee of the whole Council to meet and settle what alterations it may be necessary to make in the Royal Arms, in consequence of the demise of His late Most Sacred Majesty — whereupon the German Dominions of His late Majesty devolved upon His Royal Highness the Duke of Cumberland, now Ernest Augustus King of Hanover, the Lords of the Committee have this day met, and been attended by Deputy Garter King of Arms, and Richmond and York Heralds, who having submitted to their Lordships a drawing of the Royal Arms, wherein the Shield of Inescutcheon of pretence, representing the Arms of His late Majesty's German Dominions, are omitted, and the Shield left to contain the Armorial Ensigns of the United Kingdom, only as the Arms of Dominion as in the Drawing hereunto annexed, And their Lordships approving of the said drawing, do agree humbly to lay the same before Your Majesty in order to receive Your Majesty's Royal pleasure thereupon.

And the Committee are further of opinion

opinion that in the Great Seal of the United Kingdom, and in all the seals of Office, Stamps, coins or Instruments, where Your Majesty's present Arms are now used, the alterations above proposed, should be observed and also in Your Majesty's Standard, and in the Badges &c. for the Kings of Arms, and in the several Ornaments of Your Majesty's State in Parliament or elsewhere.

And the Lords of the Committee further submit their opinion that it may be expedient that Your Majesty's pleasure touching the same alteration should be signified by Your Majesty's Principal Secretary of State for the Home Department, to the Captain General of all and singular Your Majesty's Land Forces, to the Commissioners for executing the Office of Lord High Treasurer of Great Britain, the Commissioners for executing the Office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master General and the rest of the principal Officers of the Ordnance, to Your Majesty's Secretary at War, and to the Master of Your Majesty's Mint, and also to the Lord Lieutenant of Ireland.

Her Majesty having taken the said Report into consideration, was pleased by and with the advice of Her Privy Council to approve thereof, and to order as it is hereby Ordered. That the Right Honorable Lord Glenelg, Her Majesty's Principal Secretary of State for the Colonial Department, do receive Her Majesty's Royal pleasure upon such parts of the said Report as fall within the Department of Her Majesty's Principle Secretary of State for the Colonial

Department.

Department, and to signify the same within Her Majesty's Colonies and Plantations and Settlements, and other Her Majesty's Dominions.

(signed) C. Granville

Despatches laid before the Board of Council on Thursday the 9th day of November 1837.

No. 1

Government House
7th November 1837

Mr. President & Gentlemen of the Council.
Mr. Speaker & Gentlemen of the Assembly

I have the honor to enclose to you a copy of a despatch from the Governor in Chief, an Extract of a letter from Captain Which to Sir E. J. M. M'Gregor dated 19th of October 1837, adverting to the inconvenience which has been experienced and the risk incurred to Her Majesty's Steamers from the difficulty of approach to the different Islands in the night time which requires the consideration of Your Honorable Board and House.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Kempt
President

To
The Honorable
The President and Members of the Council.
The Speaker and Members of the Assembly

No. 2

Circular

Government House Antigua
9th November 1837

Sir,

I have the honor to enclose to you the Extract of a letter addressed by the Senior Naval Officer at Barbados to His Excellency the Governor of the Windward

Windward Islands, and adverting to the inconvenience which has been experienced, and the risk incurred by Her Majesty's Steamers, from the difficulty of approach to the different Islands in the night time - I hope that you will be able to carry into effect the plan which has been suggested by Captain Whish and that in consideration of the accomodation afforded, the expences will be defrayed by the Legislature of Nevis -

I have &c.

To His Honor (Sd.) Ed. M. G. Flebrock

The President of Nevis -

&c. &c. &c.

True Copy

John A. Iles

No. 3

Extract of a letter from Captain Whish to Sir E. M. G. Maclregor dated 19th October 1837

"The want of accomodation in indicating the position of the landing place in dark nights in the British Islands has been, and is still a source of great complaint with the officers commanding the Steam Vessels, who have frequently to row about the beach some time before finding it. - in some Islands it is positively dangerous - in the French Islands immediately the Steam Boats approach (which is signified by them with blue lights, rockets, or false fires) every care is taken to avoid detention by meeting the incoming Mail in a boat and fumigating the outgoing one in presence of the Officer of the Boat.

I would recommend that a triangular form of light be adopted to indicate the position of the landing

place, because few accidental lights would abound that shape, and it might be made in the simplest manner with three pieces of wood on a staff costing the merest trifle in expense. — at the apex of each angle a small hook to hang a lantern would be all that is necessary — and when it is night the person bringing the Mail might carry this with him and place it in the Ground the staff being like a Serjeants halbert — this would be a temporary arrangement — but for a permanent one the Triangle might at once be erected at the landing place with the hooks ready to hang the lanterns on when required. This signal too would likewise save a vast deal of peril to the steamers themselves as they are obliged to keep nearly touching the shore (to find the landing place) guided only by the sound of the surf.

Despatches laid before the Board of Council on Thursday the 23rd day of November 1837.

No 1

Government House
20th November 1837

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

The Governor in Chief has forwarded to me several Despatches, which I have the Honor to place before Your Honorable Board

and

and House; for your consideration and guidance.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 2

Government House Antigua
17th November 1837

Sir,

Enclosed to
Sir Colebrook

I enclose to you a notice which has been issued by the Health Officer at this Port to which I request that publicity may be given at Nevis, with the object of apprizing all persons of the conditions upon which they will be allowed to communicate on their arrival from places where small pox infection may prevail.

It having been ascertained in the case of persons protected by vaccination that the chance of taking the disease is in the ratio of one out of 300 only, the risk of infection is so reduced as to render it unnecessary to guard against it by restriction regulations and in order to obviate as far as possible the inconvenience which attends the rigorous enforcement of Quarantine Laws, as well as to encourage vaccination. I recommend the observance in Nevis of the distinction which has thus been recognized in Nevis this Island

I have &c
(signd) W. M. G. Colebrook

To
His Honor
The President of Nevis

A true Copy
James Daniell

No. 3

(Circular)

Government House Antigua
12th November 1837

Sir,

I enclose to you the copy of a circular Despatch which I have received from Lord Glenelg, forwarding to me a Letter from the Secretary to the Church Missionary Society in explanation of the difficulties which have been found to exist in obtaining titles for land for the erection of School Houses.

In requesting you to communicate this Despatch to the Council and Assembly at Nevis, I beg leave to add my own assurance of their disposition to aid in removing any impediments which may locally exist to the accomplishment of the object which has led to this reference.

I have &c
(sig.d) W. M. G. Colebrooke

To
His Honor
The President of Nevis

True Copy

No. 4

Downing Street
21st September

Sir,

I have the honor to transmit to you the enclosed copy of a Letter which has been received at this Department from the Secretary to the Church Missionary Society on the subject of the difficulty of purchasing land, with such valid titles as would warrant the erection upon

them

them of school buildings for the purposes of negro education and suggesting the expediency of the enactment of local acts to remove the impediments thus placed in the way of the moral improvement of the negroes.

I am fully persuaded that the Members of the Legislature of the Colony under your Government have every disposition to cooperate cordially with Her Majesty's Ministers in promoting the instruction of the lower classes of the Community; without therefore venturing to express any opinion on the specific proposal made by Mr. Coates, I have felt it my duty to transmit his letter to you, with a request that you will intimate to them that Her Majesty will gladly confirm any Legislative Enactment proposed by them which shall consistently with the due maintenance of proprietary rights afford additional facilities for the erection of School Houses. — I have &c

(signd) Glenelg

To,

His Honor

The President of Nevis

True Copy

James Daniell

No 5

Copy

Church Missionary House

8th September 1834

Sir,

Your Letter of the 21st ultimo, in reference to the delay which has taken place in the erection of School Houses in aid of which portions of the Parliamentary Grants have been assigned to

the

the Church Missionary Society has been communicated to the Committee of that Institution.

The Committee desire me to assure Lord Glenelg that the Committee "fully participate in the anxiety felt by Her Majesty's Government that the money granted by Parliament for negro education should be made practically useful to that great object with the least possible delay; and they deeply regret that causes beyond their control have hitherto operated to render it impracticable for them to fulfil their engagements in reference to that object. The difficulties which they have encountered have, they have reason to believe, been experienced equally by other Institutions, to which portions of the Parliamentary Grants have been assigned as by themselves.

The chief cause of delay in the erection of the School Houses, as has been repeatedly stated in my former communications, has arisen, especially in Jamaica, from the difficulty of obtaining such valid titles to grants or purchases of land as would warrant the Committee to incur the responsibility of erecting buildings upon them. The Committee have desired me again to draw Lord Glenelg's attention to this circumstance in the hope that it may be in the power of Her Majesty's Government to adopt measures for the removal of this serious impediment to the attainment of the great national object in view. The Committee therefore beg to submit to Lord Glenelg's consideration

whether

whether it may not be advisable for this Lordship under the circumstances stated to recommend to the Colonial Legislatures in the West Indies the passing of Local Acts, whereby persons having limited or prospective interests in land, may be enabled to sell or convey the same for the purpose of erecting School Houses out of or aided by the Parliamentary Grants, on the purchase money being paid into the Court of Chancery or other proper Court of the Island, similar to the provision of various Acts of Parliament in this Country relative to joint stock and other Companies.—

The Committee are constrained to add that unless some such measure as that above suggested be adopted by Her Majesty's Government the effecting of the important and benevolent objects designed to be accomplished by the Parliamentary Grants, must be indefinitely delayed—

I have &c

(signed) D. Coates

Sec. C. M.

Sir George Grey Bart. M.P.

No 6

Government House Antigua

Sir, 13th November 1837

I enclose to you a copy of a circular despatch which I have received from Lord Glenelg, informing me of the appointment of Captain Trimble to enquire into the state of the prisons and Workhouses in the West Indies and conveying to me Her Majesty's commands that

I

I should afford him all the support and assistance in my power in the performance of the duty with which he is entrusted —

On the arrival of Captain Pringle I shall accordingly be prepared to convey to you such specific instructions, as will be calculated to give effect to Her Majesty's intentions. In the mean time I am desirous of impressing upon you the importance of urging forward the measures which are in progress for the improvement of the Harbour and House of Correction at Nevis, and the introduction of the system of discipline which has been recommended. and I hope by the time that Captain Pringle may reach this Colony, that the system may be so far in operation that the good effects which it is calculated to produce may in a great degree have been realized. —

I have &c.

To
His Honor
The President of Nevis
&c. &c. &c.

(sig.) W. M. G. Colebrook

A true copy
James Loanell

No. 7

(Circular) Government House Antigua
Sir, 14th November 1837

I enclose for your information, the copy of a despatch from the Secretary of State having reference to the correspondence which I had held with the President of the Virgin Islands, on a question which had arisen on the construction of the abolition Act of that Colony — Having

Having received replies from the several islands under this Government to my circular letter of the 16th of September - I have been led to observe that considerable irregularities have occurred in regard to the classification and registration of the apprentices.

The discharge of the new-praedials in August 1838 may be expected to induce many who may object to their classification as praedials to prefer their claims, and as such cases are open to appeal to the Queen in Council. I should apprehend that independently of the difficulties which would attend the solution of the questions which they would involve, the minds of the parties during the interval would be unfavorably disposed for the due discharge of their mutual obligations. And in cases where the right of the apprentices might be ultimately recognized, there would exist an equitable claim to compensation for services intermediately rendered. —

Under all the circumstances, as affecting the welfare of these communities, I anxiously hope, that with the confidence inspired by the success of the experiment in Antigua, they will be prepared for a general change in the next year, and that such measures may previously be taken as will facilitate the final abolition of the system of compulsory labor - while it can alone be offered as a boon to the laboring classes from their employers. — I have &c

To
His Honor
The President of Nevis.

C. W. M. G. Colebrook

True Copy
James Daniell

09

No 8

Copy

Downing Street
22nd September 1837

Virgin Islands
No 28

Sir,

I have the honor to acknowledge the receipt of your despatch No 53 of the 20th July in reply to mine of the 21st April last.

I entirely subscribe to the opinion of Mr Lloyd the Senior Justice of the Virgin Islands, on the construction of the slavery abolition Act of that Colony. The claim of any man to be considered as a non-praedial apprenticed laborer and to be discharged accordingly in the month of August 1838 must depend upon the criterion supplied by the Act of Parliament for distinguishing the one class of laborers from the other.

If the words added by the local legislature change in any respect the sense of the parliamentary rules, those words must be regarded as null and void, and must be excluded from consideration by the interpreter of the law.

Thus far it is easy to advance; but when the general principle shall be applied to particular cases, it is impossible not to feel that the rule laid down by Parliament may give rise to many difficult questions. And I cannot but concur in your wish, that the Legislatures may be induced to terminate the system of compulsory labor altogether by the 1st of August 1838, and in your opinion that such a change in the law would promote the welfare of Society at large, and even the pecuniary interest when rightly understood of the parties more

(90)

immediately concerned.

I have &c

(s.d.) Glenelg

True Copy
James Daniell

Sir W. M. G. Colebrook
vs. vs. vs.

Despatches laid before the Board of Council on Thursday the 21st day of December 1837.

No 1

Government House
20th December 1837

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to transmit to you a copy of a Letter from His Excellency the Governor together with a despatch from the Secretary of State, enclosing one from the Trustees of the British Museum with a brief code of directions for Collectors of Natural History.

I beg to acquaint Your Honorable Board and House I will afford every assistance in Your power to further the views of the Trustees of the National Museums.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

Admiral

To
The Honorable Administering the Government
The President and Members of the Council
The Speaker and Members of the Assembly

No 2

(Circular) Government House Antigua
Sir, 6th December 1837

I transmit to you the copy of a circular despatch from the Secretary of State enclosing a letter from the Trustees of the British Museum.

I request that you will give publicity to those documents in Nevis, and in circulating the printed directions for collecting and preserving the specimens required in the several departments of Natural History, that you will endeavor to gain assistance and co-operation in forwarding the views of the Trustees.

I have &c
(Sd.) Ed. M. G. Colebrook
True Copy
John A. Nex

To
His Honor
The President of Nevis
&c &c &c

No 3.

(Circular) Downing Street
Sir, 14th October 1837

I have the honor to transmit to you a copy of a letter which has been addressed to me by the Trustees of the British Museum, requesting me to instruct the Governors of Her Majesty's Colonial Possessions to make known within their respective Governments the desirableness that

Institution

Institution to receive specimens of the natural history of the Colonies; and also to take advantage of any opportunities which may offer of securing for the Trustees such rare and curious objects as shall appear to be of sufficient importance to deserve a place in the National Museum. I have accordingly to request that you will contribute to the utmost of your power towards the production of the views of the Trustees of the British Museum.

I also enclose several copies of a code of directions, which have been prepared by the Officers of the Museum, for the guidance of inexperienced persons in selecting and preserving mineralogical and other specimens; and I have to request that you will cause them to be distributed among those who may be willing to collect and present specimens to the British Museum.

I have &c.

To
Governor
Sir W. M. G. Colebrook
&c. &c. &c.

C. J. Glenelg

No. 4

(Copy)

British Museum
2nd October 1837

My Lord,

I am directed by the Trustees of the British Museum to acquaint Your Lordship that having a prospect of obtaining at no distant period, much increased space for the deposit and exhibition of the various objects in their charge, they are anxious to extend and improve

improve the several branches of their collections with as little delay as possible.—

To this end the Trustees conceive that Your Lordship's influence may very powerfully contribute, and confident of Your Lordship's desire to promote the interests of science, they solicit without scruple, that Your Lordship will instruct the Governors of Our Colonial dependencies to make the designs of the Museum known in their respective Colonies, and to take advantage of any opportunities which may offer of securing for the Trustees such rare and curious objects as shall appear to be of sufficient importance to deserve a place in the National Museum.—

These objects when transmitted to England will be carefully preserved and the names of the respective Donors honorably recorded among the contributors to the Museum.—

I am further to place at Your Lordship's disposal, three hundred copies of a brief code of directions for Collection of Natural History, drawn up by the Officers of the Museum and containing some suggestions which may be useful to persons inexperienced in the selection and preservation of Mineralogical Zoological and Botanical Specimens.—

I have &c.

To
The Right Honorable
The Lord Glenelg
Secretary of State for the Colonies.—

(Sd.) J. Forshall
Secretary

True Copy
John A. Lea

No 5

Government House
20th December 1837

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose to you the copy of a circular from the Governor in Chief together with a copy of a despatch from Lord Glenelg marked General for your guidance and information.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 6

Circular

Government House Antigua
4th November 1837

Sir,

I enclose to you the copy of a despatch from Lord Glenelg (General No 10. 20th September) in which his Lordship has expressed his satisfaction that there is a disposition on the part of the apprentices to work for money wages. And as some difficulty may arise in the adoption of the system from the deficiency of small coins in Nevis, I request that you will furnish me with a return of the amount and value of such coins now in circulation.

If it should be found practicable, and I hope to convene the General Assembly early in the ensuing year, it would be a primary object for their consideration to frame such Laws as would be calculated to provide for the peace and good order of the several Communities where the apprentice system is still upheld and thereby facilitate the termination of that system in August 1838. that the prosperity of these Islands and the interests of the inhabitants would be effectually promoted by such a change I can entertain no doubt.

I have &c.

To
His Honor (sig.) W. M. G. Colebrook
The President of Nevis
&c &c &c

Copy

No. 7

General
No. 10 } Sir, Downing Street
26th September 1837

I have received your despatch marked "General" No. 70 of the 5th of August, from which I learn with much satisfaction that there is a general disposition on the part of the apprentices to work for money wages, and that you are not without hopes of arrangements being made by the General Assembly, should such a body be reinstituted, for terminating the apprenticeship altogether on 1st August 1838. I cannot doubt that this would on many accounts be the wisest course which could be pursued, as most conducive to the permanent interests of all

all parties concerned. —

I have &c.

(Sd.) Glenelg

Sir Ed. M. G. Colebrook

&c. &c. &c.

No 8

Government House

20th December 1837

Mr President and Gentlemen of the Council

Mr Speaker and Gentlemen of the Assembly

I have the honor to place before you a copy of a letter from the Arch deacon of Antigua on the subject of the Clergy of this Island. —

The views of this Reverend Gentleman are so replete with sound judgment, that I make no doubt Your Honorable Board and House will take his views into consideration, and endeavor by every means in your power to ameliorate their condition, by placing the Clergy on a more respectable footing. —

I have the honor to be

Gentlemen

Your Most Obedient

Humble Servant

James Lanelle President

Administering the Government

To

The Honorable

The President and Members of the Council

The Speaker and Members of the Assembly

97
No 9

Saint Kitts
19th December 1837

My Dear Sir,

Since my return from Barbados, I have made some exertions in this Island for placing the livings on a footing at once more respectable and better calculated to secure the services of efficient Clergymen - I have a confidence from the good feeling of the many Members of the Legislature, that my humble efforts will prove successful. Knowing my feeling towards your community, I should rejoice to be instrumental in a like measure there. And I need not prep on you the acknowledged advantages that would result if another and better mode of payment of the stipends of the Clergy, than the one now practised were adopted.

If a liberal money provision could be made for the five incumbencies no doubt a greater amount of good would be occured in obtaining the services of five Rectors but if this cannot be effected I would venture to recommend, under the sanction of the Lord Bishop, that St Paul's Charlestown and St Thomas Lowland should be consolidated by giving an adequate stipend in money, and obliging the Rector always to have the assistance of a Curate. that St John's Figtree, and St John's Gingerland should likewise be thus consolidated under the like provisions. and that St James's should be left as a single living with Mr Eccles

Chapel

Chapel as a Chapel of Ease, the Rector of which with the Curates may be viewed with their smaller incomes as probationers for better preferment. The united livings could at their joint expense build and sustain Parsonage Houses. This new measure would afford a favorable opportunity of selecting a more healthy site for the Rectory of the three united parishes of St. Paul's and St. Thomas, an act which seems imperatively called for by the melancholy events which have taken place in the Town among the Clergy.

If by your influence, you could carry a measure of this kind you would confer a lasting benefit on the Church, and you would receive I am confident, very much personal satisfaction. —

I have &c

To

His Honor (sig.) Daniel Gatewood Lewis

The President

&c &c &c Nevis

Despatches laid before the Honorable Board of Council on Thursday the eleventh January 1838.

No 1

Enclosed

Government House Antigua
Sir, 20th December 1837

In consequence of the proceedings of the Council and Assembly of Antigua in reference to my message of the 27th instant I think it right to forward to you copies of two despatches from the Secretary of State on the subject of the General Assembly, and the opinions of the Law Officers which have been obtained in obedience to Lord Glenelg's instructions —

I have &c
(Sd) W. M. G. Colebrook

P.S. You will be pleased to communicate these Documents to the Council and Assembly at Nevis and desire them to be published. —

W. M. G. C.

His Honor The President
&c. &c. &c. Nevis

No 2

General
No 7.

Downing Street
Sir, 13th August 1837

I have received your despatch No 26 of the 14th June in which you bring under my consideration the various reasons which induce

induce you to recommend a revival of a General Council and Assembly for the Leeward Islands.

I have to inform you in answer that I entirely concur in the opinion maintained by the Earl of Ripon that the welfare of the several small communities comprizing the Leeward Island Government would be best promoted by a consolidation of their Institutions whether Executive Judicial or Legislative. The establishment of one Governor General for the whole groupe of Islands appears to have been in a great measure attended with the advantage which Lord Ripon anticipates. The consolidation of the Courts of Justice is arrested only by the refusal of the Legislature of Antigua to proceed with that measure every other Colony embraced within the provisions of the Act of Parliament having passed laws for accepting it. The union of the Legislatures which was the last of the measures contemplated by Lord Ripon would not be completely effected by acting upon the Statute of 1705 first because that Act contemplates the continuance of the separate as well as of the collective Assemblies and secondly because it does not extend to the Island of Dominica. As however the calling together the Legislatures of Antigua, St Kitts, Nevis, Montserrat and the Virgin Islands for the regulation of the common concerns of all those Colonies would be a measure in furtherance of the general principle on which Lord Ripon and his Successors in Office have acted, and as by the Acts of the central Legislature and of the Island of Dominica that

Colony

Colony might readily be added to the list of the Constituent Bodies, it does not appear to me that there is any objection to summoning the General Assembly of the Leeward Islands I am on the contrary disposed to anticipate considerable advantage from that measure.

In conveying to you authority to convene the General Legislature of the Leeward Islands, I must however be understood as reserving two conclusions, each of which will deserve your mature reflection. The first is that there is no general or local law which would forbid the revival of the system of 1705 and 1797. On that question you should consult the law officers of the Crown in each of the Islands interested in the question. The second is, that there are questions of common concern to the whole of the Leeward Islands of sufficient variety and importance to justify the expenditure and trouble of which the mode of bringing together their Representatives must be productive. This is a point on which I cannot undertake to affirm or to deny anything with the confidence necessary for guiding your conduct, and I willingly refer the consideration and decision of it to yourself.

I have &c

S. Glenelg

Sir William Colebrooke
&c &c &c

N.3

(Copy)

No 3

Dominica
No 17

Downing Street
28th September 1834

Sir,

I have received your dispatch No 141 of the 6th July and its enclosures in which you propose as Dominica was not included in the former Leeward Island Government that an Act should be passed by the General Assembly when convened for the purpose of incorporating it with the other Islands, unless I preferred effecting that measure by parliamentary enactment —

I am disposed to think that in the event of your being able to succeed in overcoming the difficulties which may oppose the convention of the General Assembly of the Leeward Islands, the addition of members from Dominica would be most conveniently effected in the manner proposed in the first of the two suggestions you have made, that is, not by Parliamentary interference, but by Acts to be passed by the General Assembly and by the Legislature of Dominica.

I have &c

(Sd) Glenelg

Governor
Sir Williams Colebrook
&c &c &c

No 4

Antigua
1st October 1834

Sir,

I have the honor to acknowledge

Your

Your Excellency's Communication of the 27th Ultimo, and beg to state in reply that there is not any general or local law in force in this Island which would prevent the return of members to serve in the general Assembly of the Leeward Islands under the Act of the General Assembly of 1705 or which would otherwise preclude the Assembly being called together as in 1797.

I have &c.

(S.) Robert Hereford

His Excellency
The Governor General
&c. &c. &c.

Sob. Genl.

No.

Saint Christophers
14th October 1837

Sir,

I have the honor to state for the information of His Excellency the Governor in Chief, that I am aware of no law in force in Nevis which can interfere with the provisions of the Act of the General Assembly dated the 7th day of June 1705, or which would otherwise preclude a General Assembly being called together as in 1797.

I remain &c.

(S.) Robert Claxton

His Honor
The President
Administering the Government
of Nevis.

No 6

Antigua

Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith &c &c &c

To the President Administering the Government and the Council and Assembly of the Island of Nevis - Greeting

Whereas His Excellency the Commander in Chief has judged it necessary for our Service and the good and welfare of the Caribbee Leeward Islands to call together a General Council and General Assembly We therefore command you the said President Administering the Government and the said Council and Assembly to cause the freeholders of your Island (that are qualified by law) to meet together on Thursday the first day of February at the hour of nine a. M. at the Court House in the Town of Charlestown there and there to elect and make choice of five able and discreet men being freeholders within the said Island to be their Representatives and to join the Commander in Chief and General Council at the Court House in the Town of Charlestown in this Island of Antigua at 12 o'clock at Noon on Thursday the 15th day of February next ensuing the date hereof there and there to make enact and ordain such general laws and ordinances as may be proper and convenient for all the aforesaid Caribbee Leeward Islands -

Witness His Excellency Lieutenant Colonel Sir William Mathew George

George Colebrook Knight of Hanover
Governor and Commander in Chief
in and over the Islands of
Antigua Montserrat Barbuda,
Saint Christopher Nevis, Anguilla
the Virgin Islands and Dominica
Chancellor Vice Admiral and
Ordinary of the same &c &c &c

Dated at Government House Antigua this twenty first day of December in the year of our Lord one thousand eight hundred and thirty seven — and of Her Majesty's reign the first —

C. M. G. (L.S.) Colebrook —

Despatches laid before the Board of Council on Thursday the 25th January 1838

No 1

—.—

Government House
24th January 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to place before you, for your information the copy of a Letter received from Mr McCherry, the Superintendent of the Colonial Bank at Barbados.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant

James

To James Lionell President
The Honorable Administering the Government
The President and Members of the Council
The Speaker and Members of the Assembly

No 2

(Copy)

Colonial Bank Barbados
15th January 1838

Sir,

I beg leave to acknowledge the receipt of Your Honors despatch of the 2nd Instant, and have to express my best thanks for the information therein conveyed to me.

I very much regret that it is not in my power to accede to the high recommendations of Mr. W. Maynard which I have received, having long previously made arrangements with the Court of Directors to give the Agency to Mr. J. Lavorent of your Island, who in addition to recommendations from several influential persons in Nevis was nominated by the Agent at Saint Kitts.

I have no doubt however that the latter Gentleman will give satisfaction to all parties should such an Establishment be decided on.

I have &c
(Signed) Arthur Mellhenny

The Honorable
James Lionell
President &c &c Nevis

No 3

Government House
28th January 1838

Mr President and Gentlemen of the Council

Sir

Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward to you for your information the copy of a despatch from His Excellency the Governor in Chief enclosing and from the Secretary of State, together with a volume containing Extracts from the second Report of the Inspectors of Prisons for the Home District, and a printed report of the joint Committee of the two Houses of Legislature of Antigua on Prison Discipline. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Lowell President

To
The Honorable
Administering the Government
The President and Members of the Council
The Speaker and Members of the Assembly

No. 4

Circular,

Government House Antigua
17th January 1838

Sir,

I have the honor to forward to you the copy of a circular despatch from the Secretary of State with a Volume containing Extracts from the second report of the Inspectors of Prisons for the Home District on the subject of Prison discipline, and also a printed copy of the Report of the joint Committee of the House of Assembly and Council of this Island on the same subject. —

The opinions of the Commissioners in regard to the objections to the silent system —

involve

involved a question of much importance in the application of the rules of prison discipline in these Countries, and I request that you will favour me with your observations on the subject in order that the penal system which may be adopted in these Islands may effect all the benefits required from it as the means of repressing crime, and of reformeing offenders.

The points to which I would especially draw your attention, are the following viz.

First. Whether the silent system applied to Gangs labouring without the walls, in quarrying and other hard labor where due classification has been observed may not be safely employed, unattended with the evils found to result from it in England?

Second. Whether the solitary system admits of being carried into such full effect as to warrant it's being rendered the exclusive mode of secondary punishment?

Third. Whether both systems may not under certain modifications be usefully adopted in such Island?

Fourth. Whether a penal Settlement may not be advantageously formed for the whole of the Islands to which the worst criminals might be sent?

I request you will communicate the Report of the Joint Committee of the Antigua Council and Assembly to the Legislature of Nevis, and should they institute a similar enquiry by means of a Committee of the Houses I request to be favoured with a Copy of their Report.

His Honor
The President
of Nevis

I have &c.
(Sd.) Ld. M. G. Colebrook

No 5

Circular

Downing Street

Sir,

21st October 1837

I have the honor to transmit to you herewith a volume which has been published by Her Majesty's Government containing Extracts from the second Report of the Inspectors of Prisons for the Home District. As the information contained in this Book, may be beneficially applied to the management of the Gaols in the Colony under Your Government, I beg strongly to recommend it for the perusal and attention of yourself and of the Public Officers who may be charged with the superintendence of the Prisons. — I have &c

(Sd) Glenelg

No 6

Government House

25th January 1838

Mr President and Gentlemen of the Council

Mr Speaker and Gentlemen of the Assembly

A Writ having been issued by the Governor in Chief to summon a Meeting of the Freeholders holden at the Court House on the 1st of February at 9 o'clock in the morning with as many of the Members of the Council and Assembly as may attend to administer the necessary oath to the Freeholders in order to take the votes of the Freeholders for three Members to serve in the approaching General Assembly — I have to

request

request you will meet me for that purpose at the time and place appointed.—

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darnell President
Administering the Government

To
The Honorable
The President Administering
The Speaker and Members of the Assembly

Despatches laid before the Board of Council on Thursday the 11th March 1830

No 1

Government House
10th March 1830

Mr President and Gentlemen of the Council

I have the honor to enclose for the information of Your Honorable Board the copy of a letter I have received from His Excellency the Governor in Chief, together with a copy of the Solicitor General's opinion on the subject of the classification of apprentices in this colony — to which I request your serious consideration. — I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darnell President
Administering the Government

To
The Honorable
The President
and Members of the Council

(Copy)

No 2

Government House St Christopher's
3rd March 1838

Sir,

I have received your Letter of the 1st Instant enclosing a bill which had passed the Council and Assembly of Nevis in order more effectually to provide for the due registration of the different classes of apprenticed laborers in that Island together with a transcript and summary of the same.

Having referred this Bill to the Solicitor General with a request for his opinion upon the question of Law which it involves I now enclose a copy of his reply from which you will be aware of the grounds on which I am precluded from authorizing you to pass it.

You will thus perceive that such an enactment would be contrary to the 12th Clause of the Imperial Act, and therefore of no effect, that it would also be at variance with the Royal Instructions of the 22 1837.

As the Bill is also opposed to the principle recognized by the Laws under which the Slaves were formerly liberated when not duly registered and as it will be open to the apprentices to prosecute their claims to discharge as soon as practicable on the August next I hope the Assembly will consider

anticipating the litigation of such a question by a recognition of voluntary engagements with the praedial laborers on the 1st of August whereby so many advantages may be acquired —

I have &c

To His Honor (S.) Wm. M. G. Colebrook
The President of Nevis
&c. &c. &c.

No. 3

Saint Christophe[illegible]
3rd March 1834

Sir,

I have the honor to acknowledge the receipt of your Letter of the 2nd March enclosing a communication from the Pr[illegible]nt of Nevis with a Bill passed by the Legislature of that Island for the purpose of gradually & providing for the due registration of the different Classes of apprenticed laborers in that Island, and requiring my opinion on the several questions therein raised.

In answer to the first question submitted by Your Excellency I have the honor to state that under the operation of the Imperial Statute for the abolition of Slavery and under the first Clause of the Colonial Act the slaves on Nevis became apprentices on the 1st of August 1834 and I do not apprehend that the neglect to fulfil the requisitions of the [illegible] the part of their owners under the [illegible]onial Act for the purposes [illegible] constitute a legal grou[illegible]

on which the apprentices may claim their immediate discharge, they may claim the right to be considered as non-predial when the burthen would be thrown upon their Employers of proving to the contrary by producing a certified extract of their registration under the 5th Clause of the same Act, should such Extract not afford conclusive evidence to the contrary, I apprehend their Claim must be allowed.—

In reply to the remaining questions submitted by Your Excellency, I have the honor to state that the regulations made by the Colonial Act for the purpose of enabling the Owners of Slaves to claim them as apprentices, were plain and easily understood, and if they had neglected to conform themselves to such regulations, I apprehend that any Act passed to repair the consequences of such neglect would be contrary to the twelfth Clause of the Imperial Act for the abolition of Slavery and to those principles recognized by the Laws under which slaves were formerly liberated when not duly registered and would entirely deprive the apprentices of the legal advantages which they now possess in case of any appeal by them to the Queen in Council under the Royal Instructions of the 22nd July 1833 against any decision made in the Colony on this subject.

I have &c

(Sd) Rob. Clarkson

(114)

Despatches laid before the Board of Council on Thursday the 12th day of April 1838

No 1

Government House
10th April 1838

Mr President, and Gentlemen of the Council,
Mr Speaker, and Gentlemen of the Assembly.

I have the honor to forward to you, for your information, the copy of a Letter from His Excellency the Governor in Chief, together with an extract of a letter from Lord Glenelg, with reference to the measures proposed, for an extension of the elective franchise. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darnell President
Administering the Government

To
The Honourable
The President and Members of the Council
The Speaker and Members of the Assembly.

No 2

Copy

Government House, Antigua
Sir, 4th April 1838

With reference to a Bill sent up for my approval, for altering the qualification of electors to the Assembly, St Nevis and which I have not returned, I enclose to you an Extract

of

of a despatch from the Secretary of State, containing His Lordship's concurrence in the objections which led me to withhold my assent from a similar Bill passed in Dominica in the last year. — I have &c.

(S.) W. M. G. Colebrook

No. 7

His Honour
The President
Administering the Government
&c. &c. &c. Nevis

No. 3

(Copy) (Extract)

No. 27

Downing Street
6th February 1838

Sir,

"I have received Your despatch "with its various enclosures on the subject of a "bill for altering the qualifications of electors and "candidates for seats in the House of Assembly &c."

"The Bill appears to me to have been "open to conclusive objections, to make the "a qualification turn upon the payment of taxes "without regard to the incidence of the tax, seems "to me unreasonable, especially in a Colony "where the taxation is mainly indirect, the "revenues being raised on Imports & Exports"

Despatches laid before the Board of Council on Thursday the 26th April 1838.—

No 1

Government House
25th April 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to send to you the copy of a letter I have received from the Governor in Chief, conveying his acknowledgements for the courtesy of your Honorable Board and House in authorizing the communication to him of the Report of the joint Committee appointed to take into consideration his observations on the state and discipline of the prisons together with certain remarks which His Excellency has made on the above Report.

I have the honor to be
Gentlemen
Your Most obedient
Humble Servant
James Darrell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 2

Copy

Government House Antigua
16th April 1838

Sir,

I have received Your Letter of the 2nd Instant enclosing to me the Report of the joint Committee of the Council and Assembly to take into consideration my observations on the state and discipline of the prisons.

I request you will convey to the Council and Assembly my acknowledgements for their courtesy in authorizing the communication to me of this document, which I have perused with attention, & I have been led to make the following observations on the proposed arrangements.

The appointment of a Stipendiary Magistrate to sit alternately in the Town of Charlestown, & in the Country Districts and who should act also as Superintendent of Police is open to objection.

1st As it would contemplate the reference of all cases to him, in the Country where other Magistrates may reside, whose jurisdiction it would not be desirable to supersede or interfere with, and

2ndly As the union of Magisterial functions with those of the Executive Police is incompatible.

There is also an objection to placing the parochial poor in the same building with criminals. It would be very irksome to submit them to the scalpel & other steps of discipline required by enforcing the letter, or to dispense the end by such an association. It may further be expedient, which those who may superintend the relief should be placed in an Establishment within or near the Town.

It will moreover I conceive be necessary

to surround the Prison and House of Correction with a high wall, and thus to form Gaol Yards, as well for security as for internal discipline. —

I approve of the proposal to appoint the Provost Marshal to the charge of the joint Establishments. but the recommendation that the Commissioners of Police should be required to frame rules and regulations for the United Establishments is open to the objection stated in Lord Glenelg's despatch an Extract of which is enclosed with my circular letter of this date, and in a matter of this importance I consider that a Commission to be composed of the Chief Justice and some of the Magistrates with the Superintendent of Police should be appointed to frame such rules and regulations, subject to the approval of the Governor. —

I will take an early opportunity of forwarding to you the draft of a bill which has been under consideration in this Island, and which comprehends the various provisions which have been found effectual for improving the discipline of prisons — The disuse of the lash in the Gaol and House of Correction in Antigua affords the most satisfactory proof of the good effects arising from the substitution of a reformatory system, even with the disadvantages under which those Establishments have hitherto laboured — I have &c

(Sd.) W. M. G. Colebrook

No 3

Government House
April 25th 1830

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information and guidance, the copy of a letter from the Governor in Chief, together with an Extract of a Despatch from Lord Glenelg containing the views of Her Majesty's Government in regard to the control of the Executive Government over the internal discipline of prisons and Houses of Correction.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darnell President
administering the Government

To
The Honorable
The President and Speaker of the Council
The Speaker and Gentlemen of the Assembly

No 4

(Circular)

Government House Antigua
16th April 1830

Sir,

With reference to my circular letter specified in the margin, I enclose to you for your information and guidance the extract of a Despatch from Lord Glenelg, which as it explains the views of Her Majesty's Government in regard to the control of the Executive

Government,

3 June 1833
14 & 24 August
23 September
13 November
1st January 1830

Government over the internal discipline of prisons and Houses of correction, will be necessarily adverted to, in the consideration of any bills for the improvement of such Establishments and the regulation of their discipline, which may be sent up for my approval.

I have &c

(s.d.) Ed. M. G. Colebrook

P.S.

I request that you will call the attention of the legislature of the Island of Nevis to the suggestion contained in my letter of the 24th of August last, for the formation of a penal settlement, and intimate that a proposal has been made by the Lieutenant Governor of Dominica for its establishment at Prince Rupert's a station well adapted for the purpose and where the necessary works might be erected at little cost.

E. M. G. C.

To
The Officer Administering
the Government of Nevis
&c &c &c

No 5

Extract of a Despatch from the Secretary of State - dated 16th January 1837.-

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The Act No. 412 providing for the maintenance and regulation of a House of Correction, gives to the Justices of the Peace the power of making all rules for the government of the

Prisons

Prisons which rules when confirmed by the Justices in Quarter Sessions, are to have the force of laws. To the same benefit is committed the appointment and removal of the Master of the House.

It is said, and truly, that the enactments are in conformity with the laws of England. But it is to be observed that the more recent British Statutes respecting Gaols are framed upon the principle of placing them under the direct control on the part of the Executive Government, over the internal discipline of all prisons and Houses of Correction, you will recommend to the Legislature the propriety of amending this Act - by vesting the power of confirming the rules made by the Justices of the Peace in the Governor and Council, and by giving to that Officer the appointment and removal of the Master of the House of Correction.

His Majesty's decision upon this Act will be suspended until I shall have received your reply to these suggestions.

No 6

Government House
25th April 1830

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose to you the copy of a despatch from His Excellency the Governor in Chief, covering a despatch

from

from the Secretary of State for the Colonies, relative to the termination of the system of apprenticeship in August next —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 7

Government House Antigua
18th April 1838

Sir,

I enclose for your information copy of a despatch which I have received from Lord Glenelg and which it may be desirable to communicate to the Legislature at Nevis, where a Resolution to terminate the system of apprenticeship on the 1st of August next has been adopted by them —

I have &c
(Sd) W. M. G. Colebrook

P. S.

It may be proper to explain that the general amnesty of the liberated classes to the relief afforded to others may adequately provide for their claims at present although a revision of the Poor laws of the Island will eventually be necessary. A subject on which I will be prepared in a short time to address you.

W. M. G. C

To
His Honor The President - Nevis

Copy
No. 47
Montserrat.

Downing Street
13th February 1838

Sir,

I have had the honor to receive your despatch and its enclosures, dated the 28th of December last reporting the Resolutions which have been passed by the Council and Assembly of Montserrat for the termination of the system of apprenticeship in that Island on the 1st of August ensuing, and that the law Officer of the Crown had been instructed to prepare a bill for that purpose.

Her Majesty's Government have received with much satisfaction the intelligence contained in your despatch of the intentions of the Legislature of Montserrat, and I shall be highly gratified to learn that a Law to this effect has passed accompanied by such other enactments as may be necessary for making a wise and salutary provision for the maintenance of the aged and infirm.

I have &c.
(Sd) Glenelg

Governor
Sir Wm Colebrook
&c. &c. &c.

Despatches laid before the Board of Council on Thursday the 3rd day of May 1830

No. 1

1.

Government House
1st May 1830

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward for your information the copy of a circular despatch from His Excellency the Governor in Chief respecting an erroneous report circulated in some of the Islands, that a proposal was likely to be entertained by Parliament for granting a further compensation under the Act for abolishing slavery in the Colonies.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Dancee
President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 2

Copy
Circular

Government House Antigua
20th April 1830

Sir,

An erroneous report having been circulated in some of the Islands under the Government

Government that a proposal was likely to be entertained by Parliament for granting a further compensation under the Act for abolishing slavery in the Colonies, and as such an impression may have an influence upon the minds of some of the Proprietors who are favorable to the termination of the system of apprenticeship in the present year - I request that you will draw the attention of the Council and Assembly of Nevis to the Preamble of the Imperial Act of the 28th of August 1833, wherein it is distinctly and separately set forth "1st That a reasonable compensation should be made to the persons hitherto entitled to the services of the slaves" - and 2ly that provision should be made for promoting the industry and securing the good conduct of the persons so to be manumitted, for a limited period after such their manumission" And further that it was necessary that the laws now in force in the several Colonies should be forthwith adapted to the new State and relations of Society therein and that to afford the necessary time for such adaptation of the laws a short interval should elapse before such manumission should take effect."

The considerations which have led the Proprietors in several of the Colonies to "abridge the term of apprenticeship sanctioned by the Act, have been such as have indicated a just sense of their own interests, and of the

the general welfare, and it is therefore important that no misconception should elsewhere obtain, as to the intention of Parliament in awarding compensation and the objects so distinctly contemplated in extending the term of servitude of the unfranchised negroes.—

I have &c.

(S.) W. M. G. Colebrook

To
His Honor
The President
Administering the Government
of Nevis &c. &c. &c.

Despatches laid before the Board of Council on Thursday the 10th day of May 1838

No. 1

—"—

Government House
9th May 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information, copys of a correspondence which has taken place between the Collector of Her Majesty's Customs in this Island, and myself, on the subject of the communications of Your Honorable House, of the 27th ultimo, and one of the 25th from the Treasurer.—

I have the honor to be
Gentlemen
Your Most Obedient
Humble

Humble Servant

James Daniell President

To

The Honorable Administering the Government

The President and Members of the Council

The Speaker and Members of the Assembly

No 2

(Copy)

Government House

1st May 1830

Sir,

I have the honor to enclose to you the copy of a letter from the Speaker of the Assembly, together with the copy of one from the Treasurer, the suggestions set forth in these communications, appear to be well calculated for the public benefit, and as there is nothing in them contrary to the laws of the Customs Department, I have to request you will direct the observance of them accordingly.

I have &c

To

Henry Harding Esquire - &c. James Daniell

Collector

&c &c &c

No 3

Copy

Her Majesty's Customs Nevis

4th May 1830

Sir,

I have the honor to acknowledge the receipt of Your Honor's letter of the first instant enclosing copy of a letter from the Colonial Treasurer suggesting the

Propriety

propriety as well as necessity of my clearing out no Vessel from this port until the Master of such craft has produced to this Office, a certificate under the hands of the Treasurer to the effect that all forms as required by the law under which he acts have been duly complied with - Your Honor has further been pleased to direct that as there is nothing contrary to the laws of the Customs Department in the suggestion of the Treasurer, the same must be duly complied with - It is my duty most respectfully to inform Your Honor that such suggestion is most decidedly contrary to the laws of the Customs Department, and in furtherance of this statement beg to refer Your Honor to the 17 Sec: of 3rd & 4th William the fourth Cap. 59. wherein it is expressly directed that the Collector or Controller or other proper Officer shall grant to the Master of any Vessel whether laden or in ballast as the case may be, a clearance for such Vessel so soon as the laws of the Customs have been complied with - This being the case Your Honor must be aware that I should incur a great responsibility, were I to refuse to grant a Vessel clearance in conformity with the suggestions emanating from the Colonial Treasurer - I feel it my duty on these grounds most respectfully to remonstrate with Your Honor against the measure proposed and earnestly hope that Your Honor will not impose upon me the performance of a duty, so decidedly contrary to the spirit of my instructions as well as

to

to the laws of the Customs.

I have &c.

(c.) Henry Harding

His Honor
The President
Administering the Government
&c. &c. &c.

No. 4

Copy

— " —

Her Majesty's Customs Nevis
4th May 1838

Sir,

I have the honor to acknowledge the receipt of Your Honor's letter of the first Instant, enclosing copy of a letter from the Speaker of the Assembly in which the House have requested Your Honor to issue Your instructions to me, to furnish for the information of the House and guidance of the Colonial Treasurer, a Quarterly Report of the General Import and Export of this Island. In reply to Your Honor and with reference to the letter from the Speaker of the Assembly I beg to assure Your Honor of my readiness at all times to meet the wishes, and to forward the views of the House by cheerfully complying with any reasonable request which the House may deem proper to make, but in calling upon me to furnish a Quarterly report of the General Import and Export of this Island, the House is probably not aware what a onerous duty it would impose upon me, the performance of which would engage my services for days, and would materially interfere with those duties more particularly attached to this Department, and which as a matter of course more especially demand

my

my attention. I remember having expressed to one or two of the Members of Assembly, my willingness to furnish the House for its information a quarterly return of the quantity of produce exported from the Island, but nothing further, indeed the Report which the House has applied for, would a completed present chiefly a detailed account of the Imports and Exports of British dry goods; information which would prove as useless as unnecessary, serving neither to forward the views of the House, to guide in any way the Colonial Treasurer in the discharge of his own more immediate duties, for the House must be aware that the Colonial Revenue can derive no benefit from the Import and Export of British dry goods.

I beg most respectfully to observe to Your Honor, as the means whereby the object which the House of Assembly and the Treasurer have in view may be obtained, the circumstance of a duplicate set of Quarterly Accounts sworn to by me before Your Honor and shewing the Imports & Exports of this Island, being lodged in this Office. To these documents the Treasurer or any other party authorized by the House of Assembly, can at all times have reference, and may obtain all possible information relative to the General Import and Export of the Island. but I must again most respectfully impress upon Your Honor, that were I compelled to furnish the House of Assembly with Documents of the nature before alluded to, the due discharge of those duties more immediately attached to this Department and for which I am alone responsible would

be

be rendered a matter of great difficulty if not impossibility.

I have &c.

(Sd.) Henry Harding
Collector

His Honor
The President
Administering the Government
&c. &c. &c.

No. 5

Government House
9th May 1838

Sir,

I have the honor to acknowledge the receipt of your letter of the 4th Instant.

I perfectly agree with you in the observation that a serious duty would devolve upon you, by affording that assistance to the Colonial Treasurer which would be required. but in times like the present when it is absolutely necessary to impose heavy taxes for the public expenditure, this taxation cannot be properly carried into effect unless there is a mutual understanding between the Collector and the Treasurer. As a high public Officer in the Customs, you will I am persuaded feel that your services would be duly appreciated by the Legislature, and you would at the same time experience the proud satisfaction of having performed a duty in supporting the revenue of the Island, altho' it may not be strictly in conformity with your instructions.

I have &c.

(Sd.) James Daniell

To
Henry Harding Esquire
Collector of H. M. Customs

No.

(132)
No 6

Copy

Her Majesty's Customs Nevis
10th May 1839

Sir,

I have the honor to acknowledge the receipt of Your Honor's letter of the 8th Instant enclosing copy of a letter from the President of the Council and the Speaker of the Assembly requesting that Your Honor would issue instructions, that no ship or Vessel be admitted to an entry or clearance until certificates have first been produced, under the hand of the Treasurer that all duties due to the Colonial Treasury have been answered and paid. And Your Honor has requested that I as Collector of Her Majesty's Customs, do carry into effect the instructions of the Legislature. In reply I beg to observe that I have already most respectfully remonstrated with Your Honor against the measures proposed by the Legislature, and I now do most respectfully tender my protest against the same. I have shewn Your Honor that the performance of a duty which the two branches of the Legislature would impose upon me, is not only contrary to the spirit of my instructions, but in direct violation to the provisions of the Imperial Act, by which I am bound to govern myself. And I do look up to Your Honor as Executive in the full confidence that under all circumstances Your Honor will support me in carrying into effect the laws of the Customs. The two branches of the Legislature will feel confident

upon

upon a reconsideration of their letter to Your Honor, recall the same, and consider the expediency of adopting other measures for the prevention of the excessive frauds now committed upon the Colonial Treasury, rather than urging upon the Collector the performance of a duty virtually illegal, and calculated to prevent the due discharge of the duties of the Customs Department.

I have &c.

His Honor
The President
Administering the Government
&c.

(S.) Henry Harding
Collector
&c.

No. 7

Her Majesty's Customs Nevis
10th May 1838

Sir,

I have the honor to acknowledge the receipt of Your Honor's letter of the 4th instant, in answer to my despatch of the 4th. I agree with Your Honor that it is advisable that a mutual understanding should exist between the Collector and the Colonial Treasurer but this understanding should be maintained only with a just regard to the observance of the laws which govern each department - I am inclined at all times to afford the Colonial Treasury any assistance which it may require, but I must most respectfully decline doing so, where the result leads to a breach of the

Revenue

Revenue laws, which I am most strictly enjoined to observe. — I have &c

(Sd.) Henry Harding
Collector

To
His Honor
The President
Administering the Government
&c &c &c

Despatches laid before the Board of Council on Thursday the 31st day of May 1838

No. 1

Government House
23rd May 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for the consideration of Your Honorable Board and House, the copy of a communication from His Excellency the Governor in Chief, on the necessity of making provision for the aged and infirm on the termination of the system of apprenticeship. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

135

No 2

(1447)

Circular

Government House Antigua
16th May 1838

Sir,

My attention having been called by the Secretary of State, to the necessity of making provision for the aged and infirm, hitherto chargeable on Estates on the termination of the system of apprenticeship. I have been led to consider that the poor laws in force in the several Islands are so far inapplicable to the new circumstances of Society that they will require to be generally revised.—

In Antigua a special reservation was made in 1834 of the claims of all who were disabled on or before the 1st of August but in the event of adequate provision being made by the Legislature for their participation in the parochial relief afforded to other classes, and that this relief should be rendered effectual the liability of estates might be dispensed with.—

In this Island it has been found expedient to form an Establishment in Town where the paupers of the several parishes, who from infirmity seek in door relief are provided for on payment of a regulated charge by the Parish, the out door relief being granted to those only who are settled in the parish.—

I have &c.

(Sd.) Ed. M. L. Colebrook

No

The Officer
Administering the Government
of Nevis

No 3

Government House 23rd
23rd May 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to transmit for the information of Your Honourable Board and House the copy of a letter from the Governor in Chief enclosing the heads of a bill, for the establishment of a Savings bank, to which I beg to call your serious consideration. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
administering the Government

To
the Honorable
The President and Members of the Council
The Speaker and Members of the Assembly.

No 1

Copy
Circular

Government House St Vincent
Sir, 16th May 1838

I enclose to you the heads of a bill for the establishment of a Savings bank, being a house a bank of deposit and of issue of small sums on the principal of the Law Funds incorporated under Act of Parliament. —

Experience has shewn the advantage of uniting these under the guarantee of the public security and by the appointment of

a

a competent accountant as Cashier and of a respectable body of Trustees the institution may be rendered powerfully instrumental in promoting the frugality and industry of the laboring classes and the welfare of the Community at large. The deposit of the funds of friendly Societies under public security is indispensable to their permanent success.

The Governor or Officer administering the Government to fill up vacancies in trust. I have &c

(Sd.) W. M. G. Colebrook

To
&c Officer Administering
the Government
&c &c &c

No 5

Gover

Mr President a
Mr Speaker

I
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the Gover
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con

(190)

To

James Wamell President
Administering the Government

The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 6

(Copy)
(Circular)

Government House Antigua
8th May 1830

Sir,

I transmit to you two circular
hatches, which I have received this day from
blemely - The first enclosing the opinion
ten Officers of the Crown on the claims
apprentices to be classified as non-
and the second referring to the
Parliament and the state of
in England, in regard to a
the system of praedial
the Colonies and the
to be made in the slavery

to the Council,
Crown Lawyers
ses in all
adjudication
ing the
and

system on the first of August next.—

I have &c.

To The Officer (S.) W. M. G. Colebrook

Administering the Government

of Mauritius &c. &c. &c.

No 7

Circular

Downing Street

Sir, 30th March 1838

The approach of the first of August in the present year has given peculiar importance to the question, as to the class to which apprenticed labourers usually designated as plantation labourers, ought to be assigned.—

A doubt having arisen in several Colonies as to the true construction of the terms of the Act for the abolition of slavery on this point, I thought it right to consult Her Majesty's Attorney and Solicitor General upon the subject, and I transmit for your information and guidance a copy of their report dated on the 22nd Inst.—

You will cause a copy of the opinion of the Law Officers of the Crown to be communicated to every Special Justice in the Colony, and you Government instructing him to use the utmost endeavours to secure the execution of the Law in accordance with the interpretation which it has thus received from Her Majesty's legal advisers, and in case any opposition being made to the [illegible] they have laid down, you will take [illegible] as may be necessary for bringing [illegible]

for adjudication before Her Majesty in Council.

No. I have &c.

Sir W. M. G. Colebrook (s.) Glenelg

No. 8

Temple

My Lord 22nd March 1838

We have had the honour to receive Your Lordship's letter of the 21st Instant on the subject of the claims of certain negro apprentices to be classed as now predials, and not as praedial laborers, in which letter Your Lordship puts to us three questions as follows.—

First - an apprenticed laborer who in his state of slavery was usually employed upon a plantation belonging to his owner exclusively, in the trade of a cooper or of a Carpenter or a Mason, or otherwise as a Mechanic in works undertaken and executed exclusively with a view to the benefit of that plantation or of the produce raised upon it, and who was especially so employed for twelve Calendar Months at the least next before the passing of the abolition Act remains to be placed in the third class of apprenticed laborers and discharged on the first of August 1838 - to this demand we answer,

Secondly - an apprenticed laborer to whom the statement in the preceding question applies, with the single difference, that he was employed in slavery, not upon lands belonging to the estate, but upon other ~~demesne~~ plantations

to

to which his owner was accustomed to hire him out, prefer the same demand. So the demand in this case well founded.—

Thirdly. apprenticed laborers to whom the statements in the two preceding questions apply, with the difference that in their state of slavery including the twelve months next before the passing of the Abolition Act they were employed occasionally in their respective trades, and occasionally in the direct cultivation of the soil, or manufacture of Colonial produce, prefer the same demand. So the demand in these cases well founded.—

We have the honor to report to Your Lordship that in the two first cases we think it clear that the laborers are to be classed as non-predial laborers. Although the labors in which they were engaged were necessary for the cultivation of the soil and the manufacture of the produce. Yet the laborers were not themselves directly employed either in agriculture or such manufactures, and the language of the proviso is too clear to admit of its being controlled by the previous general words "or otherwise" These two classes therefore appear to us to admit of no doubt. The third case is one, which in its application to particular instances will present more difficulty. We are of opinion that in those cases where the ordinary employment of the party has been that of an agricultural laborer, or a laborer employed in manufacturing colonial produce, he must be classed as a predial laborer although he may have been occasionally employed otherwise. On the other hand, where the ordinary

employment

employment has been that of a mechanic, we think the labourer does not acquire the character of a predial apprentice because he may occasionally have been put to assist in the ordinary cultivation of the soil, or the manufacture of its produce; it is plain that cases may occur in which the application of this rule as a test of the status of the party, may be very difficult, but we are of opinion that no other test can be applied consistently with the provisions of the Act. —

We have &c.

(S.) J. Campbell

The Lord Glenelg — R. M. Rolfe

No. 9.

(Circular)

Downing Street

2nd April 1838

Sir,

The proceedings which have recently taken place, both in and out of Parliament, with a view to abridge the term of predial apprenticeship under the Slavery Abolition Act, will of course excite the deepest interest throughout the British West Indies. —

The correspondence between this Office and the different Governors of the West India Colonies, during the last few years, while it attests the zeal and industry with which these Officers, and the Special Magistrates generally have laboured to carry the abolition laws into effect, bears at the same time conclusive testimony to the solicitude with which Her Majesty's successive Secretaries of State, have endeavoured to prevent and to correct such

such abuses as may have occurred, and to obtain the aid of the Local Legislatures in providing remedies for those defects which experience has brought to light either in the provisions or in the working of the apprenticeship code. It is with very deep concern that I have found myself obliged to admit that in many instances the reasonable expectations of the Parliament and people of Great Britain have not been fulfilled. I do not mean to charge the Colonial Assemblies with a systematic opposition to the wishes of this Country, nor do I mean to involve them all even in the less grave accusation of unnecessary and vexatious delay, in complying with the instances and suggestions conveyed to them on this subject, and it would in my opinion be most unjust to charge the great body of Proprietors with a failure in the performance of those duties towards their apprenticed labourers, which their position imposes upon them. —

The contrary may indeed be safely asserted but it is at the same time impossible to deny that the exceptions to this rule are unhappily numerous, and are in such cases such as to justify the most serious disapprobation. —

The proofs on which this charge is founded, have been detailed and commented upon in speeches and writings in this Country in such a manner as to have produced the deep excitement of the public mind lamenting the exaggerations which have been propagated and the still more remarkable suppression of the great mass of facts favorable to the present system. It would be

to vain to deny that abuses really exist to an extent sufficient to supply the means of provoking the indignation of people in almost every Country and Town throughout this Kingdom. These statements have indeed chiefly had reference to the case of Jamaica and although it cannot be asserted that the evil is confined to that Colony, yet the whole of the evidence laid before me, shows that it exists no where else to the same degree, or in a form equally offensive and dangerous.

Her Majesty's Government postponed until recently any application to Parliament on this subject, because I was unable to state that no reasonable hope remained of obtaining from the Legislature of Jamaica in the Session of 1837-38, a correction of those defects in the law or a remedy for those practical abuses, which have been frequently urged upon the attention of the Assembly. But I took the first opportunity, after this hope was abandoned, to introduce into the House of Lords a bill for the amendment of the slavery abolition Act. It passed through all its stages in that House without opposition and it has been read a second time in the House of Commons without the expression of an opinion by any one Member of Parliament that the measure outran the necessity of the case. It was indeed asserted that it did not advance far enough, and that no effectual remedy could be found except in bringing the apprenticeship to a close on or before the 1st of August next. Her Majesty's Government have felt it their duty in conformity with their sentiments conveyed

to

to you in my circular despatch of the 15th December last with the enclosures to oppose themselves to their remarks - A motion with this view was proposed in the House of Commons on the 29th February and discussed for two nights and although unsuccessfully resisted, was supported by 217 Votes. —

In discharging the unwelcome duty of opposing the wishes of so many of their countrymen in this subject Her Majesty's Government have been guided by three considerations - First they thought that the national faith was pledged against the interference of the Imperial Parliament for the termination of the apprenticeship at an earlier period than the first of August 1840 upon the condition however that on the part of the Colonists in general the obligations contracted by them towards the apprenticed laborers should be faithfully discharged - Secondly they were of opinion that in the great majority of individual cases those obligations had been so fulfilled and that for the misconduct of the minority a less general remedy was capable of being applied by the bill to which I have referred for the amendment of the slavery abolition Act - Thirdly they believed that the abrupt termination of the prædial apprenticeship by the authority of Parliament contrary to the expectation of all parties would be injurious to the apprenticed laborers themselves and replete with danger to the colonial Societies at large - Parliament has thus far sanctioned the justice of these opinions - The possible effect of these discussions on the minds of the different classes of the colonial population cannot be

contemplated

contemplated without solicitude. On the part of the planters or their Agents discontents and alarms may have arisen, which an ill advised use of their constitutional powers, might render dangerous to the public tranquility, while at the same time it would not fail to be most injurious to their own interests - On the side of the praedial apprenticed laborers some heightening be apprehended from a natural dissatisfaction at the more favored lot of the non-praedial class, from the ignorance which prepares them to be the ready victims of misrepresentation and from the effects which may perhaps be made to excite their feelings and to mislead them as to the real nature of parliamentary proceedings. But while these dangers exist on the one hand, we hope on the other that securities for continued tranquility also will be found, in the position and character of the two classes in question. The short sighted and ill conducted portion of the proprietors or Agents must at length be satisfied of the utter futility of any further resistance to the reasonable demands of the people and Parliament of Great Britain, and from the apprenticed laborers may be expected a continuance of that docility, good order and cheerful submission to the laws which have now for that long injured race - the sympathy of all ranks of Society in this Kingdom. It is impossible to contemplate without anxiety, the possibility that labouring under misconceptions for which they at least could not be responsible, the praedial apprenticed laborers should on the arrival of the 1st of August be betrayed

into

into any such misconduct, as would impose upon you the necessity of enforcing the penal law against them. You well know will deprecate this result with an anxiety equal to my own, and will therefore use to the utmost the authority of your Office, and all the legitimate influence of your station and personal character to avert any such disaster.

At this distance it is of course impossible to prescribe the particular mode of proceeding by which you may interfere most effectually to allay any excitement of the public mind in the Colony under your Government. You will best be able to judge how that object can be most prudently accomplished. I would however suggest the expediency of your resorting in person to every District of the Colony and there summoning to your presence, the Praedial apprenticed labourers of the district or some of the more intelligent of their number, in order to explain to them in plain and simple terms, the deep interest which Her Majesty the Queen and the two Houses of Parliament take in their welfare, and the nature of the law now depending in this Country for their more effectual protection, at the same time giving them plainly to understand that an abridgement of their appointed term of service, by the intervention of Parliament during the present year is altogether hopeless, and exhorting them to persevere during the short remaining period in that good conduct and obedience to the law by which they

have

have hitherto been so eminently distinguished, and which you will impress upon them, as essential to their own welfare and happiness.

To the proprietary body you will also address the strongest admonitions to abstain from whatever might tend to propagate discontent and misunderstanding amongst the rural population, and to apply themselves with that zeal, and promptitude which Her Majesty's Government have a right to expect from them, to the great work of conciliating their dependants and of preparing for the change which so rapidly approaches. It appears to Her Majesty's Government, that the Troops at present in Garrison in the West Indies are sufficiently numerous for any service to which they are likely to be called, even in the event of local disturbances provided only that means are taken to secure a rapid concentration of force at any given point on a sudden emergency. I have therefore signified to the Lords of the Admiralty Her Majesty's pleasure that a steam Vessel of War should be immediately stationed at each of the three principal seats of Government in the British West Indies namely Jamaica Antigua and Barbados, in order to carry into effect any Instructions which the Lieutenant Generals commanding, may give upon the requisitions of the respective Governors.

I enclose for your information a copy of the bill now depending in the House of Commons until it shall have passed into a law it would be premature

premature to enter into any explanation of its provisions — I have &c.

(S.) Glenelg

Sir T. M. G. Colebrook

No. 10

"

Government House
25th May 1830

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

The altered state of Society which is so soon to take place in this Colony, renders further revision and amendment of our Militia Act, absolutely necessary and imperative.

The monthly meeting of the whole of the Militia at one particular point, will be in our altered social system, both unnecessary and impolitic. I would therefore strongly recommend a regular monthly meeting in each parish with a general muster once or twice in every year, and a certain number of Officers to be appointed for each company as you may deem necessary. The Militia I am sorry has become so irregular in the duties attached and every gentleman in the Island endeavouring by every means in his power to secede from a situation, which ought to be as honorable as it is expedient for the good of the public service and the internal Defence of the Colony. With this view of the subject, you will I trust give every consideration to its importance, and make such alterations and improvements,

&c

as you may think useful for this branch of our Colonial Establishment.

As two Aides-de-Camp will be amply sufficient for any Officer Administering the Government, I would strongly recommend the Gentlemen on the Staff joining in some capacity the Militia — Their situation to be determined by your Honorable Board and House and which will receive my entire approbation. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
Administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

Despatches laid before the Board of Council on Friday the 1st June 1830.

No. 1

Government House
30th May 1830

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for the information of Your Honorable Board and House the Copy of a Letter from His Excellency the Governor in Chief covering two circular despatches from Lord Glenelg

dated

dated the 2nd and 16th of April respectively.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Doucette
President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 2

(Copy)

Circular

Government House Sierra Leone
24th May 1830

Sir,

I have the honor to enclose for your information and guidance 1st a Circular Despatch dated the 16th of April and 2ndly a circular despatch dated the 16th of April with an Act to amend the Act for the abolition of slavery.

I have &c
(Sd) W. M. G. Colebrook

The Resident of Rio Sa
&c &c &c

(Copy)

No 3

Downing Street
2nd April 1830

Sir,

I have lately received from the Governor of Sierra Leone a despatch reporting the capture of eleven British subjects by a native chief of the Foulah Tribe under circumstances which I think it desirable

to communicate to you. —

It appears that about two years ago a vessel arrived in the Rio Nunez from Demerara with eleven free negroes on board, who were returning to Africa for the purpose of settling there. Until within a few months ago they continued to reside in the neighborhood of the Rio Nunez, when a Foulah chief induced them to quit their abodes, seized the whole party and sent them about 30 Miles up the Country. The British authorities at Sierra Leone immediately adopted such proceedings as were at their command, for effecting the recovery of these persons, and succeeded in obtaining five of them. The remainder at the date of the last accounts were still in withheld. I transmit to you one of the documents laid before me, which will sufficiently detail the circumstances of the case, and as instances may occur in which emancipated negroes may desire to return to their native Country, I request that you will avail yourself of all the means in your power, for placing such persons on their guard against the dangers, which in the prosecution of their interests they will incur, of ill treatment from the tribes, and of being captured for slave trading purposes. You will also have the goodness to give as much publicity as possible to the accompanying statement. —

I have &c.

Governor Sir T. Colebrook (S.) "Glenelg"

&c. &c. &c.

Statement

The same watchfulness is equally necessary in this part of the World, over those who after obtaining their freedom have thoughtlessly returned to Africa, expecting to find a home. I am led to this remark, by a circumstance, which has lately occurred here, and which shews how precarious is the liberty of an emancipated African when out of the pale of British protection - About two years since a Gambia Vessel brought from Demerara some eight or nine self emancipated blacks, amongst whom was a man of the Foulah Tribe, who had been formerly made captive in war and sold, and another was from some other part of Africa, who had been taught the art of a Cooper, and by his industry had emancipated himself and his family, in all some six or seven persons - Governor Randall endeavored to persuade these people to settle at Saint Mary's - but the Cooper and his family were led away by the Representations of the crafty Foulah Man and followed him to this place - when he soon left them to join his family in the Foulah Country. This fellow has reported to the Foulah Alemammy that this family were living in the Rio Nunez, and according to their Laws belonged to no one, and had no one to care for them. And some few days since the Foulah Chief of Labby named Mahone, has the whole family seized and

dispossessed

dispossessed them of their little property, stripped them of their clothes, and with their arms pinioned and tied together by the necks drove them all like so many cattle into the Foulah Country, except the old Man the Cooper, who was detained manacled by the leg, till some parties who were indebted to him, paid their debts into the hands of Mahomed. Neither Proctor, nor myself knew any thing of the circumstance until the poor creature had been marched off. We however lost no time in calling together a Meeting of all the proprietors of Factories, French, Portuguese, and others, and then sent for the Foulah Chief, to whom we explained that the people whom he had seized were true english subjects, and belonging to the King of England, and that his carrying these people off into slavery, would lead to a very serious palaver. that our King considered himself as much bound to protect these poor people, as his white people, and that unless they were brought back the Governor of Sierra Leone on his being informed of the circumstance would make reprisals on all the Foulah headmen arriving in that Colony to trade, whom he would detain until these people were restored. Mahmed in exculpation stated, that in seizing these people and sending them to Timbo he had only acted in conformity to the orders of his Superior the Alemammy of Timbo, he at the same time proposed to send a Messenger to the Alemammy (which he

he has since done) to acquaint him with what the white people said respecting the palaver, but made no promise, nor held out any hopes of these poor people being brought back; nor are we at all sanguine that they will be restored, and I fear nothing but the threats we held out being acted on in Sierra Leone, will ever get these poor people their liberty again, here we dare only bark, it is for the authorities at Sierra Leone to bite. —

Since writing thus far, I have also learned, that the poor Cooper, principally through Rector's interest, has been released from the Manacles for the present at least. —

N. 4

Circular

Downing Street
16th April 1830

Sir,

I enclose several copies of the Act to amend the Act for the abolition of slavery in the British Colonies, which received Her Majesty's assent on the 11th instant. My circular of the 1st instant has explained the motives by which Her Majesty's Government were induced to recommend this measure for the adoption of Parliament. I propose on the present occasion to call your attention to the rules which will devolve upon you in carrying the new law into execution. —

The twenty fifth Clause requires you to

cause

excess the Act to be proclaimed within the Colony under your Government, and provides that it shall come into force within that Colony on a day to be named in the proclamation. I have to instruct you to issue the necessary Proclamation for this purpose immediately on the receipt of this Despatch, and to fix the earliest possible day as that from which the Act is to come into force.

It will further be your duty immediately to convene the Council, and with their advice to issue the proclamation mentioned in the first clause for regulating the distribution of the hours of legal labor. You will endeavor to apportion those hours in the manner best calculated to obviate the dissatisfaction which has in many instances arisen from a want of sufficient attention in the distribution of the hours of labor, to the comfort and convenience of the apprenticed laborers. The same proclamation will determine the period of time within which the laborers are to proceed to and from their work according to the distance between their places of abode, assigning not less than one hour for every three miles of distance.

The power of ascertaining and declaring by Proclamation "what exemptions allowances privileges or indulgences" have been established within the Colony or in any District or Parish of it by any laws or by any customs prevailing for three years before the passing of the abolition Act of 1833 will be exercised by you with the advice of the Council, as occasion may require. With respect to some of these allowances,

no

no doubt or uncertainty exists, and they may be immediately secured to the apprentices by such a Proclamation. With respect to others you will apply yourself to ascertain by a diligent investigation, by what laws or customs whether general or local they were given. —

The appointment of Official Umpires to act on the appraisement of the services of any apprentice laborer seeking his discharge is a duty which will devolve upon yourself alone — Your selection will of course be made from the persons best qualified for the discharge of this duty — But it will be an indispensable condition of every such choice that the Umpires shall not themselves be possessed of apprentice laborers, or interested in raising the average value of the services of that class of laborers. —

Parliament has entrusted you with very high and responsible authority for arresting the proceedings in any action against a Special Justice for any thing done in the execution of his office. This authority has been given for the protection of Justices acting uprightly and with discretion, and must be used accordingly. In the event of your interference for this purpose you will take the most effectual means of informing yourself in the first instance of the whole facts of the case. You will of course not employ the power whenever there may be just cause to impute to the Magistrate an improper motive or a culpable disregard or ignorance of the duties of his Office, and on the other hand you will not shrink from the exercise of it when-

ever

every case in which the Magistrate shall appear to you to have acted bonafide in the discharge of his responsible duty. —

The power vested in you with the advice of your Council, for making regulations for the treatment of apprenticed laborers during their detention in any prison workhouse hospital or other place of confinement, will I trust enable you more effectually than hitherto to correct such abuses in those places as may have come to your knowledge, while the right of inspection secured to the Special Magistrates, is calculated to prevent any concealment of such abuses from the local authorities. —

The power confided to you of discharging from apprenticeship any apprenticed laborer who has been subjected to any cruelty, or any grievous injustice or wrong by the Employer or his Agent, will render it necessary that you should admonish the Special Justices to exercise the utmost vigilance in the investigation of every occurrence of that nature, and in reporting to you with the utmost promptitude the results of such investigation. —

The representations which have reached me from so many quarters as to the defective and erroneous state of the lists by which predial and non predial apprenticed laborers are distinguished from each other, and by which the predial class is subdivided, compel me to invite your immediate and most serious attention to the 19th Clause of the Act which enables you with the advice of your council, to make regulations for the redress of this evil if no

complete

complete classification shall have been made, & no legal provision shall have been in force in the Colony under Your Government for revising the classification of the apprentices.—

I am also to direct your especial attention to the clause No. 24, which requires that you should report to me, by the earliest convenient opportunity every Act which you may do in exercise of the powers vested in you by this Statute. As such reports must be communicated to Parliament within 40 days from their arrival in this Country, the utmost attention should be paid to the punctual transmission thereof. You will comprise wherever practicable in every such Report, a detailed statement of the grounds on which you have acted on the occasion in question.—

There are other provisions in this Act which materially modify the rigor of the previous law, under which it was at first thought necessary that the apprenticed negroes should be placed during the term of apprenticeship. Experience has clearly proved that where they are kindly and considerately treated the means of coercion may be proportionately diminished. Under this conviction Her Majesty's Government have had no hesitation in proposing to Parliament, and Parliament has cheerfully sanctioned the entire abolition of corporal punishment after the 1st of August next for all offences peculiar to the apprenticeship. You will understand the motives which have induced a postponement

of

of the time when the Enactment is to come into operation to the 15th of August, but I cannot too strongly urge on you to adopt every method of practically dispensing with the exercise of corporal punishment in the intervening period. You will of course take the earliest opportunity of issuing such additional instructions to the Special Magistrates as will be requisite on this point as well as on other matters connected with the execution of this Act. The general character of those officers assures me of a prompt and vigilant attention on their part to the duties devolving on them, but a careful superintendence on your part will be indispensable to secure to the apprentices the full benefit intended to be conferred on them by the new law.

Although in pursuance of the instructions which I have addressed to you, you will give immediate effect to this Law, I think it desirable that you should at an early opportunity convene the Legislature of the Colony under your Government and communicate to it the intelligence that Parliament has found it necessary to pass this Act in furtherance of the great measure for the abolition of slavery. You will further explain to them the course which Her Majesty's Government have felt it their duty to adopt in revising the demand for the early abolition of negro apprenticeship by the authority of the Imperial Parliament. You will at the same time impress upon their most serious attention, how deeply seated and how prevalent throughout

the

the population of this Province, is the policy, for bringing it properly to an early close, the system of apprenticeship established by the Act of 1833.

You will point out to them the obvious, but weighty motives which recommend that this consummation should be effected by the spontaneous act of the legislatures of the respective colonies, due preparations being first made for those arrangements of the slave code, which must accompany or precede the change. You will suggest the policy and expediency of their anticipating by wise and humane enactments the wishes and views of the people of this country, on a subject in which so deep and general an interest is felt. By such measures they would avoid the danger and embarrassment and inconveniences which may be apprehended from the effect on the minds of the negroes, from the repeated discussions and continued agitation on this question during the remaining term of the apprenticeship, if it should not be terminated, and they would conciliate the gratitude and good will of the benevolent proprietors, who have no disposition to work for fair ~~compensation~~ and on equitable terms. The Proprietors will be hereafter in a great measure responsible. Said provided that no exertions will be wanting on your part to allay excitement, and to produce good will and harmony among the different classes of the community, an object in which the interests of all are most deeply concerned.

Governor

Sir W. M. G. Colebrook

Have the

(Sd.) Glenelg

Despatches laid before the Board of Council on Tuesday the 26th June 1838

No. 1

Government House
11th June 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to place before you a circular despatch from the Governor in Chief with reference to the convention of the General Council and Assembly of the Leeward Islands.—

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President

To
The Honorable Administering the Government
The President and Members of the Council
The Speaker and Members of the Assembly

No. 2

Copy
Circular

Government House Antigua
31st May 1838

Sir,

Sir Lionel Smith's despatch

I have the honor to transmit to you for communication to the Council and Assembly of Nevis the extracts of two despatches which I have received from the Secretary of State relative to the convention of the

General

General Council and Assembly of the
Leeward Islands

To

I have &c.

His Honor (Sd.) Wm. G. Colebrook
The President of Nevis

No 3

Transcribed

Government House
St Kitts 18th June 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information and guidance a copy of a circular despatch which I have received from the Governor in Chief with three enclosures for the more effectual suppression of the slave trade &c.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell President
administering the Government

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 4

Transcribed

Downing Street
30th April 1838

Sir,

I have the honor to transmit to you for your information and guidance the

the accompanying copy of an additional article to the Treaty concluded at the Hague on the 4th of May 1818 between Great Britain and the Netherlands for the prevention of the traffic in slaves, bearing date the 7th day of February 1837 the copy of a treaty concluded on the 9th of June 1837 by which the Hanse Towns have acceded to the Conventions of the 30th of November 1831 and the 22nd of March 1833 between His late Majesty and His Majesty the King of the French for the same object and the copy of a further treaty concluded on the 24th of November last between Her Majesty the Queen of the French and the Grand Duke of Tuscany also for the suppression of the slave trade.

I have &c

Sir G. M. G. Colebrook (Sd) Glenelg

No 5

Government House
22nd June 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to present for the information of Your Honorable Board and House the copy of a letter enclosing a newspaper from His Excellency the Governor in Chief on the subject of the slave trade in portation of labourers from these Islands and to which I respectfully invite your serious attention

I have the honor to be

Government House
Gros Islet Observatory
Martinique Seventh
June Daniel President
The Honorable Admiral Sir Eighth Hannonus
The President Council and Members of the Council
The Speaker and Members of the Assembly

No 6.

Copy
(Circular)

Government House Antigua
Sir, 11th June 1830

I have the honor to send a newspaper containing the copy of a despatch which I have addressed to the Secretary of State respecting the alleged ill treatment of laborers from the Islands, and which requests you will communicate it to the Council and Assembly of Nevis.

I have &c
The President &c &c &c. C. W. M. G. Colebrook

No 7.

Government House
Antigua 11th June 1830

The President &c &c &c
of the Council
&c &c &c
Gentlemen
I have the honor to forward

to Your Honorable Board and House the copy of a circular from His Excellency the Governor in Chief urging the necessity and importance of taking measures to obtain accurate statistical information and especially such as would facilitate the compilation of the population returns and other tables.

I have the honorable
Gentlemen
Your most obedient
Humble Servant
James Tomlin Clerk

The Honorable Commissioning the Government
The President and Members of the Council
and the Representatives of the Assembly

Circular

Government House Antigua
Sat. 9th June 1834

I request that you will submit to the consideration of the Council and Assembly at Nevis the importance of taking measures to obtain accurate statistical information and especially such as would facilitate the completion of the population returns and other tables in the annual blue book which have hitherto been imperfectly made out. And I would suggest to you that the Clergy of the several parishes might be induced to assist in effecting this desirable object which it would seem to be the result of personal investigation

investigation and enquiry which probably be attended with some expense.

I &c. (Sd.) W. M. G. Colquhoun

The Office Commissioning the Government of Mauritius &c. &c. &c.

Despatches laid before the Board of Council on Tuesday the 10th day of July 1838.

No. 1

Government House
9th July 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward for your information copy of a despatch from His Excellency the Governor in chief on the subject of the bill for the abolition of apprenticeship.

As His Excellency has suspended his assent to the Bill until provision is made for the aged and infirm I have the honor to recommend that Your Honorable Board and Honorable House will lose no time in conforming to the wishes of His Excellency when I shall take pleasure in offering my authority and giving publicity to this important measure.

I have the honor to be
Gentlemen
Your Most Obedient
Humble

~~Humble Servants~~

~~James Lawrence~~

To

The Honorable ~~President~~

~~The President and Members of the Council~~

~~The Speaker and Members of the Assembly~~

No. 2

~~Copy~~

~~Government House Barbados~~

Sir, 2nd July 1830

I send you the bill which has been passed by the Council and Assembly at Nevis for abolishing the system of apprenticeship on the 1st of August next, on which I request you will convey my congratulations to those Islands.

As a provision for the aged and infirm apprentices must necessarily be secured to them when the bill comes into operation you have my authority to pass it as soon as such provision has been duly made by the Council and Assembly.

You are also authorized to pass the Act for the adjustment and recovery of outstanding wages.

To

His Honor

The President of Nevis

I have &c

(Sd) Tho. G. Colebrook

Jno. Jno. JR

No. 3

Government House

7th July 1830

Sir

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor herewith to enclose to your Honorable Board and House, a copy of a communication from His Excellency the Governor in Chief, on the subject of extending the right of appeal to the Court of Sessions to persons convicted under the Bill for the summary punishment of Receivers of stolen property, by extending the provisions of the Act for the punishment of petty thefts.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniel

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 4

Copy

Government House Antigua
2nd July 1838

Sir,

I enclose to you the Bill for the summary punishment of Receivers of stolen property by extending the provisions of the Act for the punishment of petty thefts, and which you are authorized to pass on provision being made for extending to the persons summarily convicted the right of an appeal to the Court of Sessions — I have &c

To His Honor
The President of Nevis

&c. W. M. G. Colebrook

&c. &c. &c.

&c.

140
No 5

Government House
6th July 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to forward to you the copy of a letter from the Governor in Chief enclosing a despatch from Lord Glenelg covering two Orders of Her Majesty in Council the one leading to its operation the Act for granting salaries in lieu of fees &c and the other disallowing the Act for punishing and suppressing vagrancy.

Your Honorable Board and House will perceive that as you did not remedy the objections made by His late Majesty's Government by an Amended Act which will have been found necessary to disallow the latter by Her Majesty in Council.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Dawes President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

Copy

No 6

Government House Antigua
Sir, 4th July 1838

I enclose to you two Orders of Her Majesty

Majesty in Council the first dated the 11th of December 1834 leaving to its operation an Act passed by the Legislature of the Island of Nevis entitled

"An Act to grant salaries in lieu of fees to certain public Officers of the Island of Nevis &c &c"

the second dated the 22nd of May last disallowing an Act entitled

"An Act to punish and repress vagrancy and other offences committed by idle and disorderly persons &c &c"

for the reasons therein stated.

I have &c

His Excellency
The President
Administering the Government
Nevis

(Copy)
Nevis
No 60

(Sd) C. M. G. Colebrook

&c &c &c

Downing Street
23rd May 1836

With reference to my despatch of the 9th November 1836 stating the objections entertained by Their Majesty's Government to the Vagrancy Act No 12 passed by the Legislature of Nevis in the Month of September 1835 I have the honor to acquaint you that as the Legislature have not thought fit to remove those objections by an amended Act I have felt myself under the necessity of advising the disallowance of the Act in question for the reasons stated in that

Despatch

Despatch —

I enclose an Order passed by Her Majesty in Council on the 2nd Instant disallowing the same and likewise an Order leaving No 134 to its operation. —

Governor Shaw Esq.

Sir Ed. M. G. Colebrook (c.d.) Glenelg

No 7

Copy

P. L.

At the Court at Saint James the 2nd of May 1839

Present

The Queen's most Excellent Majesty

Archbishop of Canterbury	Viscount Palmerston
Lord Chancellor	Viscount Melbourne
Lord President	Viscount Lewisham
Lord Steward	Lord Glenelg
Lord Chamberlain	Mr Poulett Thompson
Earl of Albemarle	Sir John Hobhouse Bart
Earl of Minto	Mr Chancellor of the
Lord John Russel	Exchequer

Whereas the Governor of Her Majesty's Island of Nevis with the Council and Assembly of the said Island did in the month of September 1838 pass an Act which has been transmitted entitled as follows viz.

No 124 An Act to prevent and repress Vagrancy and other offences committed by idle and disorderly persons, to repeal the Hawkers and Pedlers to take certain Licences and to regulate the wages of persons employed

ab

Porters and Boatmen in the several Towns within this Island.

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council appointed for the consideration of all matters relating to trade and foreign plantations and the said Committee have reported as their opinion to Her Majesty that the said Act should not receive Her Majesty's Royal confirmation. Her Majesty was therefore this day pleased by and with the advice of Her Privy Council to declare her disallowance of the said Act and the same is hereby disallowed accordingly.

Whereof the Governor Lieutenant Governor or Commander in Chief for the time being of Her Majesty's Island of Nevis and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Sd.) Wm. L. Bathurst

Extract from a Report of the Lords of the Committee of Privy Council for Trade dated the 1st of May 1838 upon Nevis Act No 124.

"The Lords of the Committee having taken the said Act into consideration humbly take leave to report as their opinion to Your Majesty that this Act should be disallowed because the terms in which the offences punishable under this Act are defined are not sufficiently explicit.

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No 9

Government House
7th July 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to transmit for the information of Your Honorable Bodies and Houses the Copy of a letter from the Governor in Chief enclosing copy of a despatch received from Lord Glenelg together with the extract of a former despatch from His Lordship forbidding the apprenticeship of liberated Africans in the Colonies.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darling President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No 9

Copy
Circular

Government House Antigua
Sir, 28th June 1838

I enclose for your information and guidance a copy of a circular despatch which I have received from Lord Glenelg forbidding the apprenticeship of liberated africans in the Colonies and also the extract of a former Despatch from His Lordship on the

same

same subject

To
Shaw Ng
The Officer
Administering the Government of Nevis
&c &c &c

Colt Circular

Downing Street
15th May 1830

Sir,

I have recently received from various British Indian Colonies, and especially from Jamaica, Grenada, Dominica and Bahamas reports of slave ships from the Coast of Africa having been brought into their ports by their Captains for the preservation of the lives of the people or having been cast by shipwreck on their shores. — In some of these cases the slaves have been apprenticed under the slave trade abolition Act, in others they have been permitted and encouraged to earn their own living without any such apprenticeship. As far as the result of the latter experiments has hitherto been ascertained it has tended to establish the conclusion that the restriction of an apprenticeship is unnecessary and may be safely dispensed with. For the present therefore I am to desire that in any case of this nature which may occur in the Colony under your Government the Collector of Customs may be instructed to abstain from exercising the powers vested in them of apprenticing any of the Africans so liberated by the sentence of the Mixed Commission

Court

Port at Havana, who may be subsequently brought to the Colony under Your Government. And exception indeed may be admitted in the event of any young children being found in any slave ship unattended by mothers or other relatives willing & able to provide for them, such children may be apprenticed for any term not exceeding five years to any person carefully selected who will undertake to instruct them in any trade or other means of earning an honest subsistence. I will not undertake to affirm that the apprenticeship of such africans may never be indispensable. I think it necessary however that the question should be brought to the test of a complete and fair experiment.—

I have &c.
(S.) Glenelg

Governor
Sir R. Calebrook
&c. &c. &c.

Extract of a despatch from
Lord Glenelg to Sir R. Calebrook dated
Downing Street
30th July 1837

Sir,

I have the honor to acknowledge the receipt of your Despatches (Dominica) No. 5 of the 20th of May No. 8 of the 23rd of May and No. 19 of the 5th of June on the subject of the Africans liberated from the Portuguese slave Vessel "Dos Francisco" some of whom has been enlisted into the 1st W. India Regiment and the remainder indented as apprentices by the Collector of Customs.—

I

I entirely concur with you in opinion that in binding out these persons as apprentices for seven years, the Collector of Customs assumed an authority which the law has not vested in him. He appears to have considered the case as falling within the Act of Parliament for the abolition of the slave trade having employed for binding out these apprentices as many as he could procure of the old printed blank forms which had been procured in pursuance of that statute. The distinction between the two cases is however almost too plain and familiar for any particular explanation. Africans received from Portuguese slave traders, can only be said within the manner pointed out by the treaties with Portugal or when that is impossible, as aliens cast involuntarily upon our shores. There in Grenada where the same case has repeatedly occurred such africans have been placed under the temporary protection of guardians appointed for them by the Chancellor. In the Bahama Islands, as you are well aware they have been subjected to no unusual restraint whatever. There is indeed no sufficient motive for restraining their liberty. — I have &c

(S.) Glenelg

Despatches laid before the Board of Council on Friday the 13th. day of July 1838.

No. 1

—•—

Government House
11th July 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward to you the copy of a letter from the Governor in Chief covering the copy of a despatch from Lord Glenelg together with a series of questions on the subject of finding employment in these Colonies for young persons tainted in the commission of crime in the Mother country.

I have to request that Your Honorable Board and House, will be pleased to favor me with the views which you may entertain on this subject, that they may be communicated for the information of Her Majesty's Government.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly

No. 2

Copy
Circular

179

Government House Antigua
4th July 1838

Sir,

I enclose to you a circular despatch with a series of questions relative to the employment in these Colonies of young persons detected in the commission of crime and you will be pleased to furnish me with such information on the subject as will enable me to reply to each question. —

I have &c
(Signed) W. M. G. Colebrook

His Honor
The President
Nevis. —

No. 3

Circular

Downing Street
20th May 1838

Sir,

I enclose for your information a series of questions on the subject of the means of finding employment in the British Colonies for young persons who may have been detected in the commission of crime in this Country, but for whom it has been found impossible to provide any effectual protection here against the temptations to which they are exposed in our large cities. You will have the goodness to communicate to me such information as it may be in your power to supply in answer to each of the questions proposed by Lord John Russell. —

I have &c
(Signed) Glenelg

Sir W. M. G. Colebrook
&c &c &c

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W4

Copy

Questions

1 What are the kinds of skilled labor most needed and valuable in the Colony?

2 What is the average rate of labor paid for such labor?

3 Is it redundant or could the market usefully absorb any, and what number of additional hands?

4 What is the average rate of wages paid for unskilled labor?

5 Does the supply of unskilled laborers meet the demand, or is it materially deficient?

6 Is the demand for such labor steady or is it likely to be materially increased or diminished within the next few years?

7 What men might an unskilled laborer without family earn yearly?

8 Is there any extensive demand for female labor and what might an unmarried female earn yearly?

9 Would any considerable portion of the community be willing to receive juvenile offenders as apprentices into their Houses provided they were satisfied that they had not been convicted in the Ordinary Tribunals, but in Penitentiaries especially adapted for the purpose of their instruction and reformation and the discipline which they had there undergone had proved effectual?

10 Would the Colonists be inclined to pay

a

a small premium for the services of such apprentices so as to cover the expense of their passage from this Country?

11 Would there be any difficulty in appointing an Officer as Protector & Guardian of such apprentices who might effectually watch over their interests during the period of their indentures?

12 Would boys coming from such a penitentiary instructed and skilled in agricultural labor, in the use of the plough, spade, axe &c, and having some knowledge of tailoring, shoemaking and of such trades as are most useful for Emigrants be sought for and protected in the Market for skilled labor?

13 In what number and at what time would it be desirable to send out boys?

14 What facilities and materials for the formation of a Committee to receive superintend and locate the boys upon their arrival in the Colony - to report from time to time to Her Majesty's Government their proceedings, and to give accounts of the treatment, conditions and conduct of the boys?

15 Would the situations of such boys be mostly in Towns or in the Rural Districts?

16 How long after their arrival such would they be before they obtained situations?

17 Where could they be kept in the interim and how could they be employed?

18 If sent into the interior how far would they be from the seat of Government?

19 Would there be any check on the spot upon improper treatment from Masters and are you in authority to whom the boy could make known his complaints?

20 What would be the temptations and facilities for the boys running away from their Masters?

21 Where would they in case of escape be induced to go?

Despatches laid before the Board of Council on Friday the 27th day of July 1838.

No. 1

— " —

Government House
19th July 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward for your information, copy of a letter from His Excellency the Governor in Chief, covering a Despatch from Lord Glenelg; on the subject of the Memorial of your Honorable Board and House to Her Majesty; against the measure of convoking the General Council and Assembly of the Leeward Islands. —

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

To

To

183

The Hon.ble
The President and members of the Council
The Speaker and Members of the Assembly

No. 2.

Copy

Government House, Antigua
9th July 1838.

Sir,

I have the honor to enclose for the information of the Council and Assembly at Nevis, the copy of a Despatch from the Secretary of State; on the subject of the Memorial of those Bodies to Her Majesty.

I have &c. –

(Sd) W. M. G. Colebrooke

His Honor
The President
of Nevis. –

Despatches laid before the Board of Council on Thursday the 16th day of August 1838. –

No. 1.

Government House
14th August 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward for your information and guidance, copy of a Circular Despatch, from His Excellency the Governor in Chief, on the subject of organizing an efficient Militia Force and covering two extracts, one of a Report of the Committee of Council for Trade, on the Antigua Militia Act, and the other, of a Despatch of Lord Glenelg; –

Glenelg; - to which I request to call the attention of Your Honorable Board and House. —

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

To
The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly.

No. 2

Copy
Circular

Government House Antigua
4th August 1838.

Sir,

As the organization of an efficient Militia force, is likely to engage the attention of the local legislatures, I enclose to you an Extract of the Report of the Committee of the Privy Council for Trade and Plantations, on which Her Majesty in Council has been advised to disallow an act passed in Antigua in the last year, also an Extract of Lord Glenelg's Despatch in which His Lordship recommends a limitation of this force. —

Concurring in His Lordship's views that in the present state of the Colonies, it is not requisite nor expedient to maintain it on an extensive scale, I recommend that in any Bill, which may be proposed for the future establishment of the Militia in Nevis, the actual number to be enrolled should be diminished and to provide for their efficiency, that the arms should be kept in depot, and taken out only for parade or service.

It

It will be desirable that the companies should be separately paraded to avoid the inconvenience of requiring the men to assemble at places distant from their homes; and if the arms should not be kept in a general depot, it may be necessary to provide for the construction of armracks in situations where the arms may be under the charge of the Captain or Commanding Officer.

Should it be thought necessary in order to preserve the organization and efficiency of the corps, that the term of enrolment should be long it will be necessary to hold out some advantage to those, who are required to serve, or a certain portion of each company may be annually relieved by new enrolments.

His Honor
The President
Nevis.

I have &c
(Sd) W. M. G. Colebrooke

No. 3.

Copy.

Extract from Report of Committee of Council for Trade, dated the 9th April 1838. on the Antigua Militia Act.

"The Lords of the Committee having taken the said Act into consideration, humbly take leave to report as their opinion to Your Majesty, that the said Act should be disallowed; because it is passed in such terms, as to secure for three years, the exclusive enjoyment of the distinctions, and other advantages of this service, to the class of individuals which was in possession of them before the Abolition of Slavery.

No. 4

Extract

Extract of Lord Glenelg's Desp.
Antigua "No. 62. dated
Downing Street
15th June 1838.

Sir,

When this subject shall be again under the consideration of the Legislature, it would be well to point out to them the necessity for some change in the Militia Law, which would prevent the needless and inconvenient augmentation of this Corps; but as that is one of the subjects to which in common with others, your attention has been called by my circular of the 6th November last in reference to the West Indies collectively, with a view to the future state of Society in those Colonies, I shall address you further with respect to it, after having received the information called for in that Despatch.

(Sig.d) (Glenelg.)

No. 5.

Government House
4th August 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly.

Herewith I have the honor to forward for your information, Copy of a Circular Letter from His Excellency Sir W. M. G. Colebrooke, requesting to call your attention, to the analysis of certain Acts passed at Antigua, since 1834 and to which His Excellency has given reference.

I have the honor to be
Gentlemen

Your

Your Most Obedient
Humble Servant
James Daniell
President

To
The Honble
The President
and Members of Council
The Speaker
and Members of Assembly

No. 6

Government House Antigua
7th August 1838

Copy
Circular

Sir,

The Acts passed in Antigua since 1834, having been frequently referred to in considering the provisions which are required to meet the changes now in progress throughout these Islands, I request to draw your attention to the analysis of several of them, which will be found at pages 78. 79 of the Appendix to the Report of the Select Committee of the House of Commons on Negro Apprenticeship in 1836.

These remarks proceeding from two professional gentlemen comprehend the leading defects which have been found to exist in the Acts in question and may be usefully referred to in any future enactments applicable to the classes more immediately affected by them.

I have &c.
(Sd.) W. M. G. Colebrooke.

To
The Officer
Administering the Govt.
of Nevis.

No. 7.

No. 7

Government House
14th August 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for the information of Your Honorable Board and House, a copy of a Despatch I have received from the Governor in Chief covering a copy of a communication to one of the Islands under His Government, on the subject of establishing and appointing Rural Constables and remunerating them to aid the Magistrates in preserving the Public peace. —

I have the honor to be
Gentlemen,
Your Most Obedient
Humble Servant
James Daniell
President

To
The Honorable
The President and Members of Council
The Speaker and Members of Assembly.

No. 8

Copy.

Government House Antigua
8th August 1838. —

Sir,

I enclose for your information and guidance the copy of a letter which I have addressed to one of the Islands under this Government, and I request that you will recommend to the Council and Assembly of

Nevis

Nevis, that provision may be made, for the appointment of an efficient establishment of Rural Constables, and for their remuneration to aid the Magistrates in preserving the public peace.

I have &c

To (Sd) W. M. G. Colebrooke.

His Honor
The President of Nevis
&c &c &c

No. 9

Copy.

Government House Antigua
6th August 1838.

Sir,

I have had the honor to receive your letter of the 9th July No. 92, with a Bill for establishing a Rural Police in the Island of to act as auxiliaries to the Police now by law established, and I request that you will inform the Council and Assembly, that I am precluded from approving the Act from the objection applying to the nomination of the Rural Constables by the Owners or Directors of Estates.

In the observations on the Antigua Police Act, contained in the Report of the select Committee of the House of Commons, on Negro Apprenticeship, it is observed: "The Clauses" (from 26. to 30) "give an "unconstitutional influence to Owners of Estates, over the "administration, as well, as the Officers of Justice, and "not only expose it to natural suspicion, but actually "endanger its proper exercise." The Act in question, will shortly expire, and as there are several settlements in this Island, which are not comprehended in its provisions;

Rural

Rural Constables have been chosen by the Householders in the proportion of one to ten, or twelve families, who have been sworn in by the Magistrates, and on the renewal of the Police Act will be recommended for general adoption.—

As it is desirable to impress on the liberated classes, that they are responsible for upholding the Laws the appointment of persons to be Constables who possess the confidence of their neighbours, and who are otherwise known to be respectable in their lives and conduct, will be calculated to effect this object and by requiring them to wear a Badge, they will be properly distinguished such appointments may not require the confirmation of a local Act, except to provide for the remuneration of the Rural Constables, and which should include the fees payable to General Constables when they may be required to perform the same duties.—

V.R

In order to obviate further delay, You are authorized to pass an Act, to provide for the establishment of such a force in ——— which shall be from the objection to the present Act.—

The names of all Rural Constables should be put up in the Police Office, and they should be declared to be General Constables for the Island.

I have &c

(Sd) W. M. G. Colebrooke.

No. 10

Government House
14th August 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have

I have the honor to transmit for your consideration, copy of Circular from His Excellency the Governor in Chief, enclosing a Circular Despatch from the Secretary of State; on the subject of the measures in progress, for supplying small Coins for circulation in these Islands.

I have the honor to be
Gentlemen,
Your Most Obedient
humble servant
James Daniell
President.

To
The Honorable
The President and Members of Council
The Speaker and Members of Assembly.

No. 11

— " —

Copy Circular.

Government House Antigua
9th August 1838

Sir,

I enclose to you the copy of a Despatch from Lord Glenelg, on the subject of the measures in progress, for supplying British Silver Coins for circulation in the West India Colonies.

I have &c
(Sd) W. M. G. Colebrooke.

To
His Honor
The President of Nevis
&c &c &c

No. 12

— " —

Copy

Copy
Circular

(192)

Downing Street
2nd July 1838

Sir,

Having on various occasions represented to the Lords Commissioners of the Treasury the absolute necessity which exists for sending out to the West Indies a supply of Coin, I have to inform you, that their Lordships have stated in reply to my communications, that "they have deemed it expedient to refer the question as to the description of Coin, which should be supplied for circulation in the West India Colonies whether British Silver ~~Coin~~ money, or fractional parts of the Dollar for the consideration of the Committee of the Privy Council for Coin, lately appointed and that they have in the meantime directed instructions to be conveyed to the Master of the Mint to make enquiry as to the quantity of Silver Bullion which would be provided in the Market and at what price, in order that preparations may be made, for carrying into immediate effect the instructions which will be issued with respect to a Coinage, whenever the subject shall have been considered by the Committee for Coin, and be determined upon by the Board of Treasury.

I trust that the result of these measures, will have the effect of obviating any inconvenience which might otherwise have arisen from the increased demand for small Coin, for payment of wages on the termination of the Apprenticeship.

I have &c
(Sd) Glenelg.

Despatches laid before the Board of Council on Thursday the 6th of September 1838.

No 1

Government House
28th August 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for your consideration, copy of a circular Despatch from His Excellency the Governor in Chief, setting forth the expediency of making provision for the establishment of a petty Sessions, to be held Monthly. —

I have the honor to be
Gentlemen
Your most Obedient
Humble Servant
James Daniell
President

The Honorable
The President and Members of the Council
The Speaker and Members of the Assembly.

Recd. 14th Sept. 1838.

Circular, ——— No. 2. ———

Government House Antigua.
14th August 1838.

Sir,

With reference to Lord Glenelg's circular Despatch of the 29th of June, and the expectation which his Lordship has formed of a progressive reduction being effected in the Stipendiary Magistracy of these Colonies I request that you will bring under the consideration of the Legislature of Nevis, the expediency of making provision for the appointment of a Petty Sessions to be held monthly in which one or more of the Stipendiary Magistrates may be associated with the local Justices for the decision of such cases as may be made referable

to

to their jurisdiction. —

As the local Magistrates could not be expected to undertake the decision of cases occurring beyond the limits of their divisions the assistance of the Stipendiary Magistrates would facilitate such an extension of their jurisdiction without personal inconvenience to them, and the Stipendiary Magistrates would not be precluded in the intervals, from visiting their respective districts. —

I have &c.

To / (Sd) W. M. G. Colebrooke.

His Honor
The President, Nevis
&c &c &c

No. 3.

Government House
28th August 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward to Your Honorable Board and House, copy of a circular Despatch from His Excellency the Governor in Chief, recommending an early revision of the Poor Laws, to which I request to call your serious attention. —

14th Aug. 1838

I have the honor to be
Gentlemen
Your most obedient
humble Servant
James Daniell

To
The Honorable
The President and Members of Council
The Speaker and Members of Assembly.

(195)

No. 4.

Circular

Government House Antigua
17th August 1838.

Sir,

Representations having been made to me that the local laws are in many respects defective in the means provided by them for the poor in the several Islands under this Government, I request that you will bring under the immediate consideration of the Council and Assembly of Nevis, the expediency of effecting an early revision of the Poor Laws, in order that the aged and infirm who have been heretofore entitled to relief from the Estates on which they were located may be duly provided for. —

The success which has attended the formation with the aid of this Legislature of an Establishment in St. John's for the reception of those who being without relatives or friends, may require indoor relief and Medical care, and who are sent into it from the Country Parishes, at stipulated rates, induces me to recommend this plan to your consideration, but in the majority of cases I am aware that the simple habits of the people will render preferable a small allowance to be made to them for their subsistence or in aid of it, and the appointment of Guardians of the poor in each Parish will be an essential arrangement in order that present relief may be afforded when required.

In drawing the attention of the Legislature to this important subject, it is necessary to observe, that the provision of the 23rd clause of the Act of Parliament 3rd and 4th c. 73, and the 3rd and following

following clauses of the Act 1st Victoria c. 19 cannot be considered to be superseded until Her Majesty in Council may have approved of the Local Acts of the several Islands. —

I have &c

(Sd) W. Mty. Colebrooke

His Honor
The President
Nevis.

No. 5.

Government House Nevis
28th August 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward to you, extract of two letters from His Excellency the Governor in chief, together with the copy of a letter from the Archdeacon of Antigua, respecting the mode of paying the Clergy their Stipends

As the present arrangement is one open to serious objections, it would be a subject of much satisfaction were your Honorable Board and House to adopt the suggestions of His Excellency, by enacting a Law, for the payment of the Clergy in money. —

I have the honor to be
Gentlemen
Your most Obedient
Humble Servant
James Daniell
President

The Honble
The President and Members of Council
The Speaker and Members of Assembly

No. 6

Extract of a letter from His Excellency Sir W. M. G. Colebrooke dated 30th June 1838.

"The mode of payment in Sugar is open to "considerable objection, as fluctuating with the value "of the produce, and exposing the Clergy to loss from "a depreciation in abundant years, when the resources "of the Colony are most ample; and I request you "will bring under the consideration of the Council "and Assembly, the expediency of fixing the Stipend "of the Clergy in money."

"Having already instructed you, to recommend "to the Council and Assembly an alteration in the "discreditable mode of payment to the Clergy, to which "the Archdeacon has properly alluded I await the "result of your communication on the subject."

No. 7.

Copy.

St. John's Antigua
27th June 1838.

Sir,

Your Honor will soon see the Rev: Mr. Musson, as he left this Island Yesterday Evening, on his return to Nevis to resume his duties there. I have a confidence that when the influential Inhabitants duly consider the strong proof which the Rev: Mr. Musson has given of his desire to promote the moral and spiritual good of the Colony, they will adopt means to render his situation comfortable, and respectable, as a Clergyman, may I request you therefore to bring again under consideration the plan which

which I had the honor of submitting sometime since; and which when carried into effect will substitute to the desired object.

I have &c

(Sd) Daniel Gateward Davis

His Honor
The President
&c &c &c
Nevis.

Refers to copy of a letter of 19th Dec. 1837 transmitted to Council & Assembly under cover of letter dated 20th Dec. 1837.

Despatches laid before the Board of Council on Thursday the 4th of October 1838
No. 1

Government House
27th September 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for the information of Your Honorable Board and House, copy of a circular letter from His Excellency the Governor in Chief covering a Despatch from Lord Glenelg; together with an Order of the Queen in Council, nullifying all contracts for labor not made within the limits of the Crown Colonies in which the labour is required to be performed and recommending enactments for the same purpose, in the other Colonies.

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

The Honorable
The President and Members of Council.
The Speaker and Members of Assembly.

No. 2

Copy
Circular

Government House. Antigua
6th. September 1838.

Sir,

In forwarding to you for publication in Revis a Circular Despatch from Lord Glenelg with an Order of the Queen in Council of the 30th July preceding that all Contracts for service or labour in Agriculture or the manufacture of Colonial produce in the Colonies of British Guiana, Trinidad, St. Lucia, the Cape of Good Hope and Mauritius, are to be null and void and of no effect unless, contracted within the Colony where such labour is to be performed, I request that you will take the most effectual means of making the Emancipated Negroes acquainted with the provisions of the Order explaining to them that the object of it is not to prevent them from seeking advantageous employment in the other Colonies but to protect them from the frauds and impositions to which their inexperience exposes them on entering into engagements with designing persons who frequent these Colonies for the purpose of entrapping them into unfair and improvident agreements.

I have &c.

(Sd.) M. G. Colebrooke

P. S. You will also recommend to the Council and Assembly the passing of an Act to render null and

and void in Nevis, agreements for Agricultural labour, which are not made within the limits of the Island.

The Officer
Adm.r the Gov.r of Nevis

W. M. G. C.

No. 3

Copy
Circular

Downing Street
30th July 1838.

Sir,

The attention of Her Majesty's Government has recently been directed to the practice which appears to have arisen on the part of Agents or Speculators of engaging the services of Emancipated Negroes in several parts of the West Indies, under contracts for labour to be performed in British Guiana and Trinidad, the object of such persons being to assign the contracts on the arrival of the Negroes at their destination to other parties at a profit to themselves. Such a practice is obviously open to serious objection owing to the inexperience of the great body of the Negroes just emerging from a state of restraint which peculiarly expose them to the frauds of persons of the description to which I have referred, and who have an interest in entrapping them into unfair and improvident agreements.

In order to apply a remedy to the evil and to afford protection to the recently Emancipated Population of the West Indian Colonies against imposition of this nature without at the same time imposing any undue restriction on their right voluntarily to carry their labour to the best market within their reach, Her Majesty has been advised to pass an Order in Council of which I transmit

to you

to you a copy declaring invalid in the Crown Colonies all contracts for labour, if entered into without the limits of the Colony in which the labour is to be performed.

You will take the necessary measures for giving publicity to these regulations, and you will especially endeavour to give the emancipated Negroes a clear apprehension of the object and purport of the Order in Council.

I have further to call your attention to the expediency of recommending the adoption of similar enactments by the Legislature of the Colony under your Government.

I have &c.

(Sd) Glenelg

No. 4.

At the Court at Buckingham Palace the 30th day of July 1838.

Present

The Queens Most Excellent Majesty in Council

Whereas in pursuance of the laws in force in the Colonies of British Guiana Trinidad, St. Lucia, the Cape of Good Hope and Mauritius — contracts for service in agriculture or in the manufacture of Colonial produce to be performed within the said Colonies respectively, have been and may be made — with persons not being at the time of entering into such contracts within the limits of the Colony within which such service is to be performed and it is expedient that the Law of the said Colonies respectively should be

amended

amended in that behalf — It is therefore ordered by the Queens Most Excellent Majesty by and with the advice of Her Privy Council, that from and after the arrival of this present Order within any of the said Colonies all Contracts which may at any time hereafter be made for the performance within the same of any service, or labour in Agriculture, or in or about the manufacture of any Colonial produce shall within such Colony be, and be taken by all Courts, Judges, Justices Magistrates and others therein to be null and void, and of no effect unless the person or persons thereby contracting to perform any such service, or work, shall at the time of entering into any such Contract have been within the limits and upon the land of the Colony within which such service or labour is to be performed by him her or them. —

And whereas it may be necessary hereafter to make and establish Regulations for and in respect of Contracts to be made within the limits of the said respective Colonies, for the performance of such service or labour as aforesaid, It is therefore hereby ordered and declared that any such Contracts as shall hereafter be made for that purpose within the said respective Colonies shall be subject to all such Rules and Conditions as shall hereafter be imposed by Law upon the Parties entering into the same.

And for the prevention of all doubt as to the time of the arrival within the said Colonies respectively of this present Order the respective Governors or Officers for the time being Administering the Government thereof respectively, shall, and they are

thereby

hereby respectively required to issue Proclamations reciting at length this present Order and stating the days of the Months and Years respectively in which the same was received by them respectively, and upon and from the day so stated in each such Proclamation respectively, this present Order shall have the force and effect of Law within the said respective Colonies.

And the Right Honorable Lord Glenelg one of Her Majestys Principal Secretaries of State, is to give the necessary directions herein accordingly

True copy

Dist Ar Ales

No. 5

Government House
28th September 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to transmit for the information of Your Honorable Board and House copy of a Circular Letter from the Governor in Chief, enclosing the copy of a Despatch addressed to Sir Henry MacLeod, on the subject of appointing Rural Constables, and the payment of fees to them and to the Magistrates —

As this is a subject of great importance to the interests of this Colony, when considered in relation with the late change which has taken place, I would strongly advise the early attention of Your Board and House, to the enacting of such regulations as may conduce to this desirable object, recommended

by

by His Excellency —

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 6

Copy
Circular

Government House Antigua
8th September 1838

Sir,

I enclose for your information and guidance the copy of a letter which I have addressed to the Lieutenant Governor of Saint Christopher on the subject of appointing Rural Constables, and the payment of fees to them and to the Magistrates.

I have &c
(Sd) W. M. G. Colebrooke

The Officer
Adm.d the Govt. of Nevis

Government House Antigua
8th Sept. 1838

Sir,

I have received your letter (No. 106) of the 20th August enclosing a Bill for establishing a Rural Police, which has been passed by the Council and Assembly of Saint Christopher, in consequence of the disallowance of a former Bill, by which it was

proposed

proposed to vest the nomination of Rural Constables in the Owners and Occupiers of Estates.

As these Islands possess the English Common Law it is of the utmost consequence in the relations of Society which are now established within to guard against innovations which would involve a departure from the principles of that Law in the privileges of which the enfranchised population are justly entitled to share. —

On the first establishment of these Colonies, the utmost encouragement was given to the settlement of a free peasantry, as essential to their prosperity, and the enactments of the local Assemblies made liberal provision in aid of this object and in strict accordance with the principles of the Constitution.

The subsequent changes in the Rural economy of these Colonies by the introduction of Slaves, and which led to the decline of the first settlements made no alteration in the laws affecting the free settlers, and now that Slavery is abolished, and all classes are admitted to the enjoyment of equal rights, the influence of the plantation system cannot be allowed to subvert the relations in which the people stand to those authorities to whom the execution of the laws is confided.

That Constables were formerly chosen in England by duty may be referred to the principle under which every man is liable to be sworn on special occasions to aid in preserving the peace; the Constables thus popularly chosen, were doubtless required to answer for the communities to which they belonged, and although this principle of responsibility was lost sight of in times of Slavery, it is of

it of the greatest importance that it should now be recognized by the enfranchised population, and that they should understand it to be their duty as freemen to cooperate individually and collectively in putting down offences against the laws with the violation of which, they may formerly have thought it no offence to connive.

Acting on this view as the Rural Police Act of Antigua made no provision for the appointment of Rural Constables excepting on certain plantations, I decided that Constables should be chosen in some settlements called "free settlements" who happens were sworn in by the Justices and from the good effects which have attended this measure I look forward to an extension of the principle which is already in operation in Dominica and does it appear to me that the application of it in Saint Christopher need be delayed for the passing of a local Act. The Stipendiary Magistrates in their circuits through their Districts may divide the several settlements where Rural Constables should be chosen in the proportion of one to ten or twelve families according to circumstances and who on satisfactory assurance of character may be sworn in.

A Badge and Staff should be provided if required at the public charge for each Constable who will be entitled to the fees established by law for the execution of Warrants subject to future revision if necessary such fees are to be regarded not as a reward for the performance of a duty which devolves upon every member of a free community but specifically as a remuneration when called to execute a Warrant; and concurring in your objections to the payment of

fees

fees on other occasions it will be desirable to impress upon the people that it is the duty of every member of a free community to aid in the apprehension of offenders, that the Magistrates as Conservators of the Peace are entitled to claim their assistance and that the object in referring to them in selecting the most competent and deserving to act as Constables, is the more fully to ensure their collective responsibility.

Observing that the Laws of some of the Islands recognize the payment of fees to Magistrates, I take the opportunity of observing to you, that they have been abolished in Antigua from experience of the ill effects which the practice of taking them has been found to produce, and in recommending their Abolition in Saint Christopher, I request you will at once express to the Magistrates my assurance, that I only anticipate their own feelings in advising that they should not await an Act of the Legislature in ceasing to take fees which are calculated to expose them to imputations at variance with that respect for their stations which it is on every account so important to uphold.

(s^d) W. M. G. Colebrooke

P. S. I enclose to you some observations on the Bill for establishing a Police force and I request you will intimate to the Council and Assembly that I am unable to sanction its confirmation and adverting to my remarks on the subject of the fees taken by Magistrates you have any authority to pass a Bill for abolishing them.

(s^d) W. M. G. C.

No. 7

No. 7

Government House
27th September 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward to Your Honorable Board and House, the copy of a circular Despatch from His Excellency the Governor in Chief; in which he brings to notice the expediency of adding to all Bills to be passed, a clause to the effect, that they may be altered and amended in the Session in which such Bills may pass.

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

The Hon.ble
The President and Members of Council
The Speaker and Members of Assembly

No. 8

Copy
Circular

Government House Antigua
10th September 1838

Sir,

Cases having occurred where Bills sent up for my approval, could not consistently with the forms, be subject to revision without proroguing the Assembly I request that you will bring under the consideration of the Council and Assembly of Nevis the expediency of adding a clause to all Bills,

to

to the effect that they may be altered and amended in the Session in which such Bills may be passed.

I have &c.

(Sd.) Wm. M. G. Colebrooke

No. 9

Government House
1st October 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for Your information, copy of a Despatch from His Excellency the Governor in Chief, together with a Circular from Lord Glenelg; on the subject of obtaining British Silver Coin for circulation.

I have the honor to be
Gentlemen,
Your most obedient
humble servant
James Daniell
President

The Hon.ble
The President and Members of Council
The Speaker and Members of Assembly

No. 10

Copy
Circular

Government House Antigua
22nd Sept. 1838

Sir,

I enclose to you the copy of a Circular Despatch from the Secretary of State, which I request may be duly communicated to the Legislature of Nevis

Nevis, for their information, and that of the Community at large, and that you will recommend to the Assembly the application of the Public Credit to the object of obtaining a supply of British Silver Coin. —

I have &c
(Sd) W. M. G. Colebrooke

His Honor
The President
&c &c &c
Nevis

No. 11

Copy
Circular

Downing Street
15th August 1838.

Sir,

You are already aware that Her Majesty's Government have directed their anxious consideration to the question relating to the Colonial Currency in the West Indies. —

A Committee of the Privy Council having been constituted for the consideration of this question, have closed their enquiry and are preparing their Report. —

In the meantime it will be desirable, that you should signify to the Legislatures and the Public at large in the Colony under your Government that the Lords of the Treasury have given direction at the Mint for supplying any persons with British Silver Coinage, on receiving an equivalent and paying the usual charges of Coinage.

I have &c
(Sd) Glenelg. —

Sir W. M. Colebrooke

No. 12.

Government House
1st October 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for the information of Your Honorable Board and House, copy of a Despatch from His Excellency Sir W. M. G. Colebrooke, covering a circular from Lord Glenelg, announcing the passing of an Act by Parliament entitled "An Act to repeal the "Four and a half per centum Duties" and which is to come into operation on the 10th Instant.

I have the honor to be
Gentlemen,
Your most obedient
humble servant
James Daniell
President

The Honble
The President and Members of Council
The Speaker and Members of Assembly

No. 13

Copy
Circular

Antigua
Sept. 22nd 1838

Sir,

I have the satisfaction to transmit to you, the copy of a Despatch from the Secretary of State, enclosing an Act of Parliament, for the repeal of the 4 7/2 per cent duties, and I request that

that you will specially convene the Legislature, in order that this communication may be laid before them without delay.

From the great importance of carrying into early effect the intention of Parliament, for an improved administration of Justice throughout these Islands, I confidently hope that the House of Assembly of Nevis, will appreciate the friendly spirit in which this boon has been bestowed, by Her Majesty and by Parliament and that in accordance with the recommendation of Lord Glenelg the House will pass a resolution to set permanently apart in application to the improved administration of Justice such sums as may be estimated to constitute a fair quota of the expense of the proposed establishments, and that I may have the gratification of communicating such a resolution to the Secretary of State by the ensuing Packet.

I have &c

(Sd) W. M. G. Colebrooke

No. 44

General Copy
No. 44

Downing Street
14th August 1838

Sir,

It is with sincere satisfaction, that I transmit to you the enclosed copy of An Act of Parliament, which yesterday received Her Majesty's assent repealing the 4½ per cent duties and thereby relieving from the payment of those duties, the West Indian Islands hitherto subject to them.

Her

Her Majesty's Govt. ~~cannot propose~~ entertain a confident expectation, that the boon conferred by this measure, will be accepted by the Colonies in question in the same friendly spirit in which it has been bestowed by Her Majesty and by Parliament.

Her Majesty's Govt. have not proposed to Parliament, to make it a condition of the repeal of these duties, that provision should be made by the respective Legislatures of these Colonies for the Colonial services or any portion of them of which the expense has been hitherto defrayed out of the Produce of these Duties — But there is one object not yet provided for, from any source whether Home or Colonial which Her Majesty's Govt. much at least because they know it to be of essential importance to the welfare of the West India Islands, and this is the establishment of a reformed Judicature which has hitherto been obstructed principally if not solely by the want of pecuniary means. —

It is the interest of the Islands themselves (for there is no other interest concerned) that Her Majesty's Government desire very earnestly to press upon the respective Assemblies, the obligation which more peculiarly devolves upon them, now that these duties are remitted to set permanently a part for application to the improved administration of Justice such sums as may be estimated to constitute the fair quota of the respective Islands. When the quotas of the Islands relieved from the 4½ p Cent duties shall have been secured by a permanent appropriation Her Majesty's Govt. will feel that a most material step has been gained and they will entertain but little doubt of overcoming the obstacles which have presented themselves elsewhere. I have &c

(Sd) Glenelg —

No. 1.

Despatches laid before the Board of Council on Tuesday the 23rd of October 1838.

Government House Nevis
10th October 1838.

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to forward for the information of Your Honorable Board and House, copy of a Despatch from His Excellency the Governor in Chief, on the subject of making provision, for the security of the Peace of Society, and for preserving due respect to the Laws.

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 2.

Copy
Circular.

Government House Antigua
1st October 1838

Sir

The restrictions under which the laboring classes were formerly attached to the plantations in these Islands, having been repealed, the necessity has become apparent of making more ample provision than has hitherto been required for securing the peace of Society and preserving due subordination to the Laws.

In any

In my Circular Letter of the 8th September I recommended the formation of a Rural Police by the appointment throughout the Islands of men of approved character to be chosen as Constables and I request your attention to the necessity of subdividing the Parishes in such a manner that all classes of persons whether residing on plantations or beyond their limits may be comprehended in such divisions and held responsible that the Laws are respected in them

The Constable to be chosen for the Division and Registered with them, would cooperate with the General Police of the Island, to be prepared when required to act beyond these Divisions but to enable them to do so, it would be necessary that some provision should be made by the Legislature for their remuneration.

Altho' the preservation of the public peace and respect for the Laws, are the primary objects in appointing Constables their assistance to the parochial or Police authorities, would be useful in obtaining a Census of the Population, the details of which, to be accurate, must be simultaneously collected in every division throughout the Island and the employment of the Constables in this important undertaking would enable them to acquire that accurate information respecting all persons residing within their localities, which it is desirable they should possess.

I request that you will report to me from time to time, your proceedings in the execution of these instructions.

I have &c

Officer Adm.g the Govt. of Nevis &c &c &c

(sd) Wm. G. Colebrooke

No. 3

No. 3

Government House
October 22nd 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information, copy of a Despatch from Lord Glenelg covered by a letter from His Excellency Sir W. M. G. Colebrooke, announcing the disallowance of the Vagrant Act of this Island, and detailing the objections which has led Her Majesty's Government to this conclusion.

I have the honor to be
Gentlemen
Your most obedient
humble servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 4

Antigua
15th Octr 1838

Sir,

I enclose to you the copy of a Despatch from the Secretary of State, announcing the disallowance of the Vagrant Act of Nevis which was transmitted by me to England in June last, and I request that until the Order of Her Majesty in Council may be

received

received you will intimate to the Magistrates that you have been instructed to remit all penalties which they may award for any of the offences which are declared to be the ground on which the Act has been disallowed

I have &c

His Honor (Sd) W. M. G. Colebrooke

The President

&c &c &c

Nevis.

No 5

No 72

Copy

Downing Street

31st August 1838.

Sir,

No 143. I have received Your Despatch dated the 21st June No 118 enclosing an Act passed by the Legislature of Island of Nevis on the 9th of May last entitled "An Act to repeal an Act entitled "An Act to "punish and repress Vagrancy and other offences committed "by idle and disorderly persons to compel all Hawkers and "Pedlars to take out a License and to regulate the wages "of persons employed as Porters and Boatmen in the "several Towns within this Island and to enact "certain provisions in lieu thereof."—

The second clause of this Act authorizes all Police Officers to apprehend all Vagrants and all persons declared by the Act to be Vagrants.— These words expressly sanction the arrest not merely of persons falling within the subsequent definition of Vagrants but of any other persons who may correspond with the term in some greater latitude of signification.—

Consequently it leaves the Police Officers or Justices

Justices at liberty to make arrests in a charge which is entirely indefinite.

Under this definition of Vagrants is included first any sailor who shall have deserted the vessel to which he may belong. The subject of the duties ~~of the duties~~ of Masts Mariners and Seamen would as it appears to me, have been more fully reserved for an Act framed for that special purpose.—

Secondly all persons are declared Vagrants, who shall be found ~~guilty~~ idly wandering about this Island without having any visible means of subsistence or being able to work and thereby or by any other means to maintain themselves and families shall wilfully neglect or refuse so to do by which default or neglect they or any of them shall become chargeable to the public.

Under these terms taken in their strict grammatical sense every idle wanderer who has no visible means of subsistence is brought within the breach of the Law altho' he may not be justly chargeable with any offence and altho' no burden may be thereby imposed on the public. I presume that it was the intention to connect this definition with the subsequent part of the clause but such intention does not appear to have been carried into effect. The term "families" as it occurs in this sentence is (I think) improperly indefinite, every Magistrate is left according to his own discretion to determine what are the Kindred for whose maintenance men or women are responsible.—

Thirdly persons domiciled or dwelling on any lands without the permission of the owner are also declared Vagrants and persons trespassing on any lands by cultivating or attempting to cultivate them are classed

as

as Vagrants it is unquestionable of importance to take proper precaution against the illegal occupation of land to which the intruder has no title, but this ought to form the subject of separate legislation as the Acts here defined belong to a different class of offences from Vagrancy. The same remarks applies to the next definition of Vagrancy which is that of cutting wood or taking away the produce thereof without legal authority. —

The distinction between different offences is still more disregarded in the enactment which declares that any man who shall interrupt divine service is to be punished as a Vagrant. —

Gambling or playing at any other noisy or unlawful game though given as a definition of Vagrancy are also terms which apply to offences of a totally different kind the mere playing indeed at any noisy game not also an illegal one cannot of itself constitute any offence.

Any person guilty of any scitous or indecent conduct will fall within the reach of this law — though that is a distinct crime and indecency may or may not be the fit subject of penal legislation — according to its nature and circumstances. —

Finally any person is a Vagrant who shall make use of any blasphemous or indecent language. It is superfluous to comment on the impropriety of such a definition of the crime of Vagrancy. —

Any two Justices of the Peace may for any of the preceding offences impose a fine of £ 10. currency or commit the offender for Thirty days with or without hard labor such powers in the

hands

hands of any two Justices, to be exercised in the punishment of offences, so numerous, and so indefinite, will virtually place the whole population in a state inconsistent with the possession of the rights of freemen. —

For these reasons this Act will be disallowed by Her Majesty's in Council, as soon as the necessary official forms can be completed. —

I have &c.

Glenelg.

No. 1

Despatches laid before the Board of Council on Thursday the 1st of November 1838. —

Government House
25th October 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to inclose herewith copy of two letters which I have received from the Officer commanding the Detachment of Troops in this Island together with a statement of repairs necessary to be done to the Morning Star Barracks, and to which I request to call your immediate attention.

I have the honor to be
Gentlemen
Your Most Obedient
humble servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 2.

Morning Star Nevis
Oct. 11. 1838

Sir,

I have the honor to inform you that the main post, for conveying the water from off the roof of the Barracks into the Tank has fallen down, from decay. It is therefore my duty to request that you will order the same to be repaired with the least possible delay, as otherwise the men of the Detach, and my command will be in want of water.

I also beg to inform you that several of the rooms are useless from the want of shutters and general want of repair.—

I have &c
W. Blundell Ens.
Comd. Detach 14 Regt.

To His Honor
The President
Nevis

Morning Star Barracks
Oct. 19. 1838.

Sir,

Having as yet received no answer to my letter of the 11th instant, I take the liberty of referring you to that communication, as during the late rains scarcely any water has run into the Tank.

I also take the liberty of sending you a statement of the repairs required for the Morning Star Barracks, when visited by the committee since which time nothing has required repairs except the water spouting.

I have &c
W. Blundell Ens.
Comd. Detach 14 Regt.

His Honor
The President
&c &c &c

No. 3

Government House
October 31st 1838.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information the copy of a Despatch from His Excellency Sir W. M. G. Colebrooke, confirming the Acts passed by Your Honorable Board and House, for the prevention of clandestine deportation, and for regulating the security to be given by Masters of Vessels. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 4

Copy

Government House Antigua
27th August 1838.

Sir,

I have had under consideration two Bills which have passed the Council and Assembly of Nevis, the first to prevent the abandonment of indigent families and the clandestine deportation of debtors; and the other to regulate the security to be given by Masters of Vessels. —

These Acts being general in their application to all

to all classes of persons, are free from the objections applying to the Deportation Act, of this Island, and under the judicious application of the provisions to which the Chief Justice has alluded in his Notes, I hope that they will be found beneficial in their operations, on these grounds you are authorized to confirm them

I have &c
(sgd) W. M. G. Colebrooke

His Honor
The President
Nevis.

Despatches laid before the Board of Council on Thursday the 22nd of November 1838.

No 1

Government House
14th November 1838.

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to forward for your information, Two Orders of Her Majesty in Council, together with a Proclamation by the Queen for the purpose of regulating the currency of these Islands, also two printed minutes, explanatory of the defects and inconveniences of the currency of the principal Islands in the West Indies.

I have the honor to be
Gentlemen
Your most obedient
Humble Servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 2

Government House
14th November 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

Her Majesty having been pleased to pass three Orders in Council, relative to those Colonies which are immediately subject to Her Legislative authority, and having also deemed it advisable to recommend the same for the adoption of those Colonies, which have recently abrogated the system of Apprenticeship, that had been created under the Act for the Abolition of Slavery, I feel it my duty to call the serious attention of Your Honorable Board and House, to the Copies of Three Despatches which I have received from the Secretary of State for the Colonies, and also to two communications from His Excellency the Governor in Chief, on the subject of the above mentioned Orders, a copy of each, is herewith transmitted for your information --

The great importance of the respective subjects of these Orders, whether viewed separately, or collectively, as they stand related to Colonial government generally, will, I am assured, secure that consideration and attention from Your Honorable Board and House, which subjects of a similar importance have already received. —

As I am required to report to Her Majesty's Government

7 September 1838
15 " "
15 " "
1st Preamble
1st Preamble

Government, without delay, on any measures which you may have in progress already, or be about to pursue, in respect of these Orders I shall expect to receive early information of the views entertained on the same, by Your Honorable Board and House.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 3

Copy
Circular

Government House
1st November 1838

Sir,

I enclose to you the copy of a circular Despatch of the 7th of Sept. which I have received from Lord Glenelg, transmitting to me an Order in Council of Her Majesty in Council of that date, in which the changes required in the Marriage laws which had been recommended in His Lordship's circular Despatch of the 15th March 1836, have been carried into effect in those Colonies, which are subject to Her Majesty's Legislative authority.

In complying with His Lordship's Instructions, I request that you will communicate this Order to the Council and Assembly of Nevis, impressing upon them the importance of passing an act, in conformity to Her Majesty's recommendation, and

and you will be pleased to afford me early intimation of the result.—

I have &c

(Sd) W. M. G. Colebrooke

No 4

Copy Circular

Downing Street
7th Sept. 1838.—

Sir,

Representations have at various times been addressed to Her Majesty's Government, on behalf of several Religious Communities dissenting from the Doctrine or Discipline of the Church of England, respecting the difficulties in which many of their poorer Members in the British West Indies are placed, by the existing Marriage Law, as it prevails, or is understood to prevail in that part of Her Majesty's Dominions. In my Circular Despatch of the 15th March 1836, I called the attention of the respective Governors to this subject, and instructed them to impress upon the Legislatures the adoption of the recent amendments of the Marriage Law in England with such alterations as might be necessary for the adaptation of those amendments to the local circumstances of the different Colonies; I regret to be under the necessity of adding that this recommendation has not hitherto been attended with a satisfactory result.

Her Majesty in Council has therefore been pleased to make an Order of which I enclose a copy, introducing the required changes of the Law into those Colonies which are subject to Her Majesty's

Legislative

legislative authority — You will communicate that Order in Council to the Council and Assembly of Nevis conveying to them Her Majesty's recommendation that provision be made by law in that Island for the introduction of a measure coinciding in substance with the terms of the Order in Council; and you will report to me the result of that recommendation in sufficient time to enable me to receive your report before the commencement of the next session of Parliament.

I have &c

Glenelg

No. 5

Copy
Circular

Govt. House Antigua
1st November 1838.

Sir,

I enclose to you a Circular Despatch which I have received from Lord Glenelg, dated the 15th September transmitting Three Orders of Her Majesty in Council applicable to the West India Colonies, which are subject to the legislative authority of Her Majesty, with a copy of an explanatory Despatch addressed to the Governors of those Colonies.

The first of these Orders is a Law for regulating the relations of Masters and Servants, the second for the prevention of Vagrancy, and the third for giving validity to certain Marriages.

In my Circular letters of the 24th and 25th August, I have explained the objections which on experience have been found to apply to general hirings and in recommending to the Council and Assembly of Nevis

of Nevis, that a Bill should be passed in accordance with the provisions of the enclosed Order for regulating contracts, they will not fail to advert to the importance which is attached to the execution of written contracts of service for any period exceeding four weeks and for limiting the duration of such contracts to one year.

vide ch. 2. § 2

vide ch. 2 § 4

As the assignment of cottages and provision grounds, are ordinarily included in the engagements for agricultural labor, these will necessarily be inserted at the end of the agreement a form of which is given in § 10, and by rendering the engagements annual the employers and labourers will be induced to enter into settled relations, and as the intention of the Law, is only to regulate contracts for labour, it will not interfere with any other engagements into which the parties might be induced to enter, for the renting of cottages, or leasing of lands.

In regard to the Apprenticeship of children it will be proper to advert to the habits prevailing in the several communities, in some a disposition has been shewn by the Peasantry, to withdraw their children from field labor, and as a large majority must depend upon this resource for their subsistence, their resort to the towns in greater numbers than can be absorbed in various trades, must lead to idleness, vagrancy, and crime. It may also merit consideration whether the skill requisite to carry on the trades ordinarily pursued in the colonies may render necessary a long apprenticeship, for its acquirement, and whether these trades will not spontaneously be followed by the most moral and intelligent, except where parents are in circumstances

to pay

to pay a premium for such instruction; a law sanctioning the bartering out of children by their Parents and Guardians having the effect of attracting others to such skilled employments without advantage to the public or themselves.—

The industry and settled habits of the Peasantry will be a necessary consequence of their local attachments, a feeling of contentment under their engagements and of security, that they are not liable to be suddenly or capriciously disposed of their holdings and the children will naturally acquire the same disposition when the advantages of adhering to the pursuits of their Parents are sufficiently assured to them.—

In regard to the Laws for the prevention of Vagrancy, a comprehensive revision of the Criminal Laws in conformity to the late English Enactments, and which has already been successfully accomplished in some of these Islands will provide for the punishment of various offences, which have been improperly introduced into the Vagrant Laws.—

The necessity of making provision for the prevention of disorders, under so great and sudden a change in the relations of society, precluded that degree of perspicuity in framing these Laws, which their importance required, and by the adoption of the provisions of the Orders in Council of the 14th September, the prevention of Vagrancy will be adequately secured without the objections which have been found to apply to previous Enactments.—

You will be pleased to transmit to me with as little delay as possible, any Bills which may be passed for regulating Contracts, and for the suppression of Vagrancy

of Vagrancy in conformity to the principles recommended by the Secretary of State, and in the mean time, I request you will apply these principles in the remission of any penalties for offences committed under the Laws which are in force, when at variance with them. —

Referring to my Circular Letter of this date, enclosing the Order in Council for giving validity to certain Marriages, I request you will draw the attention of the Council and Assembly to the observations of Lord Glenelg; as to the urgent necessity of making provision prospectively and retrospectively against the evils which have arisen from the state of Slavery, and which continue to be opposed to the welfare of the Classes, who were subject to disabilities under the Laws which formerly prevailed. —

I have &c.

(Sd) W. M. G. Colebrooke

No. 6.

Copy Circular

Downing Street
15th September 1838

Sir,

I herewith transmit to you, copies of Three Orders made by Her Majesty in Council on the 7th Instant, having for their object the introduction into the West India Colonies which are subject to the Legislative Authority of Her Majesty in Council, of a Law regulating the relation of Masters and Servants of a Law for the prevention of Vagrancy and of a Law for giving validity to certain Marriages. —

I also enclose the copy of a Circular Despatch,

which

which I have addressed to the Governors of those Colonies, to which these Orders in Council extend. —

I transmit these Documents to you in order that you may at the earliest opportunity communicate them to the Legislature of the Colony under your Government. They will serve to explain more clearly than might otherwise be practicable, the views of Her Majesty's Government as to the changes of the Law of the British West Indies, by which the Abolition of the Apprenticeship System ought to be accompanied. They will serve as guide to yourself in giving or withholding your assent to any Laws which may be tendered by the Council and Assembly for your acceptance. —

To any which may in their general principles be consistent with these Orders your assent will of course be given. To any which may be framed on principles at variance with or repugnant to those on which these Orders proceed, it is Her Majesty's pleasure that you should not assent. — All due allowance must of course be made for real and essential differences of local circumstances. — But the most ample and conclusive experience shows, that those differences do not exist in the British West Indies, to such an extent as to forbid complete uniformity in the principles, and a very general coincidence in the structure of Laws framed for the regulation throughout them all of such questions as those to which the accompanying Orders in Council refer. I intend to adopt the same course with reference to the Orders in Council when passed on the other topics adverted to in the enclosed Circular. —

Sir Wm G Colebrooke &c &c &c

I have &c
Glenelg

No. 7

Copy. —

Downing Street 15th Sept. 1838

Sir,

In deference to the recommendation of the Committee of the House of Commons, which sat in the year 1837, on the subject of Negro Apprenticeship the enactment of laws to meet the new state of Society, consequent on the termination of the system established by the Act for the Abolition of Slavery had been postponed until the nearer approach of the 1st. of August 1840 the time originally fixed for bringing the Praedial Apprenticeship to a close. — The anticipation of that period, by the Acts recently passed, in all the Colonies has rendered this Legislation a subject of immediate and urgent importance. —

The Laws which have been passed in the different Colonies, for abridging the term of Praedial Apprenticeship have been preceded, or accompanied by other enactments, having for their object the government of the Emancipated Population in their new character of persons entitled to unqualified freedom. — The Laws of this kind, which have hitherto reached me, contain some enactments which have appeared to Her Majesty's Government unexceptionable and judicious but I am obliged to add, that these have been connected and blended with other provisions of an objectionable nature. — I am well aware that these Laws have been framed in unavoidable haste, and in reference to subjects on which the Colonial Legislatures have not had the benefit of local experience for their direction and to these circumstances is probably to be ascribed much of

what

what would seem to be exceptionable in the new code which has thus been framed.—

In the Circular Despatch of which on the 6th of November 1837, I addressed to the Governors of all Her Majesty's West India Colonies, I instructed them to collect and transmit to me, answers to various enquiries of which the object was to ascertain exactly how far the Laws already existing, would be adapted to the exigencies of Colonial Society, after compulsory labor should have been entirely abolished there, and unqualified freedom should have taken the place of the Apprenticeship system. The answers to that Circular, are since incomplete, and are in many respects defective — Yet they sufficiently establish some important general conclusions — They shew that the old Slave code, exercised a very powerful influence on the structure and character of those Laws which were made for the government of the Free members of Society — that there are many enactments in the Colonial Statute Books, which must now undergo a most important change in their meaning and practical effects, even, if unaltered in a single letter and that there are many powers, which, however necessary while Slavery existed, could not be exercised now without great inconvenience and injustice.—

This remark might without difficulty receive many proofs, and illustrations, upon which however, it is unnecessary for my immediate purpose to enter.

The new Legislation required in the West Indies, will have for its first object, the repeal of obsolete or inapplicable Laws, or parts of Laws affecting persons of free condition — I reserve for a separate communication the detail of the enactments of that class in force in the Colony under your government which might be either

wholly

wholly repealed or materially amended.

The second general object of the new legislation will be, the introduction of laws calculated to meet the new exigencies of society. Her Majesty's Government are very unwilling to multiply such enactments, beyond the necessity of the case, but there are some main topics respecting which new laws are evidently indispensable. Without attempting to make a complete enumeration of these, I may mention the Law which regulates the mutual rights and duties of Masters and Servants the Law for the prevention and punishment of Vagrancy, the Law of Marriage the Militia Law, the Law for the maintenance of the Poor, the Law regulating Police, and the Law for preventing the unauthorized occupation of Land.

In obedience to the commands of Her Majesty in Council, I herewith transmit to you, three Orders in Council relating to the three first of the topics already mentioned. I have reason to expect that an Order in Council, respecting the unauthorized occupation of Land will very shortly follow. With regard to the laws for the maintenance of the Poor and the government of the Police, the decision of Her Majesty in Council will be suspended, until Her Majesty's Government shall be in possession of the suggestions and advice of the authorities in this Kingdom, who are best qualified to form a correct opinion upon those subjects. With regard to the Militia Law, I am not at present prepared to state when an Order of Her Majesty in Council, will be completed, but the subject has engaged careful attention and will be pursued with as much dispatch as the nature of the case may admit.

It now becomes my duty to explain to you, the grounds on which

on which Her Majesty's Government have proceeded in advising the promulgation of the three Orders, which accompany this Despatch.—

The law regulating the relation of Master and Servant, forms a part of every new code transmitted from the West Indies. The necessity for some Legislation on the subject scarcely admits of doubt. The jealousies and mutual disputes are amongst the unhappy fruits of Slavery, will, must, gradually give place to more salutary feelings. But they can scarcely fail for a time to exercise a prejudicial influence on the minds both of Master and of Servants, in whatever relates to the forming, the enforcement and the abrogation of contracts for service. Even in this country the Legislature have found it necessary to interpose, between parties standing in this relation to each other, and it would be vain to trust to the sense of individual, or of common interest, for the prevention of the abuses and for the settlement of the disputes which may arise out of contracts for service in Agriculture, or Manufacture in the West Indies, in the very peculiar condition of Society existing there at present. It is therefore the object of the first of the Royal Orders in Council, to determine in what manner, and for what time such contracts may be made and how they may be dissolved, and how the rights incident to the contracting parties shall be enforced.—

The second of the accompanying Orders relates to the subject of Vagrancy.—

The vagueness of this term, and the ambiguity of meaning which to a certain degree is inherent in it, has given rise to some laws on this topic of a very objectionable character. If by the word Vagrancy be understood, the moving from place to place of persons, in search of labour,

or

or actuated by any other useful or blameless motive, the prevention of it would be entirely foreign to the views of Her Majesty's Government. But the word, when designating an offence, must be taken in a far more restricted and technical sense. It is the term in common use in our own Law to describe persons, who are living in a state of vicious and unnecessary idleness, without any honest means of subsistence, and who therefore become burdensome to society as Paupers, or dangerous to the public peace as delinquents. Amongst such persons are numbered those who outrage public decency by their demeanour, those who seek their living by dishonest arts and practising on vulgar superstitions, and those who are found in circumstances indicating the intention to commit depredations on property. If the terms "Vagrant" or "Rogue" and "Vagabond" do not very amply describe such persons there is perhaps no other more appropriate expression to be discovered. It is however only against such offenders that the second of the Orders in Council, which I enclose is pointed. For the prevention of this class of offences, Society in the West Indies, formerly relied on the domestic authority of the Employer. The termination of that authority requires the introduction of some adequate, (but not more than adequate) substitute for the single purpose of protecting the Colonial Societies, against practices, such as I have mentioned, and it is with this object that this Order has been framed.

The third of the accompanying Orders in Council, regulates the Law of Marriage. On this subject difficulties of the most embarrassing nature have arisen, from the ancient Slave Code of the Colonies, and from the low state of Religion and Education, which formerly prevailed there.

The Negroes were accustomed to form connections, which they regarded as matrimonial, although not solemnized

according

according to the established rules of law. The effect is, that such ties are sometimes disregarded, and too lightly dissolved; that the parties when religiously observant of them are nevertheless compelled to regard themselves as having lived in concubinage, and that the offspring of such connections are considered as illegitimate. Nor is this all, the paucity of Clergymen in Holy orders of the Church of England, and the extent to which dissent from the Communion of that Church prevails, render it a matter of great difficulty to contract a legal marriage. Hence a great comparative disregard of one of the most sacred relations of life, and of the obligations of morality in that respect. The accompanying Order will be found to provide a remedy for these evils both prospectively and retrospectively.

I cannot close this communication without adverting to one principle which pervades the accompanying Orders in Council. It is the exclusive jurisdiction of the Stipendiary Magistracy in all cases arising under them. This has been thought for a time at least, to be indispensable, in order to obviate the possibility of suspicion, as to the disinterested administration of these Laws, the provision which Parliament made for the temporary continuance of the Salaries of the Special Magistrates, will have removed all difficulty from the application of this principle, and I have only to instruct you in any future appointment to the List of Stipendiary Magistrates, to adhere to the same rule which has hitherto prevailed of limiting your selection to Gentlemen, unconnected by pecuniary interest with the enforcement of the Law which they are to administer.

On the receipt of this Despatch, you will publish the accompanying Orders within the Colony under Your

Government

Government; in the usual and most authentic manner. You will perceive that they are so framed as to have the authority of law immediately from their arrival — Your own duty respecting the proclamation of them, extends only to ascertaining by that method, the precise date of your receipt of them. —

I have &c.

(Sd) Glenelg.

The Governor of —

No. 8

Government House
8th November 1838

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for your — information, copy of a circular Despatch from His Excellency the Governor in Chief, covering the Extract of a Letter to the President of Montserrat to which I beg leave to call your attention —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Darnell
President

Lt

The Honorable
The President and Members of Council
The Speaker and Members of Assembly

No. 9

Copy
Circular

Government House Antigua
28th August 1838.

Sir,

I enclose for your information, and that of the Council and Assembly of Nevis, an Extract of a Letter which I have addressed to the President of Montserrat, in returning a Bill which had passed the Council and Assembly for regulating the hiring of labourers in that Island.

I have &c.

The Officer
Adm. the Govt. of
Nevis.

(Sd.) W. M. G. Colebrooke

No. 10.

Extract of a Letter to the President of Montserrat dated 28th August 1838.

The Contract Act is obviously founded on the Act of this Island, which was passed in the year 1835, and includes the provisions for general hirings under which plantation labour has been ordinarily performed in Antigua.

The objections to this have been found to be, that the labourers have been less disposed to settled habits, than if they had entered into special engagements and by uncertainty as to the tenure of their holdings have been less attentive to the means of improving their condition.

Various agreements have been made on different

States.

Estates for the regulation and remuneration of labour, but the Magistrates acting discretionally, have had no certain rule to be guided by, when complaints under general hirings have arisen. In the Contract Act of St Christopher this kind of engagement has not been recognized and an expectation is formed, that special engagements will be entered into, for the labor on Estates, and for the hire of tenements and holdings

Although difficulties may occur in making such engagements it is desirable that they should not be discouraged by making the presumption of law favorable to general hirings and in cases where Employers and Labourers may have agreed for work without entering into special engagements in writing it may be sufficient to prescribe that they should be reciprocally bound to fulfil the conditions of such agreements upon evidence of the rule observed, and until done notice has been given for the termination of such arrangement, but that special damage should only be awarded in cases where special engagements had been violated it being open to considerable objection that Magistrates should exercise a discretion, in the case of general hirings by deciding between employers and labourers, not only what may be reasonable wages, or reasonable excuses for defaults but in awarding damages for breaches of engagements into which the parties have not specially agreed to enter.

Were the proprietors in these Islands more generally resident, they would appreciate the importance of encouraging the formation of permanent settlements of the Peasantry on their Estates, and as discouragements may be given to this by managers who are intent only on acquiring the present labour of the people, regardless of

the

the future it is desirable, that the law should promote the settlement of the labourers as most conducive to the general welfare. —

When the hiring of labourers is connected with their settlement upon the land, their wages usually constitute but a part of the return for their labour and it is in such cases only, that they admit of being less than a full remuneration. —

It is the interest of the Proprietors however to hold out the utmost inducement to the Peasantry to settle and to encourage the able and industrious labourers by a full reward for their labourers, as a means of securing their efficient services. —

I have &c.

(Sd) W.M.G. Colebrooke

Despatches laid before the Board of Council on Thursday the 3rd day of January 1839.

No. 1.

Government House
3rd January 1839.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to forward for your information, copy of a Letter from His Excellency Sir W.M.G. Colebrooke, enclosing copy of a Despatch from Lord Glenelg on the subject of certain acts passed in this Island in the years 1836 & 37. and which are still awaiting Her Majesty's decision in council —

I have the honor to be, Gentlemen &c.

James Daniell
President

To The Honorable
The President & Members of Council
The Speaker & Members of Assembly

No. 2

Copy

Government House
Antigua 26th Novr. 1838.

Sir,

I enclose for your information and guidance, copy of a Despatch which I have received from the Secretary of State relative to a series of acts which have passed the Legislature of Nevis for reforming the criminal laws of the Island.

As a series of Laws with the same object have been recently passed in St. Kitts, I request you will communicate to Sir Henry Macleod a copy of this Deshatch by an early opportunity

I have &c.

(Sd.) Wm. G. Colebrooke.

To His Honor
The President of Nevis.

No. 3

No. 83.

Downing Street
15th October 1838.

Sir,

A series of Acts passed by the Legislature of the Island of Nevis in the Months of June and July, 1836 and March 1837 are still awaiting the decision of Her Majesty in Council. I subjoin a list of their titles and the number by which they are distinguished in the Records of this Office. The object of the first six of these Laws was the adaptation to the circumstances of the Island of Nevis of the changes which have been made of late years in the criminal Code of England on a of these enactments with the corresponding British Statutes I have not discovered any variations excepting such as

appear

appear to have been suggested and required by the different local circumstances of this great Nation and one of the least extensive and populous of its dependencies. I am not however satisfied that these changes have been sufficiently extensive there appears to me considerable reason to doubt whether in the process of adaptation of the English Laws the power of the local magistracy ought not to have been much more abridged —

It is not however even yet possible to form a decided opinion of that question, because it must for some time longer remain uncertain how far the office of Justice of the Peace in the Colonies under your Government can be confd. to Stipd. Magistrates acting under prompt and effective responsibility. Her Majesty's decision on these acts is therefore inevitably postponed, until the question of the future Magisterial Establishment of the British West Indies shall have been finally adjusted.

The act No. 139 respecting the Police of Nevis must also still await Her Majesty's decision — the subject to which it relates is under the — — consideration of the authorities in this country, who are the most competent to form a correct estimate of the course which ought to be — — pursued for establishing a civil and Rural Police in the British West Indies

I have &c

Sd:/ Glenelg

No. 127. An Act to prevent a failure of Justice by reason of variencies between Record and Writings produced in Evidence

No. 129. An Act for improving the administration of Criminal

Criminal Justice in the Island of Nevis

No 130 An act for the prevention and punishment of Larceny and other offences connected therewith

No 131 An Act for the prevention and punishment of malicious to property

No 132 An act for the prevention and punishment of offences against the person.

No 133 An act for amending the Laws of evidence in certain cases.

No 134 An act for establishing a Police Force and House of Correction in and for the Island of Nevis

No 139. An act for enabling Courts of Criminal Jurisdiction to abstain from pronouncing sentence of death in certain capital offences.

To Sir Ld M. G. Colebrooke
&c. &c. &c.

No 4

Government House
14th December 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to submit for your consideration the expediency of having Station Houses apportioned with a Justice Room for the Parishes removed some distance from Charles Town.

The present mode of Justices of the Peace holding their settings for Magisterial investigation in private Buildings is frequently objectionable and it will become my duty to direct in future that all examinations shall be taken in the Court House of Charles Town unless some immediate plan is adopted by Your Honorable Board and House to remedy this evil.

A competent person ought also to be present to take

take examinations of evidence before the Magistrates in order that the same may be transmitted to the Governor in Chief in compliance with his repeated directions.

I have the honor to be Gentlemen &c. &c.

James Daniel President

To The Honorable
The President & Members of Council
The Speaker & Members of Assembly

No 5

Government House
19th December 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information and guidance a Copy of a letter from His Excellency Sir W. M. G. Colebrooke covering extract of a Dispatch from Lord Glenelg on the subject of the deputation of the people of St Christopher and also to call your attention to certain amendments to the Act recently passed in this Island on the same subject

I have the honor to be Gentlemen &c. &c. &c.

James Daniel President

To The Honorable
The President & Members of Council
The Speaker & Members of Assembly

No 6

Government House
Antigua 1st December 1838

Copy

Sir

I have received your letter of the 18th Novr enclosing Manuscripts and Summaries in Duplicate of the following Acts

1st An Act to regulate the security to be given by Masters of Vessels at the Secretary's Office of Nevis

2nd An Act to prevent the abandonment of indigent families and the clandestine deportation of debtors and persons under contract of service

Having recently received a Despatch from the Secretary of State calling for the amendment of an Act passed at St Kitts I enclose an extract for your information and guidance and in regard to the second Act I request that you will recommend to the Council and Assembly that they should pass a Bill for amending those Clauses which involve the objections which Lord Glenelg has noticed.

In the second Clause the liability of persons departing from the Island for the maintenance of Aged Infirm or Destitute parents is objectionable as these persons have a legitimate claim on their respective Parishes

It should also be distinctly declared that no fee nor gratuity is demandable on the indentisement or tickets of Leave granted to any labourer under the 2nd and 6th Clauses as it would constitute a heavy burthen and in many cases under restriction on the enfranchised classes.

When these amendments have been made I will be prepared to recommend the Act for confirmation of Her Majesty in Council

I have &c.

(sd) W. M. G. Colebrooke

To His Honor
The President of Nevis

No 7.

Extract of a Despatch from Lord Glenelg to Sir W. M. G. Colebrooke dated October 15th 1838

"The Act No 283 for preventing the clandestine

clandestine deportation of labourers relates to a subject of which I acknowledge the importance and the difficulty I am however compelled to add that those difficulties do not appear to me to have been successfully encountered by the Legislature of Saint Christopher.

The freedom which has been granted to the emancipated part of Her Majesty's subjects throughout the West Indies involves an admission of their right to resort to any part of the Queen's dominions which they may have the power and wish to visit or to settle as the place of their permanent abode. But in the exercise of that right there are restrictions which the general interest of society requires and justifies no man should be permitted with impunity to resort to fraudulent misstatements or to fraudulent suppressions of truth in order to entice ignorant persons to quit the Colonies in which they are settled.

No man should be permitted to place himself beyond the reach of the tribunals of a Colony in which he has committed any crime or contracted any debt without such a public notice of his intended departure as may afford the State an opportunity to sue him for his debt, nor should any man be permitted to quit without such notice any Colony in which he would leave behind him unprovided for Kindred for whose maintenance the law renders him responsible and who must by his absence be thrown on the public at large for support, any person in that situation may reasonably be required to give security though not for a very long time in advance against any such burthen being thrown on parochial or public funds.

Had the present Act advanced no further than to give effect to these general principles I

should

should not have regarded it as objectionable but such I regret to say is not the case.

The Act if I correctly understood it Altho the construction may in this respect be doubtful forbids the labourer to quit not merely the Island but even the Parish in which he resides until he shall have obtained the certificate of the Justices.

The moral obligation of maintaining aged or infirm Parents ought not to be enforced by positive law in cases where the parents have groaned in Slavery or Apprenticeship under an express condition that in old Age the burthen of their maintenance would devolve on their owners or employers and the terms of the Law point not merely to Kindred who are actually dependent on the emigrant but to those who may or ought to be dependent on him terms which apparently exceed the real intention of the Legislature.

The emigrant is required to prove a negative which is scarcely susceptible of proof namely that he has none of the contracts to which the Act refers.

The appeal given to the Governor and Council would more fitly have been given to the Governor alone because the Executive authority appears to me unnecessarily fettered by requiring the concurrence of the Council and because the Governor acts under an effective responsibility from which they are all exempt.

The notice for departure from the Island must be published for thirty days an arrangement which must operate as an insuperable restraint in many cases in which restrictions of any kind is unnecessary.

If

In as I understand fees are payable on the advertisements and licenses they will constitute an additional and heavy burthen on the labourer. The master of the Ship may be perfectly ignorant of the contracts into which the emigrants may have entered yet he is made responsible for removing persons subject to such contracts.

For these reasons I regard this Act as unfit to be recommended for Her Majesty's sanction in its present form and unless you shall be able to report to me by an early period that the objections to which I refer have been obviated by an additional enactment Her Majesty's Government will be under the necessity of advising the Queen in Council to disallow this Act.

I have &c.

(Sd.) Glenelg

No 8.

Government House
20th December 1838

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose for your information Copy of a Circular Dispatch from His Excellency Sir Ld. M. G. Colebrooke on the subjects of Prisoners sentenced to hard labour being worked in Chains

I have the honor to be Gentlemen &c.

James Daniel Present

To The Honorable
The President & Members of Council
The Speaker & Members of Assembly

No 9

Copy
Circular

Government House
Antigua 15th Dec. 1838

Sir

If having

having been reported that cases have occurred in some of these Islands where Prisoners sentenced to hard labour have been worked in Chains, I request that you will take measures to prevent this practice in the Prisons in Nevis it being at variance with the instructions of Her Majesty's Government in carrying out the Act of Parliament 1 & 2 Vic. ch. 67.

Cases may arise where the application of Chains to refractory male prisoners may be required but it should in such cases be expressly sanctioned by the Officer Administering the Government on report made to him, and then only as a means of temporary punishment and not as a means of preventing the escape of a Prisoner from the Gaol.

I have &c.

W. M. G. Colebrooke

The Officer
Adm.r the Gov.t of Nevis

No. 10

Government House
3rd Jan.y 1839

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose Your Honorable Board and House a Series of Rules framed in conformity to the Act of Parliament "for the better Government of Prisons in the West Indies" and to request you will take into serious consideration the changes which are thereby made and to make such provision for the support of the Prison

I have the honor to be Gentlemen &c.

James Daniel President

To The Honorable
The President & Members of Council
The Speaker & Members of the Assembly

No 11

Regulations for the Government of Prisons in Nevis.

The Act of Parliament (1 & 2 Victoria ch 67) having provided that Rules for the Government of the Prisons in Her Majesty's Colonies in the West Indies should be made by the Governor in Council of each Colony, the following are hereby declared to be the Rules which have been approved by the Governor in Council for the Prisons of this Island and are to be observed by all persons concerned.

1 The Jail and House of Correction and also any other establishment which may be formed within the definition of the Act of Parliament are to be under the superintendence of a Board of Four Inspectors to be appointed by the Governor of whom the Chief Justice shall be one.

2 The Board to meet the first Saturday of every month Three to be a Quorum and to report to the Governor on the State of the Establishments the condition of the Prisoners and to recommend any alterations or improvements which may be required to give effect to the Rules and especially such as may require expenses to be incurred.

3 The immediate charge of the two Establishments and the enforcement of the Rules to be entrusted to the Provost Marshall.

4 To each Establishment there shall be ,, ,, appointed by the Provost Marshall subject to the approbation of the Governor, a Jailor or Keeper and a matron (the Wife of the Keeper to be preferred if competent.

5. The Jailors or Keepers not to be under Years of Age nor exceeding Years to reside respectively within

within the Buildings not to engage in any Trade or Occupation or derive any benefit directly, or indirectly from the supply of the Prisoners nor take any fee or perquisite from them nor permit any wine spirits or fermented liquors to be brought to the Prison " " without the permission from the Surgeon for the use of the sick.

6 It will be the duty of the Keepers and Matrons to examine all Prisoners on entrance taking from them all knives and other instruments, to enjoin all " " Prisoners to observe strict silence and warn them of the punishment for any infringement of the " " Prison Rules and to visit every Ward and Cell at least twice in each day.

7 The Jailors or Keepers are to keep Journals for record of all occurrences to be open to examination of visiting Justices.

8 Infringement of Prison Rules to be punished on authority of the Keeper who is to hear and determine all complaints. viz

1 Disobedience of the Rules of silence and " " cleanliness both of which to be strictly enforced.

2 Assaults by the Prisoners on each other, or on any Officer of the Establishment.

3 Abusive and profane language.

4 Idleness or neglect of work or wilful " " destruction of tools or implements.

9 The Keeper may enquire into complaints under the foregoing heads and order any offender into close confinement in the solitary Cells on Bread and Water, or in case of males may put them into the Stocks reporting the Case to the Provost Marshal within two hours who may order such punishment for any term not exceeding three days and in any

flagrant

flagrant case of violent or refractory conduct the Board of Inspectors may sentence the prisoners to such punishment for seven days in addition to any previous sentence; the Provost Marshall shall in case of urgent or absolute necessity only confine any prisoner in chains and then not without the express sanction of the Governor on report made to him who shall order the duration of such confinement as in his discretion he shall deem necessary.

10 The Keepers to assist any prisoners desirous of presenting a Petition to any Authority.

11 The Keepers to see that the Walls Cells and Passages shall be scraped and Lime washed at least once in every month and the rooms and cells washed and cleaned once in each week or oftener if requisite and convenient places assigned for the Prisoners to wash themselves with allowance of soap and towels.

12 No smoking to be allowed in the Prison nor gaming to be permitted all dice, cards, &c to be destroyed

13 Prisoners may be selected for employment in menial Offices within the Walls by consent of the Board

14 The Board to meet monthly at the Prison and the Keepers to bring forward all Prisoners at the meeting for Inspection when they may prefer any complaint or make any communication to the members.

15. Prisoners not in soletary confinement but kept within the Walls to be allowed air and exercise for the preservation of health and due classification to be observed in the Yard. Those in soletary confinement to be allowed this indulgence with advice of the surgeon.

Classification

The

~~within the Buildings not to engage in any Trade or Occupation~~

17 The male and female prisoners to be confined in separate parts of the Gaol and House of Correction so as to prevent them from seeing, conversing or holding any intercourse and the prisoners of each sex to be divided into distinct classes as follows.

Class 1 1 Convicted Felons including those whose Capital sentences have been commuted.

2 Men convicted of Minor offences, petty thefts malicious injury to property.

3 Men committed for Vagrancy breach of Contract &c.

4 Women committed for Felonies

5 Women committed for minor offences &c.

6 Boys under 16 Years of Age.

7 Girls under 16 Years of Age.

Untried prisoners and debtors to be separately accommodated and Juvenile offenders entirely apart from Adults.

Description & time of Labour.

18 Prisoners sentenced to hard labour to be employed as follows.

Men of the 1st 2nd & 3rd Classes to be employed in quarrying stone breaking up and repairing roads near the town under the direction of an Overseer the hardest labour to be assigned to the first and second classes.

Women of the 4th 5th and 7th Classes to be worked within the Walls in breaking stones carrying water weeding, and cleaning the Yards and premises also in washing and needlework in the establishment and in grinding corn and picking oakum these several employments to be duly apportioned to the Classes.

19 The hours of working to be from sun rise to sunset allowing half an hour for breakfast and half an hour for dinner. Meals to be cooked within the walls and sent prepared to the male gangs outside. The female gangs to be worked in separate yards in the day time and withdrawn when the men return from labour to a yard set apart for them.
Prisoners unable to work from sickness to be examined by the Surgeon. No labour to be performed on the Queen's birth day, the 1st of Aug't or any other day appointed for Public Thanksgiving in addition to the days named in the Act.

20 A list of tools implements and materials required for working the prisoners to be prepared and on approval by the Board to be purchased by the Provost Marshal.

21 An account to be kept of the proceeds of labour and industry when sold and in all cases where gangs are employed in any contract labour an account of the number employed daily in each description of work to be also kept.

22 The Surgeon to visit the Jail and House of Correction whenever required by the Prov. Marshal or Keeper respectively in charge and as often as he shall consider necessary and to report monthly to the Board and for information of the Governor the state of the establishments and of the Prisoners. A book to be kept in each establishment for the entry of the Surgeon's prescriptions and of the sick to be signed by him.

23 Every prisoner to be inspected by the Surgeon on the day of his entering the Prison or House of Correction and no prisoner to be discharged if labouring under any disorder nor until the Surgeon may

certify

certify that it is safe unless the prisoner may desire to be released.

24 All deaths to be immediately reported by the Keepers.

Dietary

25 The Provost Marshall shall be authorised to advertise for tenders for supplying the prisoners with provisions for not less than six months with security for the due performance the lowest tender if satisfactory to be preferred and taken by the Board of Inspectors care to be taken that such provisions be of good quality.

26 Each male prisoner while at hard labour to be supplyed daily with one and a half pound of Bread or one quart of corn or meal in proportion and an allowance of half a pound of meat or fish or vegetables at the discretion of the Prov. Marshall

27 Each female prisoner to be allowed one pound of Bread or one quart of meal and one quarter of a pound of meat or fish or vegetables at the discretion of the Provost Marshall.

28 Each prisoner in solitary confinement to have three quarters of a pound of bread or three quarters of a quart of meal daily.

29 Untried prisoners to have the allowance granted to the working prisoners.

30 The diet of sick persons to be regulated by the Surgeon.

31 The Keepers to inspect the provisions daily and to report to the Prov. Marshall or visiting magistrate if insufficient or of bad quality and to inform the person tendering.

32 Scales and weights to be provided.

33 The Keeper to be responsible that no convicted prisoner receives any food beyond the prison allowance except in the case of the sick and on

the

approval of the Surgeon.

Clothing & Bedding.

34 Every Prisoner on entry to be provided with a plain Prison dress if his or her clothes are improper or insufficient to ensure cleanliness or acquired to be preserved for the ends of Justice.

35 Each convicted prisoner to wear a distinguishing dress by which the Class may be distinguished.

36 Their own clothes to be washed and put by to be redelivered to them on their discharge

37 Each prisoner to be provided with suitable bedding

Religious Instruction

38 The Chaplain to perform Divine service in a room set apart for that purpose to the assembled prisoners and visit the Wards and Cells of the prisoners during the week.

39 Entry to be made by him of his visits in the Keepers Journals Other Ministers and religious Teachers to have free admission to afford religious Instruction to the Prisoners. All prisoners to attend Divine service if not prevented by sickness

40 When the number of prisoners in either establishment is such as to prevent the classification in the Yards or separation at night or the cells for solitary confinement are full the Justices may authorize the removal of prisoners from one to the other and the yards of both establishments to be used by the male and female prisoners as most convenient

41 Any rooms to be set apart for the use of the sick and until a separate establishment be formed for Juvenile offenders arrangements to be made to prevent any intercourse between them and the other prisoners they are to be worked within

the

the walls and provision made for their instruction.

Return of Prisoners in the Jail and House of Correction.

No..	Name	Sex		Age	Colour	Country	Domestic	Trade	When admitted	Offence	Date of Condemnation	By Whom	Sentence	When discharged.
		Male	Female											

Despatches laid before the Board of Council on Tuesday the 15th day of January 1839.

No 1

Government House
8th January 1839

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to forward for your information Copy of a Despatch from His Excellency the Governor in Chief covering a Circular Despatch from the Secretary of State and Copy of an Order in Council for preventing in the Crown Colonies the unauthorized occupation of Land as developing the principles on which it is desirable that Laws applicable to this subject should be founded.

I have the honor
Gentlemen
Your most obedient
Humble Servant
James Daniel
President

To The Honorable
The President and Members of Council
The Speaker and Members of Assembly.

Copy
Circular

No 2

Government House
Antigua 28th Decr 1838

Sir

I transmit to you the Copy of a Circular Despatch which I have received from Lord Glenelg and I request you will communicate to the Council and Assembly of Nevis the enclosed Copy of an Order of Her Majesty in Council relative to the illegal occupation of lands

Having received a printed Copy of the regulations in force in New South Wales in regard to the Crown Lands I will take an early opportunity of communicating to you such observations as may occur to me in regard to their application in these Islands.

In the meantime it would not be expedient to dispose of any of the Crown Lands but as proposals may be made for the formation of townships I request you will in such case cause to be prepared a survey of and report upon any lands which it may be proposed to settle dividing them into convenient allotments which are to be delineated and numbered upon the plan in order that when the auction may take place on a day to be fixed by public advertisement the lots may be separately offered at an upset price according to instructions and sold to the highest bidder.

In order to promote public competition and thus to raise the value of the Crown Lands the advertisements should be inserted in the Newspapers of the different Islands and a distant day fixed for the sale for the convenience of those who may wish to become purchasers and with the same view I request that a Copy of the survey and report upon the lands may be transmitted to me

I have

I have &c.

W. M. G. Colebrooke.

Circular No 3

Downing Street
12th Novr 1838.

Sir

In my despatch of the 15th of September last I forwarded to you Copies of three Orders which had been passed by Her Majesty in Council for the purpose of introducing into the Crown Colonies three laws for regulating the relation of Masters and Servants, for the prevention of Vagrancy and for giving validity to certain Marriages.

These documents were transmitted to you with a view of their being communicated to the Legislature of the Colonies under your Government as developing the principles on which it is desirable that laws applicable to those subjects should be founded.

I now transmit to you for the same purpose a Copy of another Order of Her Majesty in Council for preventing in the Crown Colonies the unauthorized occupation of Land.

It remains for me to instruct you to regulate the alienation of lands belonging to the Crown strictly by the principles which were explained in my Circular Despatch of the 30th of January 1836.

I am disposed to believe that the present time the lowest price at which according to those principles Land ought to be offered for sale in the West India Colonies is One pound sterling per acre and you will consider yourself prohibited from

reducing

reducing the upset price below that sum without special reference and permission.

You are however authorized and indeed it will be your duty to fix a higher upset price ... whenever the value of the Land renders such a course expedient.

In other respects you will consider the Royal Instructions which were addressed to the Governors of New South Wales, Van Diemans Land and Swan River and of which I enclose a Copy as applies to Yourself.

These instructions have been in successful operation for several Years and you will guide yourself by them so far as the circumstances of the Colony under Your Government render it practicable.

I have &c.

(Sd) Glenelg.

No 4

The Governor

To The Hon.ble

The President and Board of Council

And The Hon.ble

The Speaker and House of Assembly

Gentlemen

I take the earliest opportunity of communicating to you a Despatch from Lord Glenelg in which His Lordship has expressed the anxiety of Her Majesty's Government to facilitate the reform of the ... judicatures in the West Indies under the Act of Parliament 6th William 4th ch. 17.

The change which has been recently effected in Colonial society, and the intercourse which has ... already grown up and will daily be extended between

the

the several communities render more than ever necessary the introduction of a comprehensive system for the protection of the interests involved in the administration of General justice and as you have already adopted the principle of the measure you will I hope make the provision required to enable Her Majesty's Government to carry it into effect.

You will observe in this Despatch that the Secretary of State has proposed to reserve the funds applicable to the existing Courts for the payment of the resident law functionaries in each Island and has expressed his readiness to concur in making provision for the Circuit Courts if required by an impost on the adult male population but in recognizing the claims upon every community for the charges incidental to the maintenance of competent Courts of Justice you will not I am confident be disposed to allow such a burthen to press unduly on those classes of society who are least able to sustain it but I hope that you will manifest an enlightened sense of the benefits which such institutions are calculated to confer by making provision for the estimated quota out of the general resources of the Island.

The tranquil manner in which the late momentous change in the condition of the emancipated labourers has been accomplished has already inspired that confidence in the stability of property which on the completion of these measures will effectually conduce to the general prosperity but in the unfettered intercourse which must henceforth obtain between the several communities and the growing facilities attending it you will readily

discern

discern that much inconvenience would unavoidably ensue without the aid of those controuling and pervading institutions which it has been the object of Parliament to secure to these Colonies. I therefore earnestly recommend the subject to your immediate attention and hope to be able to report a favourable result of this reference to Her Majesty's Government in time for the meeting of Parliament.

I have &c.

W. M. G. Colebrooke.

Government House
Nevis 15th of January 1839.

Copy No 5.

Downing Street
13th Novr 1838.

Sir

In my despatch No 35 of the 14th August I drew your attention to the relief which has been given to the Colonies of Barbadoes, Antigua Montserrat, St Christopher Nevis and the Virgin Islands by the Act passed in the last session of Parliament by the repeal of the 4½ per cent duties and I requested you to renew your instances with the Legislatures of those Islands with a view to induce them to shew at once their sense of the liberality of Parliament and of their regard for the best interests of the communities in which they legislate by making a permanent provision in that portion of the cost of a reformed judicature in the West Indies which should hereafter be borne by them respectively. I added that when the quotas of these Islands should have been contributed a great step would have been gained towards the accomplishment of the object and I should have better hope that the Legislatures of the other Colonies concerned

would

would be brought to take a just view of the benefits which they are requested to cooperate in conferring upon the Societies whose interests are confided to their care.

The reports which I now periodically receive of the proceedings before the Criminal Courts in the West Indies are such as to renew with continually augmented force the impression which in common with all parties in this Country I have always entertained of the indispensable necessity of a reform in the West India judicatures and it would give me the most lively concern if in the meeting of Parliament I were under the necessity of announcing that the Act 6 Wm 4th ch. 17. which was passed in the session of 1836 with universal approbation in this Country still remained wholly without effect in consequence of the failure of the Local Legislatures to do their part. I could not reconcile it to myself to make an announcement so invidious to the estimation of the Colonial Legislatures in this Country unless it were in my power to show at the same time that no effort has been left untried by myself and the Governors and Lieut Governors in Her Majesty's West India Colonies to bring about a different result.

As far as the principle of the measure is concerned it has been accepted by every Legislature except that of Antigua and have been passed to give effect to it but always exclusive of those financial arrangements which are of course essential to its establishment.

In my despatch of the 30th July 1836 I transmitted to you a Schedule of the estimated expense of the new judicatures I then entertained the expectation that the whole or nearly the whole of the expense could be provided for by transferring to the

new

Courts the funds applicable to the support to the existing tribunals. This expectation was founded of course on the supposition that in those Colonies where the office of Chief Justice had been of late years kept vacant only provisionally occupied in anticipation of this measure the Legislatures would be ready to renew the same amount of provision which was formerly granted as a salary to the Office. Of the Colonies in question it is only in St. Vincent and Grenada that a permanent professional Judge now occupies the Office. My estimate was formed also upon calculations of the fees formerly received by the Officers of the existing Courts which would appear to be inaccurate owing to recent diminutions of those fees, still however I cannot but feel justified in assuming that the resident Law functionaries in each Colony could be adequately provided for under the new system by the funds now applicable to the Courts as they exist together with the revival of such Judicial salaries as have been merely suspended of late years owing to the non appointment of the professional Judges who used to be sent out to preside in the Courts.

This provision being made for the resident Judge the Solicitor General and other stationary and local Officers of the Courts, those would exclusive to be provided for according to the schedule accompanying my Despatch of the 30th July 1836 the following estimate.

Windward Islands.

One Chief Justice	£2000
One senior puny Judge	2000
One attorney General	1000
	5000

266 brought over

Leeward Islands £

The same Establishment 5000

Cost of two steam boats for Judges conveyance 6180

In some of the Colonies where application was made to the Legislatures for contributions to the expense of the new Judicature they were met by a request for an definite appointments to each Colony of its proper share of the Burthen. The principle of such an apportionment should as stated in my Despatch above mentioned to assign a payment according to the probable amount of business which would upon the Court in each Colony But the past business of each Court even could it be accurately ascertained would not furnish a correct guidance in estimating the business for the future.

The existing judicatures are so variously constituted and are of such different degrees of efficiency that the proportion of business now transacted in each (varying it may be supposed inversely with the confidence in the which suitors can resort to them) cannot be assumed as an accurate criterion of the proportion which may be expected to take place when the adoption of the improved system shall have induced a more uniform character of efficiency throughout the Judicatures. The amount of judicial business may be better conjectured from the population amount of property and extent of commerce in each Island and perhaps no principles of apportionment can be assumed which is liable to so few objections as that which has already been applied in the apportionment of the 20 millions granted in compensation for the abolition of Slavery

According

to this principle the sum which it would fall to the share of each Colony to pay towards the judicial establishment may be compensated as follows

The total cost being The Windward Islands would be charged with and the Leeward Islands with the same sum.

The apportionment amongst the Windward Islands would be (exclusive of fractional amounts)

For Barbadoes	£4387	3
St Vincent	1510	2
Grenada	1571	2
Tobago	596	11

And amongst the Leeward Islands

For Antigua	2523	14
Montserrat	613	14
Demerara	1035	3
St Kitts	1965	5
Nevis	899	17
V. Islands	432	5

Taking this apportionment for your guide you will be pleased to apply to each of the Legislatures for permanent grants of the respective sums under apportionment to meet the cost of the proposed judicature which Her Majesty's Government will upon the enactment of such grants pledge themselves to bring into operation without loss of time.

If there should appear in any Island to be an insuperable difficulties to find the ways and means for the required grants Her Majesty's Government having reference to the vital interests of the labouring classes as well as all others which are involved in the measure would, rather than forego its execution consent to the imposition of a

small

a male pole tax on the adult male population not exceeding at the utmost the amount required to produce the quota of the Colony.

I request that you will be pleased to expedite as much as possible the respective legislatures in the proposal you are here instructed to submit to them and that you will transmit to me the result in such time as that H. M. Government may be in possession of it if possible when they meet Parliament.

I am &c. &c. &c.

(Sd) Glenelg.

Despatches laid before the Board of Council on Thursday the 24th 1839.

No 1.

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to transmit to your Honorable Board and House copy of a Despatch from the Governor in Chief relative to the Militia Force of this Island.

I have the honor to be Gentlemen &c.

To The Honorable James Lamb President
The President and members of Council
The Speaker and members of Assembly

Copy Circular

No 2

Antigua 2nd Jan 1839.

Sir

I beg to enclose for your information and guidance copy of a Circular Despatch from Lord

Glenelg

Generally relative to the constitution and Government of the Malitia in the British West Indies

The Officer
Adm^r the Gov^t
of Nevis

I have &c.
(sd) W. M. G. Colebrooke

Circular No 3

Downing Street
30th Novr 1838.

Sir

Amongst the Laws of the West Indian Colonies to which I adverted in my Circular Dispatch of the 15th September as requiring revision in consequence of the recent change in the Colonial Society are those which relate to the constitution and government of the Malitia, Various suggestions for this purpose have engaged the attention of Her Majesty's Government but the result of the intelligence which has reached me on this subject has convinced me that under the existing circumstances of the West Indies it is scarcely possible to overcome the objections of the present Malitia system by any modification of its details. The malitia was originally established in the West Indies partly indeed with a view to repel hostile invasion during war but chiefly for the repression of any insurrection or dangerous movement among that large part of the population which was held in slavery. This force was constituted on the principle of the legal obligation of every freeman of a certain age to serve in it; a principle capable of being acted on so long as the free inhabitants formed a comparatively small

portion

portion of the community but altogether inapplicable to the present condition of universal freedom.

This circumstance alone would render it necessary to adopt a new principle in the organization of the Militia in the event of its continuance and a serious difficulty arises as to the mode of which such a reorganization should be effected. The exclusion of any class of the inhabitants from service in this force on account of their color or former servile condition would be contrary to the whole policy of the Government and would tend to perpetuate a distinction which it is most desirable to obliterate. On the other hand it is extremely doubtful whether in the present early stage of the new condition of society the plan could safely be resorted to of composing the Militia by ballot indiscriminately from the whole population. Again the motive which during the existence of slavery recommended the maintenance of a Militia as a security against internal commotion has passed away. All that is now wanting for the preservation of Order is an effective Police for which the Militia could in no case be an adequate substitute.

For protection from invasion (an event I trust extremely remote and improbable) these Colonies must chiefly depend on the Naval Force in the West Indies. But in the occurrence of any such contingency there could be little difficulty in organizing Corps of Volunteers to assist Her Majesty's regular Forces. The maintenance of a Militia

therefore

under present circumstances as a regular - - - establishment appears to Her Majesty's Government to be unnecessary and inexpedient while the considerable expenditure which it now imposes on the Colonies might be far more usefully applied in the maintenance of an efficient Police.

I am therefore to desire that you will take an early opportunity of bringing this subject under the attention of the Local Legislature and invite them to consider the expediency under the altered circumstances of the West Indies of a repeal or a suspension of the existing Malitia Laws.

The question of a renewal of this force on a different principle from that on which it has hitherto been constituted may if necessary be hereafter considered.

I have &c.

s^d Glenelg.

No 4

Government House

24th Jany 1839

Mr President and Gentlemen of the Council

Mr Speaker and Gentlemen of the Assembly

I have the honor to enclose to you Copy of a letter from the Governor in Chief together with Copy of a Despatch from Lord Glenelg covering two Orders of Her Majesty in Council of the 29th of November the one allowing and leaving to its operation the Act of this Island No 145 for abrogating the - - - unexpired term of apprenticeship &c and the other disallowing the Act No 146 for the better adjusting

and

and more easy recovery of servants wages

I have the honor to be Gentlemen &c.

To the Honorable James Daniel President
The President and Members of Council
The Speaker and Members of Assembly.

No 5

Copy Government House
Antigua 4th Jan.y 1839.

Sir

Referring to my Circular of the 3rd Sept I now enclose to you the Copy of a Despatch from Lord Glenelg transmitting an Order of Her Majesty in Council confirming the Act of the Nevis Legislature No 145 for abrogating the unexpired term of apprenticeship and also of another Order of Her Majesty in Council disallowing for the reasons therein assigned the Act No 146 for the better adjusting and more easy recovery of Servants Wages.

I have &c.

The Officer (sd.) W. M. G. Colebrooke.
Adm.r the Gov.t
Nevis

No 6

Copy Downing Street
1 December 1838.

Sir

Two Acts passed by the President Council and Assembly of Nevis in July last No 145 + 146 and transmitted in your despatch No 204 having been referred by the Queen in Council to the Lords Committee of Privy Council for Trade and Foreign Plantations that Committee have reported to Her Majesty in Council their opinion that the Act No

145

145 should be left to its operation and the Act No 146 be disallowed.

I have the honor to transmit to you herewith two Orders of Her Majesty in Council dated the 29th Ults approving that Report.

I have &c

(Sd) Glenelg

Sir W. M. G. Colebrooke.

No 7

At the Court at Buckingham Palace the 29th of November 1838

Present

The Queen's most Excellent Majesty

Lord Chancellor	Viscount Howick
Lord President	Lord Hill
Lord Privy Seal	Lord Glenelg
Lord Chamberlain	Sir Jno. Hobhouse Bt
Earl of Albemarle	Mr Chancellor of the Exchequer
Viscount Palmerston	

Whereas the Governor of Her Majesty's Island of Nevis with the Council and Assembly of the said Island did in the month of July 1838 pass an Act which has been transmitted entitled as follows viz No 145 An Act for abrogating the unexpired term of Apprenticeship remaining to be served by the Apprenticed Labourers of the Island of Nevis from and after the 1st day of August 1838. And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations and the said Committee have reported as their opinion to Her Majesty that the said Act should be left to its

its operation Her Majesty was thereupon this day pleased by and with the advice of her Privy Council to approve the said report. Whereof the Governor Lieutenant Governor or Commander in Chief for the time being of Her Majestys Island of Nevis and all other persons whom it may concern are to take notice and govern themselves accordingly

W. L. Bathurst.

No 8

At the Court at Buckingham Palace
The 29th day of November 1838

Present

The Queens most Excellent Majesty

Lord Chancellor	Viscount Howick
Lord President	Lord Hill
Lord Privy Seal	Lord Glenelg
Lord Chamberlain	Sir Jno Hobhouse Bt
Earl of Albemarle	Mr Chancellor of the Exchequer
Viscount Palmerston	

Whereas the Governor of Her Majestys Island of Nevis with the Council and Assembly of the said Island did in the month of July 1838 pass an Act which has been transmitted entitled as follows viz. Nat Hist. An Act for the better adjusting and more easy recovery of the wages of servants artificers handicraftsmen and other labourers and for the regulation and government of such persons And also to repeal an Act entitled an Act for speedy payment of labourers &c. And Whereas the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations

and

and the said Committee have reported as their opinion to Her Majesty that the said Act should not receive Her Majesty's Royal Confirmation.

Her Majesty was thereupon this day pleased by and with the advice of Her Privy Council to declare Her disallowance of the said Act and the same is hereby disallowed accordingly. Whereof the Governor Lieutenant Governor Commander in Chief for the time being of Her Majesty's Island of Nevis and all other persons whom it may concern are to take notice and govern themselves accordingly.

W. L. Bathurst

Despatches laid before the Board of Council on Thursday the 14th March 1839.

No 1

Mr President & Gentlemen of the Council
Mr Speaker & Gentlemen of the Assembly.

I have the honor to forward to you Copy of a letter from His Excellency the Governor in Chief covering a Despatch from Lord Glenelg disallowing the Dissenters Marriage Act of this Island for reasons explained by His Excellency and covering the Copy of an Order of Her Majesty in Council Confirming the Act No 144

I have the honor to be Gentlemen

To The Honorable The President and Members of Council
The Speaker and Members of Assembly

James Daniell President

Copy No 2.

Government House
Antigua 12th Feb.y 1839.

Sir

I enclose for your information and guidance

copy

copy of a Despatch from Lord Glenelg intimating that for reasons therein assigned His Lordship has felt it his duty to advise Her Majesty to withhold her confirmation of the Act passed by the Legislature of Nevis for regulating the solemnization of Dissenters Marriages hoping that the Legislature will see the propriety of passing laws in conformity with the provisions of the Order in Council communicated with my Circular Despatch of the 1st Nov. 1838. and also enclosing an Order of Her Majesty in Council leaving to its operation an Act of the Legislature of Nevis for granting an aid to Her Majesty.

I have &c.

His Excy (Sd) H. M. G. Colebrooke.
Admr the Govr of Nevis.

Copy No 3.
St Christopher
Nevis Downing Street
No 94. 1 January 1839.

Sir

I have been honoured with your two Despatches No 205 of the 3rd Sept. and No 266 of the 1st Nov. transmitting two Acts passed by the Legislatures of St Christophers and Nevis for regulating the solemnization of Dissenters Marriages in the Islands.

You will have been already in possession of my Circular Despatch of the 15th of Sept. enclosing copy of an order of Her Majesty in Council for amending the Marriage Laws in the Crown Colonies and your attention will have been called to the great difference which exists

between

between the Acts above alluded to, which are similar in their enactments and the provisions of the Order in Council.

Under these circumstances I have felt it my duty to advise Her Majesty not to confirm these Acts trusting that the Legislature will see the propriety of passing laws in conformity with the provisions of the Order in Council.

The Nevis Act not having a suspending Clause will be disallowed by Her Majesty in Council

I enclose an Order passed by the Queen in Council on the 12th ults. leaving the Act No. 144 to its operation.

I have &c.
(Sd) Glenelg.

No 4.

Government House.
25th Feby 1839.

Mr President & Gentlemen of the Council
Mr Speaker & Gentlemen of the Assembly.

I have the honor to enclose for your information and guidance Copies of Three Despatches from the Governor in Chief one of which dated the 25th of January enclosing a Despatch from Lord Glenelg marked No 98. on the question of the authority by which Labourers are dispossessed of their holdings on plantations by summary process, under warrants of Magistrates: and the two latter on the subject of the claims of tenants to reap the crops eventually which they may have planted should they be ejected before the same be matured.

I have the honor to be Gentlemen &c.
James Darnell President

Copy
Circular

No 5.

St. Christopher
18th Jany. 1839.

Sir

From the serious consequences which have ensued in some recent instances, where crops of ground provisions have been destroyed on the summary ejectment of labourers from plantations I request that you will recommend to the Council and Assembly of Nevis that in any Bill which they may pass for the regulation of contracts of service provision may be made on the termination of any agreement whether verbal or in writing and the removal of the labourer from off the plantation where he may have been employed that the standing crops, which he may have planted may be valued by umpires to be chosen respectively by the employer and the labourer and in any cases where the umpires may not agree that the decision of the Stipendiary Magistrate may be final.

I have &c.

W. M. G. Colebrooke

P.S. In cases where labourers may be subject to penalties for breach of contract their standing crops may be available for the discharge of such penalties or advances may be obtained on security of them for the payment of fines.

W. M. G. Colebrooke

Circular

No 6.

Government House
Antigua 1st Feb. 1839.

Sir

To obviate any misconception which may arise in

in regard to the provisions which I have recommended to be made by law for the valuation by umpires of the standing crops on the grounds of labourers on the dissolution of their contracts. I consider it proper with reference to my Circular Letters of the 18th & 25th of Jany and in accordance with the principle of the Common Law which recognizes the claim of tenants to reap the crops which they have planted that the object is only to provide for the valuation of such as may not be mature at the period of the removal of the labourer, being entitled to take them at his option he would probably do so when in a condition to be reaped, and by determining at any intermediate time the value for which the proprietor or the incoming tenant would be accountable, a prompt and equitable adjustment of the claim may be effected with advantage to all the parties interested

I have &c.

W. M. G. Colebrooke.

P. S. The provision which I have recommended will not necessarily be included in the Contract Act but may be made in a separate Act to accompany it.

W. M. G. Colebrooke.

Copy Circular

No 7.

Government House

Montreal 25th Jany 1839.

Sir

I enclose for your information and guidance and that of the Magistrates in Lower the copy of a Despatch from Lord Glenelg communicating His Lordship opinion and that of the Law Officers

of

of the Crown that without the enactment of some positive Law the right of dispossessing labourers from their holdings on plantations by summary process under the warrant of Magistrates does not appear to exist.

I request you will inform me if any specific Law may exist in Nevis sanctioning such summary ejectments.

His Honor I have &c.
The President Nevis. W. M. G. Colebrooke.

Copy

Antigua No. 98

Downing Street
15th December 1838.

Sir

I have received your Despatches marked General No 232 of the 15th October and 257 of the 7th Novr enclosing various reports on the state of the Colonies under your government during the months of August and September.

Most of the remarks which these communications would have called for have been anticipated by yourself in your letters to the respective Presidents and Lieut Governors which leave me little else to say than that I concur in your views and approve your instructions.

Some other matters touched on in these papers have already been noticed in my previous Despatches. There is one however on which though it has been necessary to advert to in my communication with Sir Murray McGregor and Sir L. Smith I have not yet had

occasion

occasion to address you, I allude to the assumption prevalent throughout the West Indies that apprenticed labourers holding over their premises after the 1st of August are liable to summary ejectment as mere trespassers without any action or other proceeding at law against them.

Sir H. MacLeod speaks of it as a matter of regret that summary ejectment is permitted by the Laws, and I observe that in all the Islands within the Leeward Island Government a few applications of this nature have been sanctioned by the Special Magistrates. I remark also that you yourself in condemning the impolicy of exercising this power do not suggest any doubt as to the legality of it.

I am at a loss however to discover any solid ground on which such a right can be asserted unless there is some positive law of ejectment on which it is founded; the emancipated labourer was found on the 1st Augt. not a trespasser, but the lawful occupant as a tenant at will of his residence and of the lands occupied with it. It might have been perfectly reasonable to devise some method by which an owner should easily recover possession against any tenant holding over without the Landlord's consent.

A law of this kind applicable to certain tenancies in this country was passed in the last Session of Parliament But without the enactment of some such positive law the right of dispossessing him by summary process under the Warrant of Magistrates does not appear to exist.

Having consulted the Law Officers of the Crown on this subject I find this to be their

decided

decided opinion.

I am happy to find that this assumed power does not seem as yet to have been extensively resorted to, and I trust that this explanation of the laws regarding it will put an effectual stop to those more general and oppressive proceedings which Sir H. MacLeod appears to apprehend.

I have to request that you will again communicate to that Officer my approbation of the course which he has adopted and my satisfaction at the success with which his exertions have been attended.

I have &c.

Governor (Sd) Glenelg.

Sir Wm M. G. Colebrooke

Despatches laid before the Board of Council on Thursday the 18th day of April 1839.

No 1.

Mr President and Gentlemen of the Council

Mr Speaker and Gentlemen of the Assembly

I have the honor to forward to you, copy of a Circular Despatch from His Excellency the Governor in Chief in which is recommended the formation of a Savings Bank where deposits might be made on the Public credit

I have the honor to be Gentlemen &c.

The Hon.ble James Daniell President

The President & Members of Council

The Speaker & Members of Assembly

Copy No. 2

Circular

Antigua

14th March 1839.

Sir

Some of the Stipendiary Magistrates having noticed in their reports, the inconvenience which is likely to be experienced from the funds of the Friendly Societies I request you will call the attention of the Council and Assembly to my former recommendation, that a Savings Bank should be formed in which deposits might be made in the security of the public credit and if provision should be made for the issue of small sums on loan on the principle of the loan funds which are incorporated in England the interest would be defrayed without charge to the public.

I have &c.

The Officer (Sd.) W. M. G. Colebrooke.
Adm.r the Gov.t Nevis

No 3

Government House
16th April 1839

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly.

I have the honor to enclose for the information and guidance of Your Hon.ble Board and House copy of a Letter from His Excellency the Governor in Chief dated the 14th March to which I recommend your attention.

I have the honor to be Gentlemen &c.

The Hon.ble James Daniell — Presedent
The President & Members of Council
The Speaker & Members of Assembly.

No 4.

Copy

Government House
Antigua 14th March 1839

Sir,

With reference to my personal communications

communications with you during my last visit to Nevis I request to call your attention and that of the Council and Assembly to the statement of the Stipendiary Magistrate as to the inconvenience . . . experienced by the poorer classes in recovering claims You are aware that provision has been made in this and other Islands by the appointment of a Court for the recovery of small debts and which has lately been extended to St. Christopher. I request also to urge upon the attention of the Legislature the claims of the poor, and the policy as well as the humanity of making adequate provision for their relief by the establishment of an Infirmary.

I have &c.

(sd) W. M. G. Colebrooke.

No 5.

Government House
17th April 1839.

Mr President & Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly.

I have the honor to transmit for your information and guidance, copy of a letter from the Governor in Chief covering a Despatch from Lord Glenelg announcing the disallowance of the Marriage Act of this Island, and confirming the Act entitled "an Act to establish a Court for the more easy recovery of small debts in the Island of Nevis.

I have the honor to be Gentlemen &c.

James Daniell President

The Honble
The President & Members of Council
The Speaker & Members of Assembly.

No. 6

Antigua 28th March 1839.

Sir,

I have the honor to transmit you copy of a despatch from Lord Glenelg enclosing two orders passed by Her Majesty in Council the one disallowing Act No. 143 entitled "An Act to regulate the solemnization of marriage among persons separated or dissenting from the established Church" the other leaving to its operation Act No. 141, entitled "An Act to establish a Court for the more easy recovery of small debts in the Island of Nevis.

His Honor
The President.

I have &c.
(Sd) W. M. G. Colebrooke.

No. 7.

Copy.
No. 97.

Nevis

Downing Street
5th February 1839

Sir

With reference to my Despatch of the 1st January last No. 94 I have the honor to transmit to you herewith an order passed by Her Majesty in Council on the 4th instant disallowing the Nevis Dissenters Marriage Act No. 143 for the reasons stated in that Despatch.

I have &c.
(Sd) Glenelg

No. 8.

At the Court at Buckingham Palace 4th Feby 1839.

Present.

The Queens most Excellent Majesty
Lord Chancellor — Viscount Palmerston
Lord President — Viscount Melbourne
Lord Privy Seal — Viscount Howick
Lord Steward — Lord Holland.

Lord Chamberlain — Lord Glenelg
Earl of Albemarle — Mr Poulett Thompson
Earl of Minto — Sir John Hobhouse Bt
Lord John Russell — Mr Chancellor of the Exchequer.

Whereas the Governor of Her Majesty's Island of Nevis with the Council and Assembly of the said Island did in the month of May 1838 pass an Act which has been transmitted entitled as follows. Viz. No 143 "An Act to regulate the solemnization of Marriage among persons separated or dissenting from the established Church." And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most Honble Privy Council . . . appointed for the consideration of all matters . . . relating to Trade and Foreign Plantations and the said Committee have reported as their opinion to Her Majesty that the said Act should not receive Her Majesty's Royal confirmation Her Majesty was thereupon this day pleased by and with the advice of Her Privy Council to declare Her disallowance of the said Act and the same is hereby disallowed accordingly. Whereof the Governor, Lieutenant Governor or . . . Commander in Chief for the time being of Her Majesty's Island of Nevis and all other persons whom it may concern are to take notice and govern themselves . . . accordingly.

(Sd) Greville

No 9.

Extract of a report of the Lords of the Committee of Privy Council for trade dated the 2th of January 1839 recommending the disallowance of Nevis Act No 143 because it is framed on principles in many respects inconsistent and at variance with those on which

For No. 10. Order in Council confirming Act No. 292.

the order of Your Majesty in Council of the 7th of September 1838. for amending in British Guiana, Trinidad, St. Lucia, the Cape of Good Hope and Mauritius the Marriage laws is framed.

Despatches laid before the Board of Council on Thursday the 23rd May 1839.

No 1

Government House
19th April 1839

Mr President and Gentlemen of the Council
Mr Speaker and Gentlemen of the Assembly

I have the honor to forward for your information copy of a Letter from His Excellency the Governor in Chief enclosing copy of a Despatch from Lord Glenelg relative to the Act for the relief of the Aged and infirm and the Police Act passed by your Honble Board and House

I have the honor to be Gentlemen

The Honble James Darnell President
The President & Members of Council
The Speaker & Members of Assembly

No 2

Antigua
12th April 1839

Copy.

Sir

I enclose for your information and that of the Council and Assembly of Nevis the Copy of a Despatch from Lord Glenelg relative to the Act for the relief of the aged and infirm, and the Police Act passed by them.

I have &c.

(Sd) W. M. G. Colebrooke

No. 3.

No. 100. Nevis

Downing Street
16th February 1839.

Sir

I have the honor to acknowledge the receipt of your Despatch No. 204 of the 3rd Sept. last transmitting with other Acts passed by the Legislature of Nevis, one for compelling masters to make a temporary provision for the care and maintenance of such of their Apprentices as may be unable from age or bodily or other infirmity from earning their own livelihood.

As my Circular despatch of the 1st Inst. relative to this subject will have put you in possession of a model of a poor law for the consideration of the local Legislature, I think it unnecessary to offer any remarks on the Act which I have received from you until they shall have had an opportunity of reconsidering the subject with the view of passing an Act in conformity with the tenor of that communication.

The same observations apply to the Nevis Police Act No. 136 adverted to in my Despatch of the 15th Oct. last No. 83, and which formed the subject of my Circular despatch of the 15th Ultimo.

I have &c.
(Sd.) Glenelg.

No. 4.

Government House
19th April 1839.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly.

I have

I have the honor to enclose for your information Copy of a Letter from His Excellency the Governor in Chief covering copy of a Despatch from the Marquis of Normanby announcing his succession to the office of Secretary of State for the Colonial Department on the resignation of Lord Glenelg.

I have the honor to be Gentlemen &c.

James. Darnell President

The Honble
The President & Members of Council
The Speaker & Members of Assembly.

Copy No. 5.

Circular.

Antigua
10th April 1839.

Sir,

I enclose for your information, the copy of a Circular Despatch from the Marquis of Normanby announcing his Lordship's acceptance of the Seals of the Colonial Department.

I have &c.

(sd) W. M. G. Colebrooke.

Circular No. 6.

Downing Street
20th February 1839.

Sir

Upon the resignation by Lord Glenelg of the seals of this Department, Her Majesty has been graciously pleased to place them in my hands.

In the relation which has thus been established between us it will be my constant desire to communicate with you on all subjects connected with the administration of the affairs of the

Colonies

Colonies under your Government in the spirit of confidence so essential to the success of Her Majesty's service in those parts of Her Majesty's Dominions.

I have &c.

(sd) Normanby.

No 7.

Government House

19th April 1839.

Mr President and Gentlemen of Council
Mr Speaker and Gentlemen of the Assembly.

I have the honor to enclose copy of a Letter from the Governor in Chief covering copy of a Despatch from the Secretary for the Colonies on the subject of transmitting copies of Acts of Parliament to this Island contingent on the regular return of copies of Acts passed by your Board and House.

I have the honor to be Gentlemen &c.

James Daniell – President

The Honble
The President & Members of Council
The Speaker & Members of Assembly.

Copy
Circular.

No 8.

Antigua

10th April 1839.

Sir

I enclose for your information and that of the Legislature of Nevis copy of a Circular Despatch from Lord Glenelg relative to the intended transmission of five copies of the Acts of Parliament, and I request that five printed copies of the Acts of the Legislature of Nevis

may

may be forwarded to me for transmission to England.

I have &c.

(sd) W. M. G. Colebrooke.

Nevis

Circular.

No. 9.

Downing Street

1st March 1839

Sir,

Her Majesty's Government having had under their consideration the inconvenience which may arise in the Colonial possessions of the Crown from an imperfect acquaintance in the Legislative Bodies and Courts of Justice with the Acts passed from time to time by the Imperial Legislature have made arrangements for supplying annually to each of the British Colonies so many copies of those Acts as may be required for the respective Legislatures and Courts of Justice.

This grant is made contingent on the regularity of your sending home annually five copies of the printed laws or proclamations passed by the Legislatures of the Leeward Islands during the year as already required by your general Instructions

These will accordingly be annually transmitted to you for those of the Colonies under your government five copies to be distributed as follows.

1. For the use of the Executive Govt to be deposited with the Colonial Secretary.
1. For the use of the Legislative Council.
1. For the use of the House of Assembly.
1. For the Supreme Courts of Justice.
1. For the Court of Equity or Admiralty.

You will make such arrangements as shall appear to you to be necessary in concert with the

Legislative

Legislative Bodies and the Judges of the Courts of Justice for the safe custody and preservation of those copies of Acts of Parliament.

(Sd) Normanby.

No 10. laid before the Board on the 10th April 1839. and omitted in folio 287.

At the Court at Buckingham Palace the 4th Feby 1839.

Present

The Queen's most Excellent Majesty.

Lord Chancellor	Viscount Palmerston
Lord President	Viscount Melbourne
Lord Privy Seal	Viscount Hewick
Lord Steward	Lord Holland
Lord Chamberlain	Lord Glenelg
Earl of Albermarle	Mr Poulett Thomson
Earl of Minto	Sir John Hobhouse
Lord John Russell	Mr Chancellor of the Exchequer

Whereas the Governor of Her Majesty's Island of Nevis with Council and Assembly of the said Island did in the month of May last pass an Act which has been transmitted entitled as follows viz An Act to establish a Court for the more easy recovery of small debts in the Island of Nevis and whereas the said Act has been referred to the Committee of the Lords of Her Majesty's most honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations and the said Committee have reported as their opinion to Her Majesty that the said Act should be left to its operation. Her Majesty was thereupon pleased this day by and with the advice of Her Privy Council to approve the said report Whereof the Governor, Lieut Governor, or Commander

in

in Chief for the time of Her Majesty's Island of Nevis and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Sd) Greville

No. 10

Government House
1st May 1839.

Mr President & Gentlemen of the Council
Mr Speaker & Gentlemen of the Assembly.

I have the honor to enclose for your information and guidance, Copy of a Despatch from His Excellency the Governor in Chief covering a despatch from Lord Normanby on the subject of the Acts No. 148 & 149 of this Island also copies of two despatches to which His Lordship's despatch refers.

I have the honor to be Gentlemen &c
James Dancell.

Enclosed under cover of Letter dated 19th Dec. 1838 to Council & Assembly

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Copy. No. 11.

Sir,

I have the honor to enclose for your information and guidance copy of a Despatch which I have received from the Secretary of State relative to two Acts the one No. 148 for regulating the security to be given by the Masters of Vessels and the other No. 149. for preventing the Clandestine Deportation of debtors &c. &c. and I request that the Acts when amended in conformity with the suggestions contained in Lord Glenelg's Despatch of the 15th Oct. may be forwarded to me as early as possible for transmission to England. I have &c.

(Sd) W. M. G. Colebrooke.

No. 2.

No. 12. Nevis

Downing Street.

6th March 1839.

Sir,

I have to acknowledge the receipt of your Despatch No. 3 of the 12th January transmitting two Acts passed the Legislature of Nevis in the month of Octr last the one No. 148 for regulating the security to be given by the Masters of Vessels and the other No. 149 for preventing the Clandestine deportation of Debtors &c.

As you state that you have recommended to the President of Nevis the propriety of amending these Acts in conformity with the suggestions contained in Lord Glenelg's despatch of the 15th of Octr No. 81 with reference to the St Christopher's deportation Act. Her Majesty's decision on these Acts will be suspended until I shall have been informed of the result of that recommendation.

I have &c.

Normanby.

No. 13

Government House

23rd May 1839

Mr President & Gentlemen of the Council

Mr Speaker & Gentlemen of the Assembly.

I have the honor to forward for your information Copy of a Circular Despatch from His Excellency the Governor in Chief relative to measures recommended for the relief of the poor in these Colonies and to which I request to invite your serious attention.

I have the honor to be Gentlemen

James Dowell. President

Circular
Copy

No. 14.

Antigua
20th May 1839.

Sir,

Referring to my Circular Letter of the 17th August 1838 as measures for the relief of the poor have been in progress in all the Islands and as the delays which have occurred in the application of that relief have occasioned great distress and in some instances been attended with fatal consequences I request that you will recommend to the Council and Assembly to pass a short Bill for the immediate relief of the aged and infirm poor by which time will be given for the consideration of measures which have been recommended by Her Majesty's Government and their application to the circumstances of society in these Colonies

(Sd.) W. M. G. Colebrooke.

Despatches laid before the Board of Council on Thursday the 6th day of June 1839.

No. 1.

Government House
23rd May 1839.

Mr. President and Gentlemen of the Council
Mr. Speaker and Gentlemen of the Assembly

I have the honor to enclose for the information and guidance of your Honble Board and House Copy of a Circular Letter from His Excellency the Governor in Chief covering Copy of a Communication which His Excellency was pleased to address to the President of St. Christopher in reply to certain resolutions

that

had passed the Council and Assembly of that Island affecting the relations which subsist between the Local Legislature and the Governor in Chief.

I have the honor to be Gentlemen &c.

James Daniell. President

Copy Circular

No. 2.

Government House
Antigua 18th May 1839.

Sir,

I enclose for your information and that of the Council and Assembly in Nevis the Copy of a communication which I have addressed to the President of St Christopher in reply to certain resolutions passed by the Council and Assembly of that Island affecting the relation which subsist between the Local Legislatures and the Governor in Chief

I have &c.

(sd) Wm. G. Colebrooke.

St Christopher Gazette 8th May 17th June

No. 3

298

Despatches laid before the Hon.ble
Board of Council on Thursday
the 20th day of June 1839. —

No. 1

Government House
18th June 1839.

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I have the honor to forward to you copy of a communication from His Excellency the Governor in Chief, requesting that I would inform him of any and what steps have been taken by your Board and House with respect to certain despatches of the Secretary of State, which had been laid before Your Board and House under cover of my Letter of the 3rd Jany. 1839, and 19th April 1839 — And I have to request you will afford me an early answer that I may transmit the same to His Excellency. —

I have the honor to be
Gentlemen
Your most obedient
Humble Servant
James Daniell
President

The Honorable
The President & members of Council
The Speaker & members of Assembly

No. 2.

Copy.

Antigua
10th June 1839

Sir,

With

With reference to my Letters dated 26th Nov. and 12 April I request you will inform me whether any and what steps have been taken by the Council and Assembly of Nevis in pursuance of the Secretary of State's Instructions contained in Lord Glenelg's Despatches No. 83, dated 15th Oct: 1838. No. 100 dated 16th Feb. 1839, and Circular dated 18th Jan.y 1839. —

I have &c.

(Sd) Wm. Colebrooke

Despatches laid before the Honble Board of Council on Thursday the 11th day of July 1839. —

No. 7.

Government House
26th June 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I have the honor to call the attention of Your Honorable Board and House to my communications and their enclosures, on the subject of making provision for the destitute poor and infirm of this Island. —

16th & 19th April
23rd May

From the number of applications which have made to me for relief of persons, and the cases of extreme want and destitution which have been brought to my notice, I am led again to impress upon your consideration the establishment of an Infirmary in this Island, I am sure, receiving your support, and placed under proper management

cannot

cannot fail to lessen the sum of human misery, while it will secure for Your Board and House their due reward of gratitude. —

I have the honor to enclose copy of two letters from William Weekes Esquire Church Warden of the Parish of Saint Paul, and to recommend immediate relief for the child whose case is particularly brought to my notice. —

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

The Honorable
The President & members of Council.
The Speaker & members of Assembly.

No. 2

Charles Town 23rd May 1839

Sir,

I was last Evening called on to bury a woman called Hannah she having died in a most destitute condition - and was at the same time informed she had left three young children the Eldest not more than Eighteen Months old and the two others (Twins) only six months - they have been supported for some time by charity.

I have given the necessary directions for the Burial of the Mother - but that three children of such tender age should be left without the most trifling means for their future support and there be no fund from which that can be derived is a most

a most lamentable and distressing circumstance and I feel myself called on to lay this extreme case before Your Honor on whose influence for the establishment of a public fund for their support the destitute and more especially the Orphan have a claim of the most pressing description — And the necessity for such is the more urgent as it must be expected from the state in which the persons forming the lower class in this Island generally live, similar cases are likely to occur frequently. —

I find the reputed father of the Children is Thomas Telford a Boatman and Porter from whom I do not anticipate much can be obtained towards the support of the Children, should he be willing to do so. and I believe he cannot be compelled to contribute anything. —

I have the honor to be
Your most obed Servt
Wm Weekes
Church-warden Parish S. Paul

P.S. Since writing the above I have ascertained that the eldest child is provided for Miss Drummer having undertaken the care of it and a poor woman with four children says she will provide for one of the others but I consider it would be improper to allow to do so without she is paid for it as I do not consider she is sufficiently well off to afford it the necessary support — I also learn that the reputed Father's relations are sufficiently well off to provide for the Children but it will take time

before

before they could be seen

His Honor
The President No. 3.
Copy.

Nevis 19th June 1839

Sir,

The person under whose care I placed the surviving child of Hannah deceased has this day brought it to me and refuses to keep it any longer without she is paid three Dollars a month in addition to the sum which Your Honor has sanctioned my paying her weekly I consider this an imposition but have not been able to find another person who would take the child on any terms.—

I have to pray Your Honor will be pleased to direct me how I am to act under these circumstances.—

I have &c
(Sd) Wm Weekes
Church Warden
Parish St Paul

His Honor
The President

vide page 308 for No: 4 from Pres.t enclosing No. 5 from Mr. Ross.

Despatches laid before The Hon: Board of Council on Thursday the 25th day of July 1839.—

No 1.

Government House
24th July 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly.

13th July 1839

I have the honor to forward to you, copy of a Despatch from His Excellency the Governor in Chief, on the subject of the Act for regulating Contracts of Service, in which His Excellency's sanction to it is conveyed, and a recommendation that provision be made for a Court of Petty Sessions, and for the appointment of a second Stipendiary Magistrate, as required by the order of Her Majesty in Council dated 7th September 1838.

In bringing this subject to your notice I have the honor to enclose a copy of the Order in Council, and at the same time, I think it expedient to observe, that it will be necessary for the confirmation of the Act in question, by Her Majesty in Council, that His Excellency's recommendation be adopted.—

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

The Hon.ble
The President & Members of Council
The Speaker & Members of Assembly

No. 2.

Copy.—

Antigua 15th July 1839

Sir,

I have duly considered the provisions of the Bill which has passed the Council and Assembly

Assembly of Nevis entitled:—

An Act to settle and explain the "force and effects of Contracts of service, to "regulate the relative rights and duties of "Masters and Servants &c."—

The Chief Justice having so clearly explained the deviations from the Order in Council, of the 7th Sept. 1838, I have only to express my concurrence in his opinion; that from the objections of the Laborers to enter into written Contracts, the tacit renewal of parole Contracts, when the parties are satisfied and continue to discharge their respective obligations will be attended with advantage.

I also concur in the expediency of excluding the Apprentice Clauses, and I consider the introduction of the Clause for securing to the Labourer the value of their growing crops to be equally just and politic.—

These ~~observations~~ provisions having my approval You are authorized to pass the Bill, but I request that you bring under the consideration of the Council and Assembly in reference to my Circular Letter of the 1st Nov: 1838, the expediency of making provision for a Second Stipendiary Magistrate and the appointment of a Petty Sessions, pursuant to the 5th Clause of the Order in Council.

I request that authenticated transcripts of the Contract Act may be forwarded to me without delay.

I have &c.

His Honor
The President
of Nevis

&c. &c. W.M.G. Colebrooke

Refer back to page 305, the two following Despatches being omitted to be inserted <u>there</u>.—

No. 4

Government House
10th July 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I have the honor to forward to you Copy of a letter which I have received from William Ross Esquire Attorney for the Assignees of Manning and Anderson with respect to the Premises at Morning Star lately occupied by a detachment of Troops and to which I request your early consideration.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

The Honble.
The President & Members of Council
The Speaker & Members of Assembly

No. 5

Charlestown 4th July 1839

Sir,

I have to acknowledge the receipt of your Letter of 1st June (at which time I was not in the Island) in which you state you expect that I have taken possession of the Premises at Morning Star which were occupied by H. M. Troops and if I have not done so you beg that I will do so now

I

I beg in reply to call Court Street's attention to the neglect of the necessary notice on giving up the Premises in question having been and also to the fact that they requires considerable repairs to long since as August last as appears by the Joint Resolution of the Honorable Board of Council and House of Assembly of 18th Aug. 1838 where it is stated "that the expence for repairs will at this time be borne by the Country" such repairs have not to this time been made and must in consequence of such long delay have considerably increased.

I would forego the want of notice which would end 31st Dec. next on the necessary repairs being made on the estimated amount paid over to me by this arrangement my Constituents will loose a half year's rent say £50 as it will take very considerable time to put the premises in such order as will render it in a fit state for the residence of a Family

I have the honor to be

Sir

Your most Obedient

Humble Servant

Wm Ross

Attorney of the Assignees

of Mannings & Anderdon.

Despatches laid before the Honorable Board of Council on Thursday the 19th day of September 1839.

No. 1.

Government House
August 16th 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

As the state of my health renders it necessary that I should repair to a cold climate, and thereby will have to resign the administration of Government in this Island, I take this opportunity of conveying to you, my cordial acknowledgements for the support which you have afforded me; and the conciliating policy which has marked your proceedings on all occasions.

Being a native of this Island, and much attached to its Inhabitants by every social tie, and friendly intercourse, I must ever feel a lively interest in its welfare, and it will always be a source of unfeigned gratification whilst in a distant Country to hear of its increasing prosperity:- with this sincere wish I respectfully and affectionately bid you, farewell.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
James Daniell
President

No. 3.

Government House
Sept. 6th 1839

Mr President & Gentlemen of the Council
Mr Speaker & Gentlemen of the Assembly

By a despatch from His Excellency Sir W.M.G. Colebrooke, I am directed to suggest to your respective bodies, the expediency of making provision for the Clergy for the current year, and I therefore quote a paragraph from His Excellency's Letter on the subject.

"In authorizing you to pass the Bill, I cannot but express my regret, that it should not have made a prospective provision for the Clergy on the same principle to provide by Bill at this late period of the year for the Salaries of Clergymen due on the 12th April last, and without making any provision, even for the current year, is calculated to subject them to serious inconvenience, and I cannot permit myself to doubt, that the Council and Assembly will be disposed to obviate this by a subsidiary enactment, which you will be pleased to recommend to their early consideration."

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
Josiah Webbe Maynard
President

No. 3.

Government House
6th September 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I beg leave to call your attention, to the subject of Vessels departing from this Port without the customary Sett pass through the President. such a custom has prevailed from the most remote period, and is attended with circumstances of propriety, and advantage to the Island; as it may prevent vessels from bringing improper characters, or taking away such as in the present state of society, may leave their families without giving the necessary securities according to Law.

Though the practice of having a Set-pass has ever prevailed, some persons have evaded it, stating, that there is no positive Law to this effect.

I therefore leave it to you, if in your wisdom you deem it necessary to frame a law for the purpose.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
Josiah Webbe Maynard

The Honorable
The President & Gentlemen of the Council
The Speaker & Gentlemen of the Assembly

No. 4

Government House
19 Sept. 1839

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I have the honor to forward for your information and guidance, a copy of a Despatch from His Excellency Sir W. M. G. Colebrooke, on the subject of two Acts, lately passed by Your Board and House, to which I request your early attention.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
Josiah Webbe Maynard

The Honorable
The President & Members of Council
The Speaker & Gentlemen of Assembly

No. 5.

Copy.

Govt. House
Antigua 29 Aug. 1839

Sir,

I have received Mr. President Daniell's letter with two Bills, the titles of which are subjoined.

With respect to the first of these Bills I request your attention to my letter of the 18th November 1838, in which I stated the necessity of introducing a clause suspending the operation of the Bill, then sent up, till

approved

approved by Her Majesty in Council, and also of noticing in the preamble, the second clause of that Bill which is the last of the present one. –

In regard to the second or Vagrant Bill I regret that I am unable to approve it, without limiting the jurisdiction to Stipendiary Magistrates. – I observe from the President's Letter of the 29th July that the House of Assembly decline to make provision for a second " Stipendiary Magistrate, but the Act may " nevertheless include the definition of the Magistrates, to whose jurisdiction cases may be specially referable. –

I have &c

(Sd) W.M.G. Colebrooke

1. Act to compel attendance of Members
2. Vagrant Act.

Ex.t of letter of 18 Nov.r 1838.

"I request that you will intimate to the Council and Assembly, that I am precluded from authorizing you to assent to the Act without a clause suspending its operation, until approved by Her Majesty in Council and which is enjoined in the Royal Instructions in all Acts which involve a change in the constitution of the local Assemblies

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Despatches laid before the Board of Council on Thursday the 5th day of December 1839. –

Mot.

Mr. President & Gentlemen of the Council
Mr. Speaker & Gentlemen of the Assembly

I have the honor to forward for your information copy of a Despatch from His Excellency the Governor in Chief in which His Excellency has signified his disallowance of the Road Bill and which from severe indisposition I have been prevented laying before you at an earlier date.

I have the honor to be
Gentlemen
Your Most Obedient
Humble Servant
Josiah Hobbes Maynard

The Honorable
The President & Members of Council
The Speaker & Members of Assembly

No. 2.

Copy.

Government House
Antigua 27th Sept. 1839.

Sir,

I received on the 21st Inst the Letter of the President Daniell of the 2nd of August with a Bill to make provision for the amendment and preservation of the public highways &c in Nevis.

The remarks which have occurred to me in regard to the provisions of this Bill, are that the limited extent of the Parishes will render it impracticable for them to provide for a competent Surveyor; except by uniting to appoint one, and that a divided superintendence is likely to be in other respects inefficient where

new

new lines of road require to be opened the Vestries must necessarily agree to act in concert. The most material objection however appears in the 14th Clause, by which Vestries are authorized to purchase land for increasing the width or altering the direction of the roads the valuation of such land in case of dispute, or the absence of the Proprietors being effected by the issue of a Precept to the Assemblymen of the Parish to associate themselves with the Vestry for that purpose. Now a reasonable exception might be taken to the association of the Vestry as appraisers where they are the parties whose valuation had been disputed and as the Assemblymen might also be objected to, it would be preferable that the precept should be directed to the Provost Marshal or to some other Public Officer to summon a Jury or to appoint Appraisers jointly to be nominated by the Vestry and the Proprietor or his representative to effect such valuation.

As it is proposed to pass the Act for two years an opportunity will be afforded of ascertaining within that period what amendments may be required & the objections which I have noticed to the provisions of the 14th Clause in regard to valuation alone prevent me from authorizing you to pass the Bill in its present form.

I have &c

(Sd) W. Mly. Colebrooke

Hd Stones
Pr President
Nevis

317.

No. 1 310 From President Daniell on his departing for America for the benefit of his health

" 2 311 From President Maynard suggesting and co-operating with the Gov.r in chief in providing for the Clergy more fully;

" 3 312 From President Maynard on subject of Let-pass granted through him but disregarded by Masters of Vessels.

" 4 313 From President forwarding

" 5 " From The Gov.r in chief respecting the Act for compelling attendance of Members and another on Vagrancy.

Despatches laid before The Board of Council on Thursday the 5th day of December 1839.

No. 1 315 From President forwarding

" 2 —"— From The Gov.r in chief on subject of Road Bill not meeting with his Excellency's sanction.

No. Page Local Legislatures and His Excellency.

Despatches laid before the Board of Council on Thursday the 20th of June 1839.—

No. 1 301 From President forwarding

" 2 302 From His Excellency the Gov. in chief with reference to His Letter of 26th Nov: and 12th April.—

Despatches laid before the Board of Council on Thursday the 11th day of July 1839.

No 1 302 From President enclosing

" 2 ~~303~~ 305 From Wm Weeks, Church Wardyn on subject of some children left destitute by death of the Mother & calling His Honor's attention to make provision for the same.—

" 4 308 From President forwarding

" 5 " From Mr Ross Attorney for the Assignees of Manning & Anderson respecting Morris's Star Barracks.—

Despatches laid before the Board of Council on Thursday 25th of July 1839.—

" 1 305 From President enclosing

" 2 306 From His Excellency the Gov. in Chief on subject of Act for regulating Contracts & that provision be made for a Court of Petty Sessions & a second Stipendiary Magistrate.—

Despatches laid before the Board of Council on Thursday 19th September 1839.—

From

No. 5. Page From Governor in Chief covering
" 6 289 From the Marquis of Normanby announcing his succession to the Office of Secretary of State for the Colonial Department on the resignation of Lord Glenelg.
" 7 290 From President enclosing
" 8 290 From Governor in Chief covering
" 9 291 From Lord Normanby relative to the intended transmission to each Island of five printed copies of the Acts of the Imperial Parliament in Exchange for five copies of all Acts passed by each Colonial Legislatures.

" 10 293 From President enclosing
" 11 293 From Governor in Chief covering
" 12 294. From Lord Normanby stating that Her Majesty's decision on the Acts No. 148 for regulating the security to be given by Masters of vessels, and No. 149 for preventing the Clandestine deportation of debtors until the amendments recommended in Lord Glenelg's despatch of the 15th Oct. shall have been made.
" 13 294 From President enclosing
" 14 295. From Governor in Chief recommending that a short Bill for the immediate relief of the poor be introduced.

Despatches laid before the Board of Council on Thursday the 4th June.

" 1 From President enclosing
" 2 From Governor in Chief covering
" 3 Copy of a communication from His Excellency to the President of St. Christopher on the subject of the relation existing between the

No Page agreeing as to the value of such crops the same to be valued by the Stipendiary Magistrate.

" 8 Explaining that in the preceding letter reference was made only to those crops which may not be mature at the period of the labourer removal.

Despatches laid before the Board of Council on Thursday the 18th day of April 1839.

" 1 282 From President enclosing

" 2 282 From Governor in Chief recommending the formation of a Savings Bank.

" 3 283 From President enclosing

4 283 From Governor in Chief recommending the passing of an Act to establish a Court for the recovery of small debts, and also an Act for the establishment of an Infirmary.

" 5 284 From President enclosing

" 6 285 From Governor in Chief covering

" 7 285 From Lord Glenelg transmitting

" 8 285 An order of Her Majesty in Council disallowing the Act of this Island No. 143 the Dissenters Marriage Bill.

" 9 286 Extract from a report of the Lords of the Committee of Privy Council for trade recommending the disallowance of the said Act.

" 10 292 An order in Council confirming the Act No 141 for establishing a Court for the recovery of small debts.

Despatches laid before the Board of Council on Thursday the 23rd May.

" 1 287 From President enclosing

" 2 287 From Governor in Chief covering

" 3 288 From Lord Glenelg relative to the Act for the relief of the Aged & Infirm, and the Police Act.

" 4 288 From President enclosing

No Page apprenticeship &c. and the other disallowing the Act No 146 for the better adjusting and more easy recovery of servant's wages &c.

Despatches laid before the Board of Council on Thursday the 14th March.

" 1 From President enclosing
2 Copy of a Despatch from His Excellency the Governor in Chief covering
" 3 Letter from Lord Glenelg disallowing the Dissenter's Marriage Bill of this Island on account of its enactments differing from an order of Her Majesty in Council for amending the marriage laws in the Crown Colonies and because there is no suspending clause to the same.
4 From President enclosing three Despatches from Governor in Chief namely
5 Transmitting
6 Copy of a Despatch from Lord Glenelg expressing his Lordship's opinion and that of the Law Officers of the Crown that without the enactment of some positive Law, the right of dispossessing labourers from their holdings on Plantations by summary process under the Warrant of Magistrates does not appear to exist
7 Recommending that in any Bill to be passed by the Legislature of this Island for the regulation of contracts of service provision may be made for the valuation by umpires of the standing crops of the labourer at the period of his leaving the estate and in the event of the umpires not

Despatches laid before the Board of Council on Tuesday the 15th January 1839.

No 1 258 From President forwarding

" 2 259 From Governor in Chief covering

" 3 260 Circular from the Secretary of State and Copy of an order in Council for preventing in the Crown Colonies the unauthorised occupation of land developing the principles on which it is desirable that laws applicable to the subject should be framed.

" 4 261 From Governor in Chief enclosing

" 5 263 From Lord Glenelg expressive of the anxiety of Her Majesty's Government to facilitate the reform of the Judicatures in the West Indies under the Act William IV Ch. 17. His Excellency hopes that the Legislature will make provision for the estimated quota of the expense for Nevis from the general resources of the Island recommends the subject to their immediate attention and hopes to be able to report a favourable result to Her Majesty's Government in time for the meeting of Parliament.

Despatches laid before the Board of Council on Thursday the 24th Jan.y 1839

" 1 268 From President enclosing

" 2 268 From Governor in Chief covering

" 3 269 Circular despatch from Lord Glenelg relative to the constitution and government of the Militia in the British West Indies.

" 4 271 From President enclosing

" 5 272 From Governor in Chief covering

" 6 272 From Lord Glenelg forwarding

" 7 273 Two orders of Her Majesty in Council of the 29th

" 8 274 November the one allowing the Act of this Island No 145 for abrogating the unexpired term of