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P A P E R S

RELATING TO

THE WEST INDIES:

VIZ.

LETTERS to Governor ELLIOT, from Mr. *Garnett*,
Mr. *Weekes*, and Mr. *Peterson*.

Copy of a LETTER from JOHN GARNETT, Esquire, Chief Justice of St. Christopher's, to Governor Elliot; dated Basse Terre, 16 August 1811.

(One Enclosure.)

Basseterre, 16th August 1811.

SIR,

I FEEL a very painful sensation on the necessity I consider myself under, of addressing myself to your Excellency, upon the subject of this my appeal to your Excellency's feelings and justice. I have seen an English newspaper, entitled the London Chronicle, of the 19th day of June; and that Paper contains a Letter, signed "*J. W. Tobin*," and is addressed to your Excellency, as Captain General and Governor in Chief, &c.; in which Letter the Author of it has inserted the following lines, in speaking of the Printer of the Saint Christopher Gazette: "He is a man the country is much indebted to, for having resisted the attempts made to silence his press. He has been most cruelly persecuted. But the sentence of his Judges will excite less surprise, when it is known that their Chief is an habitual drunkard, often intoxicated on the Bench, and was brought down in a litter to pass sentence on a Prisoner, on whose trial he had never been present."

It was with great surprise that I read such a falsehood in this man's Letter, published in that Paper, because, written to your Excellency as it was, under a dark, black, and infamous intention to traduce my character, I had no notice of it, or opportunity of refuting his charges and vindicating myself, which I could easily have done, and proved the falsehood of such assertions, and the mischievous tendency of this man's communications to your Excellency. In one part of his Letter, he says that I was brought down in a litter, to pass sentence on a Prisoner, on whose trial I had never been present. That this, as well as his other charges against me, is false, every other Judge, and every Gentleman at the Bar, can testify. I had the misfortune of having my leg broke on the 23d of March, last year, and was not able to attend to my duty on the Bench until the 12th day of June following, when I went to the Court-House in my carriage, and walked upon the Bench with crutches.—I have given directions to the Secretary, to make out a certified copy of all the proceedings against Howe the printer, on the indictment against him for publishing a libel, which shall be ready for your Excellency's perusal; and you will see, that, persecuted as this man is represented by Mr. Tobin to have been, after a Jury of his country had found him guilty, the sentence the Court passed upon him was, that he pay a Fine of £.25. currency (about £.13. sterling.) It may not be improper, when I am making this my appeal to your Excellency's justice, to state to your Excellency some, among other claims, which I humbly submit that I may lay before your Excellency for your consideration, with a hope and request that your Excellency will be pleased, in any manner that in your wisdom and justice you may think most fit, to cause an enquiry

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enquiry to be made, and which I humbly court and pray may be made, into the whole of my public conduct, in the various situations and appointments which I have, under the favour of my Sovereign and your Excellency's predecessors, been appointed to in this Island; and if, upon such enquiry, it shall appear that I have in any instance merited the censure or disapprobation of my most gracious Sovereign, or of your Excellency his representative, let me receive such sentence of disapprobation or punishment as I may deserve; and if, on the contrary, your Excellency shall, after such enquiry, be of opinion that my character as a public Officer has been wantonly and maliciously traduced and vilified, that you will then be pleased to represent to His Majesty's Ministers such your opinion, and thereby endeavour to remove from their breasts those unfavourable impressions which the false representations made by this man Tobin's Letter to your Excellency, and sent to them, may have created. I have had the honour of serving in the House of Assembly of this Island, as one of the Representatives for the principal parishes and towns of it, more than forty years, and have had the distinguished honour of serving as Speaker of that House for more than twenty-eight years; and have served my country, in the several situations in which I have been placed, with zeal and attention, and with very little emolument to myself. I take the liberty to send for your Excellency's perusal, the copy of an Address presented to me by the whole of the honourable the House of Assembly, just after I had taken leave of the House, and requested it to accept of my resignation of my seat, and my situation as its Speaker; in which your Excellency will see the sentiments that House entertained and expressed of my public conduct, not only as a Member and Speaker of that House, but in my other public situations. And in making this my appeal to your Excellency's justice and candour, I trust I do not presume to ask too much, when, feeling as I do such a stab made on my character and reputation, I humbly intreat that your Excellency will be pleased to give me up the original Letter, that I may endeavour to obtain against the Author of so infamous a libel, such redress as my much injured character claims some title to.

I have the honour to be, &c.

To
His Excellency Governor Elliot,
&c. &c. &c.

(Signed) JOHN GARNETT.

Enclosure in Mr. Garnett's Letter to Governor Elliott,
of the 16th August 1811.

(Copy.)

St. Christopher.

AT a Meeting of the Assembly, on Wednesday the 22d Instant,
the following Address was presented to the Honourable John
Garnett, Esquire.

To the Honourable John Garnett, Esquire, late Speaker of the
House of Assembly.

Sir,

WITH sentiments of respect and gratitude for public services, which such services seldom have or deserve to have excited, we request that you will accept the unanimous Thanks of the House of Assembly of Saint Christopher, for the exemplary manner in which you have invariably discharged the duties of the high and difficult office of Speaker.

To particularize any instance of merit in one branch of your office, would be doing an injury to the uniform exactness and propriety with which you have fulfilled them all. That every public Officer may deserve as well of his Country, and have his deserts gratefully acknowledged, is, for the honour of public functionaries, and the good of mankind, what we anxiously wish. In these sentiments we beg leave to subscribe ourselves,

Your affectionate
and respectful Fellow Citizens.

Assembly Room,
22^d March 1809.

(Signed) B. Amory,
Speaker.

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To which the following Answer was returned :

Mr. Speaker, and Gentlemen of the Assembly,

THE very distinguished and flattering testimony you have given, by your approbation of my conduct in the situation which, under the favour of your House, I had the honour of filling for so many years past, claims my warmest acknowledgements; and I beg leave to offer you my best thanks, for the sentiments you have expressed, in consequence of my exertions for the public service.

I am extremely happy, Gentlemen, to find that my feeble endeavours have succeeded in giving you satisfaction; and I beg leave to assure you, that I shall be ever ready to devote the greatest proportion of my time to the service of my country, and to the faithful discharge of the duties of any station I may hold in the Colony; by which I shall hope to merit a continuance of your favour and good opinion. To you, Mr. Speaker, I am much obliged, by the very handsome manner in which you have expressed the sentiments of the House of Assembly. And I am, with the highest respect,

Your affectionate and faithful

humble Servant,

(Signed) JOHN GARNETT.

Basseterre, 22.

Copy of LETTER from JAMES WEEKES, Esquire, Chief Justice of the Island of Nevis, to Governor Elliot; dated 12th August 1811.

(Copy.)

Nevis, 12th August 1811.

S I R,

EVERY man who possesses a spark of honourable feeling, or knows how to appreciate that principle in another, must, I think, peruse with disapprobation, if not with disgust, the extraordinary Letter which appears in some of the last London newspapers, and which purports to have been written to your Excellency by Mr. Tobin, of this Island, on the subject of Mr. Huggins's conduct to his Slaves.

It is not for me now to enquire how that Letter got into the public prints, unaccompanied as it is by any of the public documents from this Island, which were forwarded by your Excellency to the Earl of Liverpool; although I am inclined to imagine, that it could not be under the sanction of the British Parliament, as the wisdom and justice of that august Body would not, I think, suffer disgrace to be attached to any man's character, upon the bare insinuation of a private communication, much less countenance a statement to the world, by which the character, happiness, and perhaps the political existence of a whole community might be sacrificed to the malevolence of one individual. But I, who am so invidiously assailed by it, may be allowed to express the indignation which it has excited in my breast.

I stand in need of your Excellency's excuse for the liberty which I take in making the first expression of this feeling to you, and I confide in that excuse, and your indulgent judgment of my situation, when it is considered that I am bound by the duties of the high station which I have the honour to fill in this Island, to suppress all active passions towards Mr. Tobin, and that I shall, by this mode, place my Answer to his most unjustifiable attack on my honour, in the same channel which conveyed that imputation to the notice of His Majesty's Ministers.

I am not disposed to quarrel with Mr. Tobin, for charging me with being in debt (God knows, it is the too common lot of those who have a stake in this devoted country) although it is an insidious attempt to injure my credit, and wound the feelings of my family and friends in England; for, if a man's integrity is to be measured by his purse, I apprehend that Mr. Tobin himself will be found as deficient as most of us, and upon the same principle, the crimes of the rich man might be inverted. But it is the base, malevolent, and unmanly endeavour to couple my pecuniary circumstances with the exercise of my public duty, which demands from me an explicit justification of myself.

I do not wish to disguise that I stand in the situation of most men who have recently become proprietors of West India estates; injured in my fortune by the

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the calamities which the Colonies have laboured under, and the necessity of supporting the Slaves, at the expense almost of the whole produce of their labour. But it must be evident, that I did not consider myself so desperately circumstanced as Mr. Tobin would insinuate, when I relinquished a profitable part of my practice in the Courts here, for the purpose of attending more closely to my estate; and, not being an avaricious man, I entertained the sanguine hope, that whilst I enjoyed some mental tranquillity, in one of the most healthy retreats in this part of the globe, and personally administered to the comfort of my Slaves, I had the prospect of obtaining an easy independence.

To compensate, however, for the loss of my professional profits, and in the hope that the experience of twenty years practice of the Law might enable me to discharge the duties of Chief Judge with some advantage to the Colony, I obtained that honourable situation on the death of Mr. Daniel.

And now, Sir, having stated thus much in answer to the charge of that poverty which was to degrade my principles, allow me to say something of my public character.

I studied the law, commencing as far back as the year 1787, under one of the most respectable practitioners in London, whose regards, as well as instructions, it was my happiness to share; and I need only mention the name of the late Abel Jenkins, Esquire, of New Inn, to bring to the recollection of most, if not all, the present exalted Law Characters, one of the most honourable and worthy men that ever graced the profession.

I practised in London several years as a Solicitor, in every Court of Law and Equity, I trust with credit and respectability; and it is now nearly eleven years that I have been in this Country, a Member of the St. Kitts' and Nevis Bars, and five years a Member of His Majesty's Council of this Island. I have, during this period, held many other respectable appointments, shared the most lucrative and important business of either Island, and, without any local interest or connexion, been honoured with the friendship and good offices of every gentleman who has had the government of these Colonies; to which I can have had no other claim than an unimpeached integrity and independent conduct in the discharge of my public duty. I thought myself beyond the breath of slander, before the insinuation which now calls for my animadversion, and I challenge malevolence itself to adduce one instance of malversation in my public conduct.

In the conduct (as Senior King's Counsel) of the unhappy business which has brought such evils on the Colony, I conscientiously and faithfully discharged my duty to my King and Country, and acted up to the directions of the Legislature by whom the proceedings were authorized; and I may add, as an additional refutation of the infamous insinuation which Mr. Tobin's Letter would convey, if it means any thing, that it has been publicly known, that for a considerable time past, and previous to the commission of the act for which he was tried, I was not on terms of intimacy with Mr. Huggins.

I had many opportunities of conferring with your Excellency, during your visit to this Island, and you will do me the justice to recollect, that I insinuated no observation, nor made any communication, calculated to prejudice or injure any individual in the Country; on the contrary, that I most cordially seconded your Excellency's wishes to put an end to the distressing feuds of the Colonies. I despise too much the character of a slanderer or an informer, to become either myself.

Having said thus much as respects myself, allow me, Sir, to deplore the consequences which are likely to fall on this unhappy Colony, and to be felt by all the West India Settlements, if the prejudice that Mr. Tobin has taken such very unjustifiable means to raise, against this Colony in particular, should be acted upon, without that deliberative justice which has ever marked the proceedings of the British Government.

It is not now a charge against Mr. Huggins alone for his crimes, but against a whole community, as if all were equally guilty; and extreme indeed would be the guilt of that community, if such crimes as Mr. Tobin has stated, should be suffered to go unpunished. But this, as yet, rests upon the underhand insinuations of one man; by whom Judges, Lawyers, Magistrates, Grand and Common Jurors, forming the great majority of the inhabitants, and including almost all the Members of the Legislature, are indiscriminately held up, with Mr. Huggins, for public execration.

It is not for my feeble pen to rescue the community from this obloquy. The charges

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charges are made, and I hope will be investigated. But I may be allowed to say, that there are in this Island as great a proportion, for its population, of men of education, of high honour, and possessing as nice a sense of what is due to humanity, as in any country on earth; and I really think that, amongst them, not another man could be found to indite such a Letter as occasions this address to your Excellency.

I sincerely apologize to your Excellency, for thus occupying your valuable time; and I rely on your justice and known impartiality, to allow this Letter to reach those, in whose estimation I may otherwise be more injured than I trust I am in your Excellency's, by the insinuations made against me.

To
His Excellency Hugh Elliot, Esq.
Captain General,
&c. &c. &c.

I have the honour, &c.
(Signed) JAMES WEEKES.

Copy of LETTER from JOHN PETERSON, Esquire, to Governor Elliot;
dated Nevis, 19th August 1811.

(Copy.)

Nevis, Monday, 19th August 1811.

SIR,

HAVING seen in a London newspaper an extract of a Letter, stated to have been addressed to your Excellency in the month of September last, by Mr. J. W. Tobin of this Island, in which my name is introduced, under circumstances the most disgraceful and degrading, and in a manner evidently calculated in the first instance to make me appear contemptible and odious in the eyes of your Excellency, and, as it has turned out, in those of His Majesty's Ministers, and of all mankind; I hope your Excellency will think I only do myself justice in troubling you with these lines, and in requesting that you will be graciously pleased to transmit them to the Earl of Liverpool, for the purpose of rescuing my name and character from imputations not more detestable than unmerited.—Mr. Tobin has ventured to assert in that Letter, that "of the *five* Lawyers in Court, " four were retained on one side; and the Cause of the King would have been left " to Mr. Peterson, a gentleman, who, after studying the law for a few months " in the Fort of which he is the Captain Gunner, was called to the Bar here, and " immediately obtained a silk gown from the then Commander in Chief, by " means of which he succeeded Mr. Weekes as a matter of course. Both he, " the Chief Judge, and the Marshal, are overwhelmed with debt." After reading such a paragraph, will your Excellency believe it possible, that there were not only *five*, but *eight* or more Lawyers, Barristers, in Court, the day of Mr. Huggins's trial, the 1st May 1810; that the person first named, who, as Mr. Tobin perfectly well knew, was then under a recent and most heart-breaking affliction, and had resumed his professional business, more for the purpose of diverting his mind from his grief, than any other, had studied the Law, not only for a few months in the Fort, but, having been liberally educated in England, for years, had been in actual practice in the Courts of this Island for *six* years antecedent to that trial—had been admitted a Member of the Honourable Society of Lincoln's-Inn in 1807—had been called to the Bar here in April 1808—and had been honoured with a Patent as King's Counsel in March 1809, spontaneously offered by the late Mr. Woodley, when Commander in Chief of the Leeward Islands, by means of which he *adventitiously*, and several months subsequent to that trial, became the only resident King's Counsel, in consequence of Mr. Weekes being appointed Chief Justice, after the death of the late Chief Justice and President of the Council Mr. Daniell; and that this same Mr. Peterson was the Junior of four King's Counsel, not retained by Mr. Huggins, who practised at the Nevis Bar, though two of them were not then present, but all of whom might have performed an active part on the behalf of the Crown, if it had been necessary; to say nothing of the Attorney General and the Solicitor General, His Majesty's standing and regular Law Officers of the Leeward Island Government, and who might have been called upon to conduct and support that or any other prosecution at the suit of the King, if the occasion had required it, or the proper measures had been pursued for that purpose. Will not your
Excellency

Excellency immediately perceive, that "*the cause of the King*" could not have been left, in that or any other instance, to the unhappy person whom Mr. Tobin has taken upon himself so disgracefully to denounce, but by laches, and a dereliction of duty at once the most extraordinary and the most criminal? Regardless, however, of an implication so palpably obvious and injurious, and besides supposing a case all but impossible, this ingenious Informer adds, "Mr. Peterson is overwhelmed with debt." In order (insidiously, let me say) to prepossess your Excellency's mind with the most odious opinion of a man whom he must have been conscious that he was traducing, when he caused that sentence to be penned. Sir, it is true that I am in debt, but it is not true that I am so "*overwhelmed*," as is above insinuated; and every well educated West Indian can tell your Excellency, and many an one feels, if Mr. Tobin will not, or fortunately does not, that independence of mind and of conduct, and a high sense of honour, can well subsist with embarrassed circumstances. A single debt, not less of honour than of misfortune, which human wit or prudence cannot always avert, to my partners in an extensive but unprosperous mercantile establishment many years ago at Martinico, for my proportion of our losses, is the only one from which I cannot with facility extricate myself, provided I am suffered to enjoy "a quiet conscience and an honourable name;" which Mr. J. W. Tobin can with admiration extol and defend in a poor Printer, but undermine and attempt to destroy in a man of liberal education and unblemished character, but whose principles and opinions do not accord in all things with his own. Permit me to add, Sir, that I first became acquainted with Mr. J. W. Tobin upwards of five and twenty years ago in England, and, from the circumstance of his mother's family being nearly and intimately connected with mine there, I learnt early in life how to appreciate his principles and pretensions: no intimacy, however, has ever subsisted between him and me to the present day: and whether he has discovered, that I set no value upon those principles and pretensions, and has therefore been actuated by unworthy motives; or whether, because I have not been violent and clamorous against Mr. Huggins, but having occasionally reprobated the irregularity of some of the proceedings, and the acrimony of many of the reflections upon him and his family, I have thereby raised a suspicion that I was disposed to favour his cause, I am at a loss to determine; but if this attack may be attributed to the former, it is despicable; if to the latter, I do most absolutely and unequivocally disallow the charge, and commit this vindication of myself to the breast of your Excellency, and to that of every other good man.

I have the honour to be, &c.

(Signed) JN° PETERSON.

His Excellency,
Hugh Elliot, Esquire,
&c. &c. &c.

P A P E R S

RELATING TO

THE WEST INDIES:

VIZ.

LETTERS to Governor ELLIOT, from
Mr. Garnett, Mr. Weakes, and Mr. Peterson.

*Ordered, by The House of Commons, to be printed,
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