

**Goodwin's
Abstracts of Letters,
1698-1707**

Folio numbers	Date of original letter	Summary of contents	Duplicates/ other sources related.	Other notes
Intro 1-3		Headed 'Laws, Ordinances & Constitutions For the Good Government of ye Island St: Helena; Taken out of the severall Charters, Grants, & Priviledges of Crowned Heads, As also out of the Rt: Honoble Comp: Trading to the East Indies Large Instructions & Letters Directed to the Governors: thereof from Time to Time. The Worshipfull Thomas Goodwin Esq. Governor of the Island St: Helena, March 25 1708		
f.1-2	1673	'Taken out of a Charter Granted by King Charles the 2d.: dated the 3d of April in the 25 th year of his Reign when the Island was retaken from the Dutch' . Grants the 'Governour and Comp' the privilege to make and revoke laws, impose punishments including 'the taking away of life or member',, to nominate and confirm governors and other officials. All Governors appointed by the Company are granted 'the authority of Government' on the island and authorised to exercise this authority in case of any rebellion or mutiny, 'flying to the enemy', refusing to serve in wars. Governor's power to administer a legal oath. All persons born on the island are 'free Denizens and Naturall Subjects' of the island.	Original in the Museum, transcription by Trevor Hearl in library.	Reference is made to 'Book No.A' where the instructions are said to be 'more at large'
f. 3-5	1673	A copy of the first commission of the Governmt: after ye retaking the island from the Dutch'. Appointment of Richard Field as Governor, Anthony Beale as Deputy. Instructions given to make platforms for the defense of the island; enlist planters under officers of the Company and train planters in handling arms; building of houses permitted; each planter to receive an assignment of land which can be passed on to their heirs but not sold or alienated until it has been lived on and 'improved' for at least four years; a register to be kept of land sales, grants, and alienations, and of births, marriages, deaths; no labour or pastimes on the Sabbath; no swearing permitted;		
f.6-8	20/02/77	Observing the Sabbath; Island to be in 'a posture of defense'; regulations on building houses near fortifications; market place to be built and inhabitants banned from going onboard ships without permission; length of planting and improving of land before sale raised to seven years; maintenance of Company table.	A copy of letter in LB1 f. 21	
f.9-11	20/03/79	Details of land and inheritance, incl. Division between wife and children in cases of dying intestate.		
f. 11-12	14/04/80	Complaint that three mutinous men should not have been sent back to England, which will 'encourage rather than dismay men of that temper', but tried on the Island according to the law of England.		

f.12-24	10/03/81	<p>Command to punish offenders on the island according to letters patent of Charles II dated 18 December in the 25th year of his reign; keeping of the Sabbath; provision of public places of worship and administration of the sacrament; prayers to be said for the King and for the East India Company; when present a minister must catechize the young people of the island; justice to be dispensed without favour or affection and no one should be imprisoned without the reason being clearly stated; appointment of a sheriff to be made to 'inspect all Matters and affairs within the said island, both for preserving the Company's Right and for the maintaining of Peace' – incl. Suppression of rebellion; drunkenness forbidden – warning to be given for a first offense and fines for subsequent lapses; 'all fornications, uncleanness and adultery be forborne' and punishments to be administered 'in such a way that shall be found most Efficacious and Agreeable to ye nature of ye People & not contrary to the Laws and Constitutions of ye Kingdom of England.'; punishments for theft, witnesses, death sentence for murder, jury of twelve English men – either mariners or constant inhabitants; punishments for violence towards or imprisonment of the governor extending to death; death sentence to be imposed for mutiny, rebellion and aiding enemies; trading with 'interlopers' forbidden, as is supplying necessities before obtaining the consent of the government. Proclamation banning all trade with interlopers or relief or them is to be published and permission only granted by direct authorisation of the thirteen or more of the Court Committees, of which the Governor and Deputy are to be one. Trade is also allowed in cases in which the Commanders or mariners 'shall voluntarily and of their own accord Deliver up such Shipp's', in which case refreshment and 'full liberty of trade and traffick' is to be granted. All stock not part of the Joint General Cargo to be returned, and any of the merchants that wish to are to be employed in Company service; if a private ship has been trading only to Madagascar for slaves, it should be lawful for them to trade under terms specified by the Governor.</p>	<p>Sheriff is not appointed – Marshall equivalent?</p>
f.25-27	14/03/81	<p>The company suspects that interlopers are calling at the island to trade in calicoes with the Company ships in calicoes. All foreigners calling at the island (named are Dutch, French, Portuguese, and Danes) to pay anchorage only, while 'such English who invade our trade' are to pay Duties of Tunnage and well as anchorage; Madagascar ships also to pay tonnage; sale of liquor and tobacco banned except for those with a license; annual list of inhabitants to be made; a list of slaves employed should also be sent – taking slaves from Madagascar ships instead of money is mentioned as a possibility; power to suspend any member of the Council is granted at the discretion of the Governor.</p>	

Notes that several cases that have come before the court appear trivial, and notes that the system of laws was laid out for Bombay, which has a population of 20,000 while St Helena has around 500 (excluding slaves). Therefore, trial by jury to be reserved for capital cases; admonitions about trading with interlopers – Pitts (prob. Thomas Pitt) is mentioned; number of gun salutes reduced and saluting interlopers disapproved of; watching and warding duties for planters reduced; cutting timber banned and fine imposed; planters permitted to buy slaves on consideration of the situation in Barbados; inhabitants are urged to produce better commodities than yams, potatoes and plantains; duty levied on trade as at Fort St George, Bombay and elsewhere; goods covered are sugar, arrack, wine and callico. Madagascar ships to leave one male or female slave and Company ships five shillings for anchorage and a barrel of powder; scandalous reports of loose women going onboard ships – this to be prevented without written license and all trade to be conducted in an open market; sale of alcohol and tobacco prohibited without license; only free planters (not shopkeepers, artifices) to elected parish wardens; all inhabitants compelled to perform labour for the upkeep of the highways; interlopers to be refreshed at a cost of twenty shillings if necessary to save their lives; inhabitants forbidden to allow cattle to stray, payments set for grazing on Company waste land; note that 'in all parts of the known World and amongst all sorts of Religions, the Inhabitants do pay something towards the Charge of a Minister' – therefore levied; ordered 'that no Blacks do use fire armes, for shooting of Guinea Hens, or upon any pretense whatsoever, upon the Penalty of the Black being severly whipt and his service to be ever after forfitt to the Company; fencing of great wood (two miles square) is ordered.

May be in part from BL.
E/3/90, f. 89-98
although this is dated
01/08/1682

f.27-34

01/08/83

f.34

Charter from Charles II giving permission to establish martial law, to erect fortifications 09/08/85 against foreign powers and domestic insurrections.

Also in BL E/3/90 a letter on this date to Bencoulen also mentions an order to St Helena to send slaves and instructions to Capt. Harding for the transport of slaves and iron hoops, he is also advised to join the Council and 'convince them of our moderation and their own happiness which consists in being under a regular government.' Their way of life now described as 'to the disgrace of our Policy and & nacōn there being no such disorderly Place as that was to be soon in any part of India, where any European nacōn was ever settled.'

f. 35-39 03/08/87 Complaints that the Council have been too lenient towards 'Woolyford the interloper from Madagascar; also that they have disobeyed ordered from the Directors and allowed their own instructions to be disobeyed; as inhabitants pay almost all their bills in cattle, these are to be sold only to the Company in return for 'our Europe commodities' and then sold on by the Company to the Captains of ships in return for 'sugar, arrack, or other commodities of India'; harsh punishments for 'ungovernable' men ordered and orders of Thomas Grantham to be obeyed. Ordered to make extracts of all instructions except those later remitted to serve as 'Magna Carta' in demonstration of his Majesty's 'despotical power' over all plantations. Punishment for slaves – whipping is considered too lenient, rebellion at Barbados noted; reprovved for sending prisoners home rather than banishing them like the 'wise Dutch' to Sumatra; law regarding compensation for executed slaves by other slave owners confirmed. 'If you say you want shipping to Banish offenders to Bencoolen or Indrapora that deserve death you must keep such offenders in prison until you have one of our ships with you for Bombay or Fort St George'.

f. 39 05/12/98 Inhabitants banned from wearing swords, as are soldiers when off duty; noted that 'there is a very great traffic drawn on the island of Distilling arrack from Roots and Fruitess, which will soon Consume the greater part of the wood on the island (if it not be especially prevented). Therefore use of wood must be agreed between the Company and inhabitants before any distillation is permitted. Dutch to be exempted from customs charges as long as this practice is maintained for English ships calling at the Cape.

f. 40-41 16/04/05 Land to be let out to inhabitants of 'civil department'; a case of a ship lost near Wales is cited and the Council are ordered to make sure all ships are fully supplied, even if they refuse to give accounts of goods received; note that the Governor is 'complained against as being to[o] arbitrary' – told to send an account of any disagreements within the Council. The Governor is also reprovved for compliance in allowing French men to go into the country on the pretense of shooting.

f. 41-42 18/01/02 Ordered to supply the Captains of men o' war for their own tables and take bills for the expense. Capt. Tollat to assist with fortifications.

f. 42-43 17/02/02 Told to make the island as strong as possible as defense against both merchant ships and men o' war; account of stores to be sent; consultations to be held at least once a week; account of all trade with visiting ships to be kept; disposal of goods of prisoners.

- Receipt of consultation books noted; divisions between Governors and Council hinted – as the account books had been concealed from the Governor; for a 'political reason' dollars are to go for six shillings a piece; price for cattle paid to inhabitants to be set at a standing rate' rather than at any price offered by ship captains; ordered to control all those that come onshore – in response to complaint about Jones and Walgrave; note that in all factories in India the power of the Governor has been reduced to one vote in
- f. 44 31/12/03 Council and in case of diasagreements the matter to be decided by lot.
- Register to be kept of all land rented or allocated to inhabitants; Keeble's 'Justice of the Peace' sent and other law books would be sent if it were not a standing rule that English acts of parliament are restricted to England, Wales and Bewick and do not apply outside these areas; references to shortages of beef, apparently indicating shortage, noted that some of the planters had asked permission to go to 'Pulocondore', but 'we believe that Pulocondore is withdrawn before this time, because we have sent orders to remove that factory and our Effects there to Benjar in Burneo where we intend to settle a strong Fortification'. Any planters therefore permitted to go there or to Bombay or Bencoulen but 'such of them that are quiet useful people we had rather that they should stay than go thither, and we doubt not that but a little good management on your part may prevail to desist them from their desires.' After a Danish ship left without paying duties, these are ordered to be taken first, including out of English
- f. 45-48 30/10/03 ships.
- Told to settle accounts with 'any of our own and the old and new Company's ships' and of men o'war – references to the United Trade. Goods and stores; hard labour for criminals rather than banishment to Benjarr as was the case with four men convicted of felony and incest. Outgoing letter has discrepancies in the yearly charge of the island – putting it variously at two or three thousand pounds. Accounts to be sent showing how goods sent from England or India are sold; complaints about failure of Governor to keep order among drunken young men coming ashore from ships; salute ships but try to save powder.
- f. 49-54 14/10/.1705
- In reference to 'the Soldiers and Blacks running away' reply is that this can be prevented with caution and by not allowing the acculmulation of large debts at punch houses. Note request for hospital for sick soldiers 'whose landlords turns them out when they begin to sicken'. Therefore allows a 'suitable house' to be appointed 'for the Receptacle of any Souldiers as they begin to Decline in their health and proper ppsons to look after them and let them have suitable provisions, and let it not be below your care our Councill to Inspect and soe they are taken care of, at the same time we must recommend you to be as frugall as you can'. No French or other foreigners to be permitted to view the island and no foreign ships to sound the island on pretense of fishing; all English ships to lie close to ladder hill, punishments for not attending to
- f. 54-56 20/12/06 alarms

f.57-58 23/05/07 Calls for account of whether the employees of the company 'behave themselves' and 'answer the ends for which we took them into our service'. Sent on the *Northumberland* which is en route to Bencoulen. Council is told to make up the Charter Party and send on with any other documents needing to go to Bencoulen; account of wine and brady and other stores to be sent.

f. 59-70 no date 'Laws, Ordinances and Constitutions for the good Government of the Island of St Helena being briefly taken out of the severall Letters Laws and Ordinances directed to the Governour and Council of the said Island from time to time Both by the Right Honble the Old and United East India Company by Vertue Power and authority of Derived to them by two Charters from Charles the second ... and her present Majesty Queen Anne in her tripartate indenture'. These are to be set up in Chappell House near Fort St James so no inhabitants can plead ignorance of them 'as too many have lately done'. Divided into subject headings – religion, Sabbath, swearing, fornication, thieving, duties of officers, wearing swords, disposal of land and wills, every inhabitant with more than four slaves also to keep an English man to attend alarms or make a payment, poll tax for church repairs, loose women, arrack, distilling killing of guinea hens and turtle doves and other game forbidden outside own land (f. 69),

'Laws and Orders Constituted for the Negroe Slaves' – the first page is the paragraph of the Company's instructions approving the tax for compensating the owners of slaves executed for crimes and the second 'by the Inhabitants of the said Island with the approbation of Governor and Council.' These seem to be extracted from various parts of the consultation and prohibit: 'Wandering on Sundays' without token indicating permission from master or mistress, penalty for 'pilfering or stealing' set at twenty lashes on the naked body inflicted by the master or mistress in the presence of the person 'so offended' (stolen from) unless the value of the theft was over thirty shillings, in which case the slave should be beaten for three days at the fort. Runaways for more than three days and three nights are to be punished as a thief. For house-breaking the slave should be brought to the fort and receive hundred lashes, the punishment continuing for three days and a branding 'R' on his forehead. Male slaves aged sixteen and above to suffer castration for striking any white person and if this kills him the slave-owning inhabitants should pay his value. 'In relation to those that shall give saucy Language Resist Oppose or Strike any White Person' – resistance is punished with double the punishment for runaways and branding, for striking a female is to be severely whipped, have her ears cut off and branded 'R' on her forehead and both cheeks. Death is the penalty for a slave striking a white person with a weapon 'Except those white persons which Demean and Debase themselves in Conversing Corresponding and Gaming with Blacks as if they were Equals, which we judge shall have no more Bennefitt of those laws than Blacks themselves'. Excepting these white people, slaves are to be whipped for 'sawcy or impertinent language'. Slaves are not permitted to sell things or barter with one another or to Any white person bartering with a slave to be fined four-fold restitution to the owners of the slave and a fine to the Lords Proprietors. 'No black to Prescribe Physick Each to Another' – 'That no Negroe whatsoever shall prescribe or Administer any Physick or Medicinne whatsoever to any Negro or Negroes without the Consent of his or their Mistress of that Negro unto whom Medecine unto under the penalty of severe correction according to the judgement of the Governour and Council' - also forbidden to receive medicine, 'upon the penalty of like pain and punishment as the pretended black doctor'.

f. 71-76

f. 77-79

Notes on letters above from 1705 and 1706

folio numbers stop here

f.80-84

Extracts from letter Extracts from letter labelled 1711 Todington and Thistleworth – paragraph numbers are given, some out of order. Some specific cases referred to in (para. 76-101)

f.85

'Letter of the Abingdon, 1712, makes reference to squabbles within the Council – told not to write accusing one another, no more plantations bought and all possible land to be leased or sold.

f.86-91	<p>1713, Governor's Commission to be published on his arrival and then entered in the Council Book – orders extracts of letters and instructions, copies of council books, which are to describe affairs of the island 'in the manner of a journal'. Spanish coin to the value of one hundred pounds sent from England, another hundred to come in farthings from Fort St George. Care to be taken to suppress drinking among inhabitants, accounts of cattle to be sent and enquiries made about what happened to the stock of goats. (59) 'An account to be sent ye Company how the seeds and plants thrive, and what will be annually wanted, with directions abt em and to write to India for any other sort of seed and plants proper for St Helena; (60): Grape Vines to be Improv'd so that if possible wine can be made or grapes sold for refreshment.' (61) Account to be sent of all slaves and how they are employed, (63) to consider fencing in the greatwood and Endeavour to Raise more redwood trees, (64) 'to encourage the Increasing of Indian corn', (65) Buildings to be carefully preserved and kept in repair, after being built store houses are to be divided into four – one for arrack and all liquids, another for India Goods and one for Europe and a fourth for Navall Stores'. 89 'Not to entertaine any as a Soldr at or under 14 years of age', 93, fishery to be encouraged and taken care of as also (94) asses.</p>	<p>Followed by several blank pages.</p>
f. 92-3	<p>1707 Letter of the Northumberland and letter of the Westinouland, 1708 – on accounts, pay of soldiers, Company bound by an act of parliament not to break the bulk of stores before reaching England, but if Portuguese ships arrive they can be furnished with East India Goods out of the stores; hogs to be banned in the valley if problematic.</p>	
f.94-111	<p>Index and Appendix – very detail list of subjects, but page/ folio numbers are missing because of tears to the edges of the paper.</p>	