

## **ANGUILLA FROM THE ARCHIVES, 1650-1776**

### **INTRODUCTION**

I am not a historian. I am by profession a barrister and solicitor of the Eastern Caribbean Supreme Court in private practice, first in St Kitts from 1971 and then in Anguilla from 1981. I was born in St Kitts in 1946, the son of Arthur Donaldson Mitchell born in St Vincent of Grenadian parents and Murielle, nee Owen, of Molyneux, St Kitts, the daughter of the late Albert Elliot Owen of North Hill, Anguilla, and his wife Elise, nee Uddenberg, of St Kitts. I received my secondary schooling at the Roman Catholic Benedictine boarding school of Mount St. Benedict in Trinidad. In 1964 I went to London where I completed my secondary schooling and later went on to study law at the Inns of Court School of Law as a member of the Honourable Society of the Inner Temple. I returned to the West Indies in 1971 to do my pupillage in St Kitts with my uncle, Frank Henville OBE, QC, and first hung out my shingle in Basseterre in early 1972.

In 1976, at the invitation of the Government of Anguilla, I gave up my private practice in St Kitts and came to Anguilla with my wife Margaret on a four year contract as Magistrate of Anguilla and Registrar of the Supreme Court. As the only lawyer, other than the Attorney General, working for the Government, my duties took an interesting number of turns. The Magistrate's

Court, it is true, seldom took more than a half day each week. The Judge, for whom the Magistrate clerked as Registrar, came on circuit twice a year for no more than four weeks at a time. Besides being the Magistrate and Registrar of the Supreme Court, other duties included being the Coroner; Registrar General of Births Deaths and Marriages; Registrar of Companies, Deeds, Insurance, Trade Marks, Patents, Co-operative Societies, Credit Unions, Friendly Societies, Newspapers, Trades Unions; Secretary to the Medical Board; and Archivist.

During 1977 and 1978 our office was called on to assist the Attorney General with the revision of the Laws of Anguilla inherited from the previous relationship with the Associated State of St Kitts, Nevis and Anguilla, from which Anguilla successfully unilaterally seceded by force of arms in 1967. With the help of the Registry staff of Mary Richardson and Marjorie Connor, we also set up the first Registers of Companies and Insurances and Trade Marks, and sorted out the post-Revolutionary registry files from the cardboard boxes and shelves where they lay in untidy heaps. Until 1977, for example, companies were registered by placing the documents in a box under a table. With Anguilla beginning to develop as a tax haven, several hundred companies needed to be sorted out, numbered, registered and filed away in suitable metal filing cabinets, which we acquired for the purpose.

During the course of this work in the Registry, I came across a bundle, perhaps six inches thick, wrapped in brown paper and tied with string and lying in the back of the Registry vault. When I opened it I saw that it was made up of a large number of very old, frayed and disintegrating pages. As I turned the first page over, I felt how brittle and fragile it was. A piece of it fell off. I read the page with difficulty. The spelling and punctuation were seventeenth century. Parts of the top of the page and bits of the right hand margin were missing. It was a copy of a 1673 patent from deputy governor Abraham Howell to Ensign Thomas Romney of a piece of land in Blowing Point. I was interested and determined to read every page in the bundle. I was certain this was an archival treasure undiscovered for a hundred years. I did not yet know that the Baker Report of 1965 listed this bundle as "*Court Records, Kings Bench and Common Pleas, Vice-Admiralty, etc, Council Minutes, Deeds, etc, c.1740-80 (1 bundle) (fragmented)*," nor that Miss Kathleen Manchester and Dr SB Jones relied on it for their historical works on Anguilla.

At that time, I was ignorant of the techniques for preservation of archives. I was aware from touching the first page that the very act of turning the page in an attempt to read the other side would likely result in damage to the sheet of paper. There were no micro-film

facilities on the island. I needed to do something to preserve the contents of the bundle, while at the same time satisfying my need to read the pages. The solution I settled on was to obtain from Accountant-General Ralph Hodge at the Treasury four large hard-cover note books. Onto the first page of the first volume I wrote out in long hand exactly what I read on the first page of the bundle. I carefully turned the fragile page over, and on the next page of the note book I wrote what I saw on the reverse. I continued in this way for some 927 pages. I copied the spelling and punctuation as accurately as I could. Where words were missing, I marked a space between square brackets thus: [ . . . ]. Where the missing words seemed obvious, I wrote them in between the same square brackets so that it would be clear that I was supplying the missing words. This exercise took concentration and patience and nearly a year of time, but eventually it was all done.

To my disappointment, there was not a single document in the bundle dating back to an earlier period of the island's history than that first one that started me off. I placed the bundle of old pages back in its original brown paper wrapping and tied it firmly with string between two hard board covers and marked it "*Fragile. Not to be opened*", and placed again at the back of the vault. This

work is mainly the product of the notes I made in those four ledgers that Ralph Hodge gave me.

The oldest of the deeds and patents for land I found in the bundle are not themselves the originals. They are copies, or perhaps copies of copies, made by the Clerks to the Council during the period 1750 to 1780, when litigants submitted their deeds in evidence during disputes being heard before the island Council. The copies were made as part of the taking of evidence during these trials of land and boundary disputes. Errors may have crept in during these repeated copyings over such a long period. However, that bundle, and the copy of it I made in the four note books, makes up the only archival material that we know of located in Anguilla shedding light on the earliest period of Anguilla's history.

In subsequent years I collected additional material when I visited the Public Records Office at Kew Gardens in London. There I examined the Colonial Office records and took many copies. The Colonial Office documents provided additional material for the text, and helped me to understand the background against which the Anguilla archives must be read to be properly understood. I was also helped by the many old volumes on the Caribbean that I read at the magnificent library at the Royal Commonwealth Society in Northumberland Avenue, where I stayed when I visited London. Gina Douglas at

the Linnean Society produced copies of geological, zoological and botanical works on the island, some written over a hundred years ago.

Nat Hodge at Radio Anguilla is responsible for this work being started back in 1978. He was frequently at the Court House seeking news items for the government radio station and his then recently started Government Information Service (GIS) Bulletin. He sometimes met me working at transcribing the fading and tattered sheets of the archives. He sometimes helped as I tried to put together the jig-saw bits of disintegrating pages. It was at his request that the following chapters were first written, and published chapter by chapter in the GIS. It was this form of publication that determined the original chapter lengths and the general format of the text. For this new publication, I have corrected several errors that have come to my attention since then and added further material I later discovered.

Of the hundreds of decisions of the Council that have survived, only samples are reproduced, to give the flavour of the time. I have tried to limit the documents quoted to those that give an insight of this earliest period, 1650 the year of the island's first colonial settlement to 1776 the year of the Declaration of American Independence. A more comprehensive history, including the modern period, must wait for a professional historian.

These chapters were first written on Government time. For that reason, I have transferred the copyright to the Anguilla Archaeological and Historical Society in the hope that it will one day find a publisher and sell many copies to help raise the funds that the Society will need to establish the Museum that will serve to preserve the archives which started it all off.

Most of the illustrations I have selected for the work I have taken off the internet, and I believe they are all out of copyright. I must thank Penny Slinger, premier artist of the Amerindians of Anguilla, for giving permission for her paintings to be used to illustrate the Chapter dealing with them. I also thank the British National Archives for permission to use extracts of the documents relating to Anguilla as illustrations. If there is any other illustration that I should acknowledge or seek permission to use, I shall be happy to do so.

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