

137-38

3 6 7 8 9 10 1 2 3 4

0566

97

ISLAND OF ALDERNEY.

CORRESPONDENCE relating to SPECIE in Circulation: 1802.

LETTERS from Gen^l ESTE, Lord PELHAM, and The Attorney and Solicitor General; dated in March, April, and May 1802;—relative to an Ordinance published by the Jurats of the Island of Alderney, making a temporary Alteration in a part of the Specie in Circulation in that Island.

—No. 1.—

Copy of a Letter from B^l Gen^l ESTE to the R^l Hon^{ble} Lord PELHAM; dated Alderney, 28 March 1802.

My Lord, Alderney, March 28, 1802.

I HAVE the honour to address your Lordship on an occurrence that has happened in this Island, which I shall briefly state to you; and enclose the copies of such Papers as, I trust, will sufficiently explain the matter, and the difficulties I feel myself placed in at the present moment.

On the 22d of this month, I was told that the Court of Jurats on the preceding day, Sunday, had caused an Ordinance to be published at the church door, making a temporary alteration in a part of the Specie in circulation in this Island; on the report of which, I issued a Proclamation forbidding the operation of such Ordinance, and soon afterwards procured a copy of the Ordinance; a copy of which is in the enclosed Paper, marked (No. 1.) and my Proclamation (No. 2.)

In the night of the 23d, my Proclamation was torn down, and on the 24th fresh copies were stuck up, and at the bottom of each the *N. B.* marked (No. 3.) These, in the night of the 25th, met with the same fate as those stuck up on the 22d.

On the 27th I issued another Proclamation, a copy of which is in the enclosed Paper, marked (No. 4.); this has been also torn down in the course of the night.

On the 22d I issued an Order to the Troops, forbidding officers or men to receive or to pay the Six Livre piece at more than it had formerly passed for, a copy of which is also in the same Paper, marked (No. 5.)

I shall not trouble your Lordship further on this occasion than to observe, that I strongly felt it my duty to take the line of conduct I have done, not only from the motive expressed in my Proclamation, but as I saw it injurious to the people at large that a set of interested men, like those composing the Court of Jurats of this Island, should attempt to exercise such power, and particularly at a time when the injury might become serious; as the French, since the ratification of the Preliminary Treaty, have carried on an intercourse with this and the neighbouring Islands, under the pretext of supplying provisions.

ISLAND OF ALDERNEY:—SPECIE

I trust your Lordship will forgive me troubling you on this occasion, and that you will have the goodness to point out to me, if I should have appeared hitherto to have pursued a proper line of conduct, such other steps as I should take to enforce the Authority of the Deputy Governor, in support of the measures or line of conduct I have taken.

To the Right Hon. Lord Pelham, &c. &c. &c. I am, &c. &c. (Signed) CHAS WM ESTE, B. G.

TRANSLATED COPY.

The 20th March, 1802—In the presence of Mr. John Olliver, Judge Delegate; Present, Messrs. Nicholas Robilliard, Peter Gauvain, Nicholas Barbenson, Thomas de Coctue, and Jean de Berr, Jurats of the Court.

THE Court having this day had an extraordinary Meeting, proceeded to take into consideration the great scarcity of Silver Coin in this Island, and hearing the conclusion of the Deputy King's Procuror, have ordained, that Six Livre pieces shall be current at Five Shillings and Threepence sterling, and Three Livre pieces shall be current at Two Shillings and Sevenpence Halfpenny sterling each: and forbid all Men and any one to refuse to take in payment any of the said Coins at the footing above-mentioned, until it be otherwise ordained.

This Act to be published at the end of the Sermon, and affixed at the usual places, that no Person may plead ignorance thereof. (Signed) Fred^l Williams, Dep^y Greffier.

(No. 2.)

BY Charles William Este, Esq^r Brigadier General commanding the Troops in the Island of Alderney, and Deputy Governor of the same.

IT having been reported to me, that the Court of Jurats have caused a publication to be made yesterday at the door of the church of this Island, purporting, that Six Livre pieces are to pass current for Five Shillings and Threepence, English, each; Brigadier General Este, as Deputy Governor, notifies to the Public, that the Court of Jurats have assumed a power of issuing an Edict on a subject where the power is only vested in the Governor of the Island, or his Representative: he therefore publicly makes known to the Inhabitants, and all Persons trading to this Island, that by the authority vested in him, no such matter will at the present be suffered to be carried into effect, as he conceives it would be fraught with much mischief, as opening a door for English Guineas and other Monies to be conveyed to France at a very depreciated value, and contrary to the existing laws and custom of the United Kingdom, where a Six Livre piece is only received for Four Shillings and Sixpence.

The Six Livre piece is permitted, as before, to pass for Five Shillings, a sufficient indulgence to the Inhabitants, considering its real value.

Given under my hand and seal, at Alderney, this 22d day of March 1802. (Signed) CHAS WM ESTE, M. G. & D. G.

(No. 3.)

M. B. Any person discovered in the act of tearing or otherwise defacing this Proclamation, will be delivered over to the Civil Magistrates, to be proceeded against for contempt to the Supreme Authority.

By Order of the Deputy Governor, (Signed) J. Brock, B. M. March 24, 1802.

(No. 4.)

BY Charles William Este, Brigadier General commanding the Troops, &c. &c. in the Island of Alderney, and Deputy Governor of the same.

WHEREAS some evil-minded person or persons have repeatedly torn down a Proclamation of the Deputy Governor, notifying to the Public, that the Court of Jurats had assumed an authority contrary to Law, in issuing an Ordinance of the 20th

IN CIRCULATION;—1802.

20th of the present month, commanding a temporary alteration in a part of the current Specie of the Island, injurious to the Public, depreciating the current Coin of the United Kingdom, and opening a door for conveying it to France greatly below its standard and current worth, and contrary to the laws of the said Kingdom, on which this Island is dependant, and which alteration the said Proclamation forbids to take place: Now these are to signify to the Public, That any person or persons who will give information of the perpetrator or perpetrators concerned in pulling down of said Proclamation, he or they shall receive the sum of Five Pounds on the conviction of any one offender concerned in the said outrage, the money to be paid by the Treasurer of the Island immediately after such conviction; and all charges attending the conviction are to be borne at the public expense of the Island.

Given under my hand and seal this twenty-seventh day of March 1802.

(Signed) CHAS WM ESTE, B. G. & D. G.

(No. 5.)

G. O. Parole - - - Vauxhall.

Alderney, Monday March 22, 1802.

THE Officers and Troops are directed to pay and receive the French Crown at the value of Five Shillings only; the alteration attempted by the Court of Jurats not only having been done without the knowledge of the Brigadier General, as Deputy Governor, but as also being detrimental to and depreciating the Coin of England.

—No. 2.—

Copy of a Letter from Lord Pelham to the Attorney and Solicitor General; dated 6th April 1802.

Gentlemen, Whitehall, 6th April 1802. I TRANSMIT to you herewith a Letter, and its Enclosure, from Brigadier General Este, Commander of His Majesty's Forces in the Island of Alderney, representing that the Court of Jurats of that Island had, on the 21st ultimo, caused an Ordinance to be published at the church doors, without the authority or sanction of the Governor or Deputy Governor of the Island, altering the value of the French Coin in circulation there; and I am to desire that you will take the same into your consideration, and report to me, for His Majesty's information, your opinion whether, and how far, the Court of Jurats were warranted by Law in that proceeding.

I am, &c. &c. (Signed) PELHAM. The Attorney and Solicitor General.

—No. 3.—

Copy of a Letter from the Attorney and Solicitor General to Lord Pelham; dated 10 April 1802.

My Lord, April 10th 1802.

WE have had the honour to receive your Lordships Letter transmitting to us a Letter from Brigadier General Este, dated Alderney the 28th March last, with its Enclosure, relative to an Ordinance published by the Jurats, making a temporary alteration in a part of the Specie in circulation, and the steps taken by him in consequence; and desiring that we would take the same into our consideration, and report to your Lordship, for His Majesty's information, whether the steps so taken were proper, and what other measures should be adopted upon the occasion.

We have accordingly taken the same into consideration, and are of opinion, that the Ordinance so issued by the Jurats was wholly without authority, and that the Deputy Governor did perfectly right in notifying to the Inhabitants, and to all others whom it might concern, by his Proclamation, that the said Ordinance was wholly unauthorised, and that it would not be countenanced by him; and the measures which

100

4 ISLAND OF ALDERNEY:—SPECIE, &c.

which he has taken to endeavour to discover the Persons who have torn down his Proclamation, seem also to be perfectly proper. It does not occur to us to recommend any new measure to be adopted. The Ordinance in question, as we have stated before, is a mere nullity; the legal value of the current Specie remains unaltered; payments, and tenders of payments, must continue to be made according to the denomination of value which belonged to the current Specie before the Ordinance, or they can have no legal avail: in short, the Ordinance has no more legal authority, as published by the Jurats, than if it had been published by any other unauthorized individual. As such unauthorized interference with the King's Prerogative is by no means an innocent or an indifferent act, should it be repeated, or supported by any further proceeding, we think it would be proper to have the same notified to your Lordship, that it might be communicated to His Majesty in Council, for him to consider what steps, consistent with former precedents, it may be proper to take with respect to animadversion upon, and punishment of those Jurats, who illegally and contumaciously assume to themselves the exercise of this branch of the Royal Prerogative.

We have, &c.
(Signed) EDWARD LAW,
SP. PERCEVAL.

—No. 4.—

Copy of a Letter from Lord Pelham to Brigadier General Este.

Sir, Whitehall, 6th May 1802.

THE communication in your letter dated the 28th of March, respecting the proceedings of the Court of Jurats, in attempting to introduce an alteration in value of a part of the Specie in circulation, was of so extraordinary a nature, that I judged it to be proper, previously to laying the Dispatch before the King, to state the particulars of it to His Majesty's Law Officers for their Opinion; and I have it now in command to inclose to you that Opinion, with a desire that you will transmit a copy of it to the Court of Jurats.

Taking for granted that the Proceedings in that Court in this instance arose from mistake respecting the extent of its powers, it is unnecessary to do more at present, than to caution the Jurats against the inevitable consequences of similar proceedings in future.

I am, &c. &c.
P E L H A M.

Brig' Gen' Este.

10th April
1803.

101

0569

102

ISLAND OF ALDERNEY.
CORRESPONDENCE relating to SPECIE in
Circulation: 1802.

Letters from Genl EAST, Lord PRUDMAN, and
the Attorney and Solicitor General; dated in
March, April, and May 1802; relative to an
Ordinance published by the Jurats of the
Island of Alderney, making a temporary
alteration in a part of the Specie in Circulation
in that Island.

Ordered, by The House of Commons, to be printed,
24 April 1811.