

CHAP. 107.

An Act for the Federation and general Government of the Leeward Islands. [21st August 1871.] A.D. 1871.

WHEREAS the several legislative bodies of Her Majesty's Leeward Islands have, by certain resolutions, signified their desire for the union of the said islands under one government in manner therein set forth, and have requested that the said resolutions may be embodied in an Act of the Imperial Parliament with all such provisions as may be necessary to give them full force and effect, and it is expedient that the said union should be established:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Leeward Islands Act, 1871." Short title.

2. So soon as this Act shall come into operation in the Leeward Islands, those islands shall form one colony, consisting of six presidencies, namely, the several islands of Antigua, Montserrat, Saint Christopher, Nevis, and Dominica, with their respective dependencies, and the Virgin Islands. Colony of Leeward Islands.

3. In this Act the following terms shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant thereto; (that is to say,) Definition of terms.

"Governor" shall mean the Governor or officer for the time being administering the general government of the Leeward Islands:-

"General Government" and "General Legislature" shall respectively mean the government and legislature of the Leeward Islands:

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"Island Government," "Island Council," and "Island Legislature" shall mean respectively the government, legislative body, or legislature of one of the above-named presidencies:

"Proclamation" shall mean a written or printed notice under the hand of the Governor, published by his order in each of the presidencies which it may directly concern.

Commencement of Act.

4. This Act shall come into operation in the Leeward Islands on a day to be declared by proclamation.

Executive Council.

5. There shall be an Executive Council of the Leeward Islands consisting of such persons or officers as the Queen may from time to time name or designate.

Appointment of officers.

6. The Queen may, from time to time, appoint such officers of the General Government as Her Majesty may think fit, with such salaries as may be assigned to them by the General Legislature.

General Legislative Council.

7. There shall be in the Leeward Islands a legislative body, to be styled "The General Legislative Council," composed of ten elective and ten non-elective members.

Provided that the proceedings of the Council shall not be invalid on account of any vacancies therein.

Elective members.

8. Of the elective members, four shall be taken from the Island Council of Antigua, three from that of Saint Christopher, two from that of Dominica, and one from that of Nevis. They shall respectively be chosen by the elective members of the island council from which they are taken, in such manner as the said island council may, from time to time, by any standing rule determine, and within such period as may, from time to time, be prescribed by proclamation.

Non-elective members.

9. The non-elective members shall be appointed by the Queen in such manner and under such conditions as Her Majesty may think fit, and shall be as follows:

President:

A President, who at the time of his appointment shall be member of some island council:

Official members:

Three official members, who shall at the time of their appointment be officers of the General Government, and shall ipso facto vacate their seats on ceasing to be so:

Unofficial members.

Six unofficial members, of whom one shall be taken from each of the island councils, and who shall ipso facto vacate their seats on ceasing to be members of such councils.

Legislative powers of the Council.

10. Subject to the provisions of the twenty-fifth and twenty-sixth sections of this Act, the Governor, with the consent of the General Legislative Council, herein-after referred to as "the

Council," may make laws, for the Leeward Islands or any part thereof, on the following subjects: A.D. 1871.

1. The law of real and personal property, including wills, testaments, probate, and administration of estates of deceased persons:
2. The mercantile law:
3. The law relating to husband and wife, parent and child, marriage, divorce, and guardianship of infants:
4. The criminal law:
5. The constitution of courts of law, the criminal and civil administration of justice, including the jurisdiction, practice, and procedure of all courts of law, criminal and civil:
6. The establishment and regulation of a common convict station and a common prison discipline:
7. The establishment and regulation of a general police force, and of the other protective forces of the Leeward Islands:
8. The post office and the electric telegraph:
9. Quarantine:
10. Currency:
11. Weights and measures:
12. Audit of the public accounts in the several presidencies:
13. Education:
14. Immigration and treatment of immigrants:
15. Idiots, lunatics, and idiot and lunatic asylums:
16. Copyrights and patents:
17. The constitution and procedure of the Council:
18. Such other subjects in respect of each presidency as the Island Legislature thereof may declare to be within the competency of the General Legislature.

Legislative powers of Presidencies.

11. Subject to the provisions of the twenty-fifth and twenty-sixth sections of this Act, the Governor may, with the consent of the Legislative Body of any presidency, make laws for the peace, order, and good government thereof, but any island enactment relating to any of the subjects named in the preceding section may at any time be repealed or altered by the General Legislature, and shall, without any formal repeal, be void so far as it is repugnant to any law passed by the General Legislature.

Convocation, &c. of General Legislative Council.

12. The Council may from time to time be convoked, prorogued, and dissolved by any instrument under the hand and seal of the Governor.

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When to be convoked.

13. The Council shall be so convoked within six months after this Act shall come into operation in the Leeward Islands, and afterwards once (at least) in every year.

Place of meeting.

14. The place of meeting of the Council shall from time to time be fixed by proclamation.

Duration of Council.

15. The duration of the Council, unless sooner dissolved, shall be three years.

Oath to be taken by the members of the General Legislative Council.

16. Every member of the Council shall, before taking his seat, take and subscribe before the Governor, or some person authorised by him, the following oath of allegiance:

"I, *A.B.*, do swear that I will be faithful and bear true allegiance "to Her Majesty Queen Victoria, her heirs and successors, "according to law.

"So help me GOD."

But any person authorised by law to affirm or declare instead of taking an oath may make such affirmation or declaration in lieu of the said oath.

Appointment of vice-president of General Legislative Council.

17. The Council shall appoint one of the members of the Council to be vice-president thereof.

Resignation of unofficial members.

18. Every member of the Council, except the official members, may resign his seat therein by writing under his hand addressed to the Governor.

Vacation of seats on acceptance of office.

19. Every elective member who shall accept any office under the Crown shall vacate his seat in the said Council, but shall be eligible for re-election.

Appointment of elective members in case of vacancy.

20. When any elective member vacates his seat in the Council otherwise than by the dissolution or other determination thereof, the elective members of the island council which he represented shall choose a successor within three months after notice of such vacancy shall have been proclaimed in the presidency; and if they fail to do so within that time the Governor shall appoint a person from that island council to fill such vacancy.

Quorum.

21. Until otherwise determined by the Council, the Council shall not be considered as constituted for the despatch of business unless at least eleven members be present and assisting thereat.

Majority of voices to decide.

22. Questions arising in the Council shall be decided by a majority of voices; the President shall, in all cases, have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

Initiation of money votes.

23. No vote or resolution shall be proposed in the Council having for its object to charge any part of the revenues arising

within the said Leeward Islands, except by one of the official members, or with the express approval or direction of the Governor.

Assent to Bills.

24. When a Bill passed by the Council is presented to the Governor for his assent, he shall declare according to his discretion either that he assents thereto, or that he refuses his assent to the same, or that he reserves the same for the signification of Her Majesty's pleasure thereon.

Disallowance of Acts.

25. When the Governor assents to a Bill, he shall by the first convenient opportunity send an authentic copy of the law to one of Her Majesty's Principal Secretaries of State, and it shall be lawful for Her Majesty at any time within eighteen months after such copy shall have been received by the said Secretary of State to notify to the Governor her disallowance of such law through one of her Principal Secretaries of State, and every such law shall become null and void from and after the day on which the said Governor shall signify such disallowance by message to the Council, or from and after a day to be named by proclamation.

Signification of Her Majesty's pleasure upon reserved Bills.

26. A Bill reserved for the signification of Her Majesty's pleasure shall take effect so soon as Her Majesty shall have given her assent to the same by Order in Council, and the Governor shall have signified such assent by message to the Council or proclamation, provided that no such message or proclamation shall be issued after two years from the day on which the Bill was presented to the Governor for his assent.

Standing rules and orders.

27. The Council shall at its first meeting, and may from time to time afterwards, as occasion may require, adopt standing rules and orders for the orderly conduct of business, which rules and orders shall take effect when confirmed by the Governor.

Apportionment of expenses of common establishments.

28. The expenses of such establishments as are common to all the Leeward Islands, other than the remuneration and travelling expenses of the members of the Council, shall be fixed by the Council, and shall, until otherwise apportioned by the Council, be divided into sixteen parts, which shall be charged as follows:—

On Antigua - - -	5 parts.
„ St. Christopher - -	4 „
„ Dominica - - -	3 „
„ Nevis - - -	2 „
„ Montserrat - -	1 „
„ Virgin Islands - -	1 „

Such charges, however, as may be incurred in respect of immigration shall be shared only by such islands as may elect to participate therein.

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Annual estimates.

29. An estimate of such expenses shall be every year prepared by the General Government and laid before the Council, and when passed by the Council shall be published in the Leeward Islands; and after such publication the Governor may, from time to time, as the occasion shall require, draw on the public treasury of each presidency for the whole or any part of the amount due from such presidency.

Power to Council to alter provisions of Act.

30. The Council may, by any law or laws, alter from time to time any of the provisions of this Act: Provided that every such law shall be reserved by the said Governor for the signification of Her Majesty's pleasure.

Existing powers of Island Governors to vest in Governor of Leeward Islands.

31. The term Governor or officer administering the Government, when used in any island enactment heretofore passed, shall, after this Act shall come into operation, and until otherwise provided by the Island Legislature, be taken to mean the Governor of the Leeward Islands or any other person appointed in that behalf by writing under his hand and under the Public Seal of the Presidency.

Delegation of certain powers to the Governor.

32. The powers conferred on Her Majesty by the fifth, sixth, and ninth sections of this Act may be exercised by instructions or warrants under the Royal Sign Manual and Signet, or may be delegated to the Governor by letters patent under the great seal of the United Kingdom; and such instructions, warrants, or letters patent may be issued before this Act shall come into operation in the Leeward Islands.

Power to bring other islands under operation of Act.

33. It shall be lawful for Her Majesty, by Order in Council, from time to time, on address from the Legislative Body of any of the West Indian Islands not included in this Act and from the Council, to bring such island under the operation of this Act, on such terms and conditions in each case as are in the addresses expressed, and as Her Majesty thinks fit to approve, and the provisions of any Order in Council in that behalf shall have effect as if they had been enacted by the Imperial Parliament.

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