

**RACE AND JUSTICE IN THE BAHAMAS:  
THE CASE OF LEWIS POWLES**  
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Lewis Powles arrived in the Bahamas on 2 November 1886 and was appointed Stipendiary and Circuit Magistrate on that date. An English barrister, his arrival in the Bahamas was connected with the new law to improve the administration of justice in the colony.<sup>1</sup>

Prior to this law, the system of justice in the Bahamas was riddled with incompetence and prejudice. This was especially true of the Out Islands (Family Islands) where jurisdiction was shared between ten Resident Magistrates and ten Assistant Resident Magistrates. These magistrates presided over courts in these islands. Any appeals against their ruling were heard by the Chief Justice in Nassau. For a variety of reasons this system had deteriorated by 1886. First, the small remuneration of £30 per annum for Assistant Resident Magistrate made it difficult to convince competent and qualified persons to accept appointment. Second, the more talented of the Family Island residents gravitated to Nassau which made it difficult to find sufficient talented locals for appointment to the Magistracy. Third, the costs involved in appealing to the superior courts in Nassau had denied the residents of the Family Islands any protection against arbitrary decisions of incompetent local magistrates.<sup>2</sup>

In order to correct this situation, the Governor in 1885 urged the local Assembly to enact new legislation to improve the administration of Justice in the Bahamas. The essence of the reform adopted by the Assembly was the appointment of two Stipendiary Magistrates. The magistrates had to have legal training and the minimum of three years' practice in the profession. They were to go on circuits throughout the Family Islands, sharing cases with the established Resident

Magistrates and also acting as courts of appeal against the decisions of these magistrates. When not on circuit, the newly appointed Stipendiary Magistrates were to do duties in Nassau. Thus, the residents of the colony would enjoy easier access to the courts of trained magistrates who would inspire more confidence in the administration of justice in the colony.<sup>3</sup> Indeed the Governor was so eager to rekindle confidence in the system of justice among the poorer classes that he urged the Colonial Office to appoint an outsider to one of the posts created under the new law.<sup>4</sup> The Colonial Office appointed Lewis Powles in response to this request.

Powles' arrival in the colony on 2 November 1886 was warmly received by the two newspapers of the day, the **Nassau Times** and the **Nassau Guardian**. The former stressed that the appointment of a competent and qualified outsider to the Magistracy would provide 'even-handed justice' and do away with any further complaint of 'local prejudices' in the administration of justice in the Bahamas.<sup>5</sup> The **Nassau Times** was the newspaper of the very influential Methodist community.

Within three months of his arrival, Powles offended the Methodists and the wider local white community because he dared to dispense equal justice — an action which had severe implications for the state of race relations within the colony. On 5 February 1887, Powles presided at the Police Court in Nassau when a white man, James Lightbourn, was found guilty of assault on his black servant, Susan Hopkins. Powles sentenced Lightbourn to one month's imprisonment without the option of a fine.<sup>6</sup> It had been Powles' practice to sentence to prison without the option of a fine men who assaulted women. Indeed, he had in the previous month imprisoned three black men for assaulting women as evidence of his repugnance to this common practice among the Bahamian men.<sup>7</sup>

Lightbourn successfully appealed his case to the Chief Justice and Powles' ruling was squashed.<sup>8</sup> Nevertheless, this was the first time that a member of the white community had been sentenced to prison for assaulting a black servant. Indeed, they had come to cherish this method of chastisement

when dealing with their servants. Powles' administration of the law was now a clear threat to the whites' control over their servants.<sup>9</sup> The white dominated Assembly hit back at Powles by denying him £50 to cover the cost of transporting himself and his wife from England.<sup>10</sup> Moreover, the Methodist community of which Lightbourn was an important member, protested vigorously to the Governor and to the Colonial Office for Powles' removal. After the Lightbourn trial, Powles had indiscreetly commented that he had a distrust of Methodists and would not believe them under oath.<sup>11</sup> The Methodists argued that the Magistrate's prejudice against them impaired his judgment on any case involving members of their community. Clearly, Powles' tactless remarks rendered it impossible for him to continue as a Stipendiary Magistrate in the colony. He was forced to resign his post, and he left the Bahamas in June 1887.<sup>12</sup>

The Methodist pressure and campaign against Powles was the expression of the more general antagonism of the white community against him. Religious views alone cannot account for Powles' unpopularity among the white inhabitants of Nassau. Certainly his attempt to administer equal justice in cases involving assaults on women was partially responsible for the whites' distrust. But Powles was also engaged in other activities that threatened to weaken the power of the white ruling class. He had encouraged James Smith, 'a light coloured' member of the Assembly to launch a newspaper to agitate for the political and economic rights of the mass of Bahamians.<sup>13</sup> The first issue of this paper, **The Freeman**, was published on 8 March 1887. Its purpose was "to discuss public questions (especially industrial questions) from the point of view of those engaged in manual labor."<sup>14</sup> This new organ of the working class attacked in very strong language the Nassau Merchants' exploitative control over the poorer classes involved in sponge and turtle fisheries. **The Freeman** denounced the Merchants and accused them of imposing 'modern slavery' on the Bahamian poor.<sup>15</sup> Powles had assisted in the establishment of this paper which endangered the supposed "harmony of the different races in the colony."<sup>16</sup>

Clearly, Powles' activities on and off the bench confronted

the established power of the white ruling class in Nassau. Ironically, Powles supplied them with the religious issue which they eagerly used to pressure for his resignation. The Governor was certainly aware of the fundamental reason for the antagonism towards Powles and reported his resignation to the Colonial Office in the following manner: "I confess I have received his resignation with satisfaction, and I have strained a point in the financial arrangements to facilitate his departure from the Colony; his continuance in which would have developed a colour question much to be deprecated."<sup>17</sup> Lewis Powles' attempts to bring justice to the mass of Bahamians had been successfully checked.

### Footnotes

<sup>1</sup> Governors Dispatches (G.D.), vol. 10. Taylor to Stanhope, no. 108, 4 November 1886.

<sup>2</sup> Ibid., Blake to Derby, no. 3, 2 January 1885.

<sup>3</sup> Ibid.

<sup>4</sup> G.D., vol. 10. Blake to Granville, no. 22, 6 March 1886.

<sup>5</sup> **Nassau Times**, 3 November 1886; **Nassau Guardian**, 3 November 1886.

<sup>6</sup> **Nassau Times**, 5 May 1887.

<sup>7</sup> L. D. Powles, **The Land of the Pink Pearl** (London, 1888), p. 309; **Nassau Guardian**, 5 February 1887.

<sup>8</sup> **Nassau Times**, 7 May 1887.

<sup>9</sup> Powles, p. 310.

<sup>10</sup> G. D., vol. 10. Blake to Holland, no. 45, 22 April 1887.

<sup>11</sup> **Nassau Times**, 9, 23 April and 15 June 1887.

<sup>12</sup> G. D., vol. 10. Blake to Holland, no. 76, 25 June 1887.

<sup>13</sup> Powles, p. 101.

<sup>14</sup> **The Freeman** quoted in **Nassau Guardian**, 9 March 1887.

<sup>15</sup> Powles, p. 91.

<sup>16</sup> G. D., vol. 10. Blake to Holland, no. 92, 12 July 1887.

<sup>17</sup> G. D., vol. 10. Blake to Holland, no. 76, 25 June 1887.