Crown Colony: Government, Courts and Commercial Law after 1867

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On 1 April 1867 the Straits Settlements ceased to be a dependency of British India and became a Crown colony, governed from London through the Colonial Office. The change was celebrated in Singapore with fireworks and the inauguration of the Town Hall. For the merchants who had campaigned for it during a decade, it marked the end of government from Calcutta, which they regarded as distant, ignorant of local conditions and indifferent to their interests. For the history of the financial centre, the transfer opened a period of seventy-five years in which a colonial legislature, a reorganised Supreme Court and a growing body of ordinances gave Singapore the legal infrastructure of a modern commercial city.

This chapter examines that infrastructure. It begins with the grievances that led to the transfer and with the transfer itself. It then describes the constitution of the Crown colony, the Legislative Council and the programme of legislation through which the colony acquired a penal code, codes of procedure and evidence and a

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framework of commercial law. It follows the development of the courts and the legal profession, turns to company law and currency, and ends with an assessment of law as a commercial asset of the colony.

The chapter continues the argument of Part A, which traced the legal foundations of British Singapore to the treaties of 1824 and the Charter of 1826. Those foundations gave the settlement a sovereign, a court and a law. The Crown colony built on them a legal system capable of serving a port whose population grew from about 300,000 in the whole colony in 1871 to well over half a million by 1901, and whose trade linked it with every part of the world economy.

Essentials

Singapore's merchants petitioned in 1857 for transfer from Indian to Crown rule, citing currency policy, convicts, weak policing and neglect by Calcutta. The Straits Settlements Act of 10 August 1866 led to the transfer on 1 April 1867, with a Governor, an Executive Council of officials and a Legislative Council in which officials held a narrow majority. The colony enacted a Penal Code based on the Indian model in 1871, which came into force on 16 September 1872, followed by codes of criminal procedure and the Evidence Ordinance of 1893, while commercial law continued to follow English law. The Supreme Court of the Straits Settlements replaced the Court of Judicature in 1868 and became a court of appeal in 1873. The Straits dollar became the colony's currency in 1867, while a Board of Commissioners of Currency, established in 1897, issued government notes from 1899.

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