

In the March 1986 issue I published the 1st page and the last page of a 16 page document known as "The Oakes" Regulations for the Performance of Quarantine at Malta. Since then I have been asked to reproduce this document in full, as very few have seen it, and it is out of print. So in this issue I am reprinting this interesting document in its original format. But who was Oakes? And what made him issue these regulations?

Sir Hilderbrand Oakes (1810 – 1813), was appointed Civil Commission on the 14th April 1810, on Sir Alexander's Ball death on the 25th October, Chapmann, the Public Secretary assumed control of civil affairs pending the choice of a successor. In December, Rear-Admiral Sir Richard Goodwin Keats was appointed Civil Commissioner but ill health prevented him from taking up his appointment and so, on the 14th April 1810 General Hilderbrand Oakes was informed that His Majesty had chosen him. He was a distinguished soldier who, after taking part in the American war of Independence as a young officer, had served in different capacities in the Mediterranean for nearly twenty years. From 1802 & 1804 he had been Brigadier General in Malta and in 1808, was in Malta in command of the troops. He was created baronet in recognition of his services on 2nd November 1813, and died in 1822.

When in 1806 Napoleon entered triumphantly in Berlin he tried to strangle England by declaring a blockade of the British Isles by what were known as the "Berlin Decrees" all commerce between her and France or her allies was forbidden. England naturally retaliated and placed all the French territories under blockade. This novel sort of warfare – known as the "Continental Blockade" or "Continental System" – had very important consequences but, whilst it brought suffering to many parts of Europe, England included, it made Malta very prosperous. English merchants, in the Mediterranean countries flocked to the Island and opened flourishing commercial houses, exempt from taxes and safe from losses due to fire and sword, the Maltese harbours were crowded with the vessels of different nations, warehouses were full to overflowing.

By an Order of His Majesty in Council of the 15th March 1809, the Civil Commission was authorised to issue "Licences" to such persons as he might think fit to export from Malta, direct to any port within the Straits of Gibraltar, in any British or neutral vessel or in any other not exceeding 100 tons burthen, articles produced or imported from His Majesty's dominions or from any port in the Mediterranean. He was also authorised to import into Malta any articles whatsoever – even of enemy origin if indispensable to the island – from any place in the Mediterranean, not actually blockaded by a naval force.

According to the Secretary's of state dispatch of 1811, two thirds of the cargo on board ships leaving Malta was to be of British origin, or imported from British Dominions and one third of the crew had to be composed of British subjects.

Malta was thus the hub of Mediterranean commerce, and to be exempt from capture by British ships, the vessels of all nations had to come here and obtain a licence. This unprecedented huge number of ships calling at Malta from all over the Mediterranean, made Oakes issue his Quarantine regulations.

Soon after these regulations were published, Malta was hit by the Great Plague Epidemic of 1813. This Plague epidemic will be reviewed in the next

issue. Oakes because of failing health was succeeded in July 1813 by Sir Thomas Maitland during the height of the epidemic.

During his administration, one of the problems which faced him was the accomodation and the guarding of the numerous prisoners of war. In 1812, there were nearly 1200 of them, half at Fort Chambray in Gozo, and the majority of the others at Verdala Palace (Boschetto). These were mainly French, amongst which was Lucien Bonaparte, Napoleon's own brother, who had embarked from Rome to the United States but was captured by two English frigates and with 41 other companions was brought to Malta as a prisoner of war. He was later taken to England on board the "President", one of the largest frigates in the Navy.

It was also a time of Great Political Agitation at the back of which William Eton was accused as being the prime agitator. In fact Oakes would not have him in Malta; and Eton was dismissed from office on the 25th September 1811.

One of his supporters was Nicolò Capo di Ferro, Marchese Testaferrata who was one of the leading Maltese politicians of the period, and they pressed for the re-establishment of the Consiglio Popolare with various amendments. Testaferrata went to London to see the Secretary of State, but the Secretary of State refused to recognise him as the representative of the Maltese. The outcome of all this was the appointment of a Commission in 1812 under the Great Seal for a full and immediate inquiry into all matters touching the Civil Government. Laws, Judicial Proceedings, Revenues etc. The Commissioners were William A'Court, previously Chargé d'Affaires at the Court of Palermo, John Burrows, Chief Justice of Dominica, and Oakes himself.

The report of this Commission was never published in its entirety.

In the meantime the Russian alliance with Napoleon, came to an end; and were soon at war with each other.

Great Britain was not slow in exploiting the situation and on the 18th July 1812 made a treaty with Russia, who declared that she was no longer interested in the restoration of Malta to the Order of St. John.

In a despatch of the 15th May 1813, the Secretary of State informed Oakes that an instrument was being prepared to notify to the people of Malta the measures resolved upon by His Royal Highness the Prince Regent for the permanent Government of this Island, thus publicly marking the incorporation of Malta with the dominions of the British Crown. Thus the title of Governor was to substitute that of Civil Commissioner.

The post of Governor was offered to Oakes, who declined it on grounds of ill health. Sir Thomas Maitland who succeeded Oakes was appointed Governor and Commander in Chief on the 28th July 1813.

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