

2302/2

CONTENTS.

MISCELLANEOUS

The Bermuda Development Company.

General purposes.

MINUTES.

(1)

Letter from Secy. B. & D. Co. 6/9/20

(2)

" " " 6/9/20

(3)

His Secy:

① submitted. The Commission's saved for an evening Section 2 (3) of the Act. The first thing is to decide on the person which the question of remuneration, security, &c. can be committed

It is very difficult to find suitable men, who are well connected with the Gov. the hotel business, or the landowners in the area and yet have intelligence & impartiality in decision. The Commission should include a lawyer familiar with land & to keep them straight. Two impartial persons who know something of land values. There found great difficulty in choosing of someone recommended but after selection submit the following list for consideration & they must be chosen.

In legal matters.

Mr. H. Waller.

late acting Registrar of the

Supreme Court. He also a good deal of

experience. Although not much

land, has a very good knowledge of the

conditions & is a very fair & honest

M. P. 2509.

Order: Rev. Secy.

Deputy of Land.

(Voluntary)

M. P. 2517

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2676

Order: Rev. Secy.

Deputy of Land

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)

M. P. 2789

Order: Rev. Secy.

Deputy of Land

(Compulsory)



...in regard to ...  
not to get to him on this score.

to Meritts - selection from  
C.E. R. 1st Ind. M.C.P.

Mayo. J. R. Tucker. O.B.E.

Mayo. S. Hamilton (Bla. Baking. R.G.A. Ind.).

It would be necessary first to ascertain whether any of them  
are interested in the lands to be dealt with. but I don't know so.  
If a Chairman of men standing could be obtained it would be  
a good thing but I don't know of one.

These the Commissioners should be well remunerated  
for a definite & responsible duty, but would like to consult the  
R.G. & the Commissioners eventually selected before presenting a  
recommendation on this

Perhaps Mr. May. may have someone in mind. I hope so  
because I admit I am not well satisfied with my own suggestions.

(4)

11/31  
10/9/20.

Ken G.V. I have taken some trouble

to get at this question. I spoke to Mr. Rogers  
there & have one very suggestion. Compare them  
with you and let it come into the

Chairman. Major Appleby J.S. he can be  
asked of his duties for 3 months if necessary.  
He is ~~very~~ pleased.

From him: I said to Mr. Tucker. Can he find them also.  
He appears to be perfect.

"Best Person. J.S. & looking upon  
him as perfect. Known as above long  
years.

10/5. End. Much more about to come  
from me & this work or more if necessary

Letter to Wm. R. W. Appleby, Jr. 15/9/20 (6)

Letter to Wm. J. Scott Freeman & C. F. Astwood Esq. 13/9/20. (8)

From J. Scott Freeman 14/9/20 (9)

E. S. Astwood 15/9/20 (10)

Q. D. Appleby 15/9/20 (11)

Minute to City. General 23/9/20. (12)

W. S. May

Min. from W. S. 21.9.20. (13)

Letter to Com? 21.9.20. (14)

Letter to Secy. B. S. Dec. Co Ltd. 22.9.20 (15)

Commissioners sworn <sup>11</sup> before H. E. on 22.9.20  
Oaths returned to M. P.

Letter to W. S. Q. D. Appleby 22/9/20 (16)

Letter from B. S. Dec. Co Ltd. 27.9.20. (17)

W. S. May, 18. submitted. By the City. agree to the undersigned  
please don't think there can be any objection. 1/13/20

to Bruce 27/9/20

27/9/20



Memorandum. Saw Engineer. Made it  
appear some two programs you have  
some to have. If make them work better.

Very big ship 1087 or 1175. This course  
you know 4 hours a week for 4 days, giving  
them 8 days off for 5th week or 1 day.

Note. That Chairman should be  
1 price on him & Member 13 dollars  
on him or Chairman say 44 pounds for  
Chairman & one 15 £ for them. No less.

h2 I probably wanted to come this house  
2 days off in some way to be complete.

12/9/20

W. J. J. J.

[5]

How say. After that with you.

1. Chairman. Appointing  
2. Retiree. 3. Member  
3. Best 8 members 3 members

Pay Chairman 5 £ a day  
Member 3 " " "  
" Secretary 4 pounds

No Post

13/9/20

Letter from Bda. Wm. Co. 5/14/34

(105)

(106)

Atty. Gen. view on (105) please.  
CWC 4/1/35

(107)

The Colonial Secretary.

The Bermuda Development Company is authorized under the section of Act 25 of 1920, quoted in (105) to purchase or acquire, for the carrying on of the business of the Company, the land described in the Schedule thereto. The effect of this enactment, is to free the land and the Company from disabilities attaching by reason of the Statutes or Doctrine of Mortmain. As the land afterwards purchased by Mr. Blackiston forms a part of the land described in the Schedule, I can see no reason why the Company should not <sup>be - acquire</sup> require from him, and in my opinion no question of Mortmain arises.

4.1.35.

W.D.  
Attorney General

(108)

Letter to J.G. Gledhill 10/11/35

(109)

Letter from Sec. Bda. Development Co. Ltd. 16.7.45  
(Office- Conyers Bldg. Front St.)

(110)

Letter from Conyers, Dill & Pearman 13.12.47

(111)

V.P.  
(110) for information.

15.12.47.

W.D.  
Colonial Secretary.  
15/12

(112)  
Letter from Conyers, Dill & Pearman  
(113)

28.1.50

The Registrar General:

Re (112).

Within the area which the Company is  
allowed to hold?

*lstr*

Colonial Secretary.

30.1.50

(114)

*Hon. Colonial Secretary,*

*Yes, within statutory limit*

*Wm. Parker,  
Reg. Genl.*

*2/2/50*

(115)

Hon. Attorney General.

Is the Petition in order?

*lstr*

Colonial Secretary.

8.2.50

(116)

*Hon C.S.*

*The Petition is in order (correct)*

*The Exclusion's style, file)*

*Reg*

*8-2-50*

(117)

File circulated to Ex. Co.

17.2.50

(118)

Letter to Conyers, Dill & Pearman.

24.2.50

(119)

Priority Savingsgram No. 124 from Sec. of State.

14.6.50.

(120)

Minute to Secretary, C. & E. C. B.

19.6.50.

*and (122)*

(121)

(119) circulated for consideration in Ex.  
Co. on 21st June.

20.6.50.

(122)

Letter from Chairman, Currency & Control Bd. 19.6.50

(123)

Telegram to Secretary of State from  
Governor of Bermuda.

21.6.50

*2/2/50*

*5/1/51*



BS

Minute of Executive Council	(124)	21.6.50
Minute of Executive Council	(125)	8.9.54
Copy of Petition from Furness Withy Company, Ltd. for Incorporation of Bermuda Development Co. Ltd., dated	(126)	
Circulated (126) to Ex. Co. for	(127)	23.2.20
Minute of Executive Council	(128)	15.9.54
	(129)	15.9.54
Letter to the Manager, The Bermuda Development Co., Ltd.	(130)	18.9.54
Letter to the Manager, The Mid-Ocean Club.	(131)	
Letter from Resident Manager, Mid-Ocean Club	(132)	22.9.54
Letter from Sec. Bermuda Dev. Co.	(133)	27.9.54
Letter from Resident Manager, Mid-Ocean Club	(134)	7.10.54
Letter to Resident Manager, Mid-Ocean Club.	(135)	20.10.54
Letter from Resident Manager, Mid-Ocean Club	(136)	22.10.54
File circulated to Ex. Co. re item (132)	(137)	18.12.54
Minute from Director of Public Works. (Private Roads - Tuckers Town)	(138)	29.12.54
Minute to Secy., Trade Development Board	(139)	
Minute from Sec. Bermuda Trade Dev. Board.	(140)	4.3.55
Minute to Director of Public Works	(141)	8.3.55
	(142)	12.4.55
		20.4.55

4753 Regarding applications for the  
acquisition of land at Tucker's Town, we make  
plans in (128) - (137) in conjunction with  
relevant correspondence on publication of  
local authority file.  
The former--i. Land will not be  
used for the acquisition of land

in Indian Town under the big tree  
but has notified this office that the  
the applicants are acceptable to the club  
or have been elected members thereof.

(143).

W  
14/2 Apr

A/A.S.

(142) - a Vote. Thank you.

W  
14/2 Apr  
A/A.S.

Good - Post 3 copies.





THE BERMUDA TRADE DEVELOPMENT BOARD

From: Secretary, Trade Development Board  
To: The Honourable Colonial Secretary

I am directed to inform you, for the information of His Excellency the Governor in Council, that my Board does not agree with the recommendation of the Board of Works regarding opening the road to Castle Point for sightseeing.

There has been a relaxation of the "no trespassing" several times and those who went sightseeing in this area abused the privilege.

The property in the area concerned is owned by a type of people Bermuda has been trying to encourage, and the opening of it to sightseeing would lessen the value of the property and in time a number of these people will sell their homes and move to other resorts.

12th April, 1955  
TMM:mjd



*J. N. Inoué*  
Secretary

2302/2

The Director of Public Works.

I am directed to refer to your minute No. 901/PWD/55 of the 4th March, recommending that the road to Castle Point, Tucker's Town, be opened for sightseeing purposes, and to inform you that the Trade Development Board is opposed to this recommendation. I enclose for your information a copy of the minute received from the Secretary to the Board.

20th April, 1955.

ETS/eam.

FOR Colonial Secretary.

2302/2

The Secretary,  
Trade Development Board.

I am directed to inform you that the Board of Public Works has recommended that the Bermuda Development Company be asked to consider opening the road to Castle Point for the use of private cars and taxis for sightseeing purposes.

The road is the property of the Company and was surfaced by the Public Works Department at the Company's expense in 1949.

I am to enquire whether the Board's recommendation is supported by the Trade Development Board.

*E. J. H. H. H.*

For Colonial Secretary.

8th March, 1955,

ETS/eam.

File Ref.  
901/PWD/55



## PUBLIC WORKS DEPARTMENT

BERMUDA

DIRECTOR OF PUBLIC WORKS OFFICE  
PARLIAMENT STREET,  
HAMILTON.

From the Director of Public Works  
To the Honourable Colonial Secretary

Private Roads - Tucker's Town

At the meeting of the Board of Public Works held on 15th February, 1955, it was recommended that the Bermuda Development Co. be asked if the road to Castle Point might be opened for the use of private cars and taxis for sightseeing purposes.

This road is the property of the Bermuda Development Co. and was surfaced at their expense in 1949.

*Colin H. H.*  
Director of Public Works

4th March, 1955





## CIRCULATED RE ITEM(S)

137

Sent out by the Colonial Secretary	Received.	Forwarded.
<p>on 31<sup>st</sup> 29th December, 1954.          The Hon. J. T. Fearman, M.C.P.          The Hon. H. T. Watlington, M.C.P.</p> <p>" N. H. P. Vesey, C.B.E., M.C.P.</p> <p>" H. D. Butterfield, C.B.E., M.C.P.</p> <p><del>" J. A. B. Dill, C.B.E., M.C.P.</del></p> <p>" The Colonial Treasurer.</p> <p>" <sup>A</sup> The Attorney General.</p>	<p>31/12/54          5-1-55          6/1/55          8/1/55</p> <p>10-1-55          10-1-55</p>	<p>5/1/55          5-1-55          8/1/55          8/1/55</p> <p>10-1-55          10-1-55</p>

Received.

3/1/55  
5-1-55-  
6/1/55  
8/1/55  
10-1-55  
10-1-55

Forwarded.

5/1/55  
5-1-53-  
27/1/55-  
27/1/55  
10-1-55  
10.1.55

To be returned to the Colonial Secretary.

## COMMENTS BY HONOURABLE MEMBERS

isen. Sharkey  
mub  
HDB  
wz

٥٦

128) 132) 134)

৩৫

11

# THE MID-OCEAN CLUB

TUCKER'S TOWN  
BERMUDA

December 18th, 1954

The Honourable,  
The Colonial Secretary,  
Hamilton, Bermuda.

Dear Sir:



In reply to your No. 2302/2, dated 20th October, 1954, and subsequent discussion with Sir Howard Trott and the writer in connection with the sale of property in Tucker's Town area, kindly note as follows:-

1. No property within the area under discussion may be sold by The Bermuda Development Company or present individual owners without first having secured the approval of the Mid-Ocean Club to such transaction.
2. The Directors of the Mid-Ocean Club are aware that the sale by Americans and English residents to Bermudians of property in this area causes, by transfer of ownership, loss of revenue which has hitherto been accruing to the Colony due to the residence of the people concerned in the community. It is well, however, to point out that several Bermudians were among the original purchasers of property in this particular area.
3. A fair number of property sales which have taken place in recent years has been due to the difficulties which house owners have experienced in securing domestic help. The domestic help in question are only prepared to give a very indifferent service and demand a, relatively speaking, high wage in return.
4. Economic considerations in other countries, particularly in the United States, have also been a factor in persuading American residents to sell the large homes which they own at Tucker's Town due to their costly upkeep.
5. The Mid-Ocean Club during the past two years, and in particular this year, has spent and is spending considerable sums to improve and bring up to date the golf course and to re-furnish and re-equip the Club House itself, feeling sure that the amenities offered will induce other English and American people to establish homes in this area and replace those which are moving out.



(2)

6. Finally, it is felt advisable to point out that it was the intention of the Bermuda Development Company to sell to the highest bidder the Mid-Ocean Club property. Very fortunately for Bermuda, it was found possible to raise the necessary funds among English and American property owners at Tucker's Town and more particularly among Bermudians and thus preserve to the community this property which the Club Directors feel is an essential adjunct to the tourist trade in establishing and maintaining a standard which otherwise would not exist.

I am, Sir,

Very truly yours,

*Edmund Gibbons*

PRESIDENT

THE MID-OCEAN CLUB

TUCKER'S TOWN  
BERMUDA

October 22nd, 1954

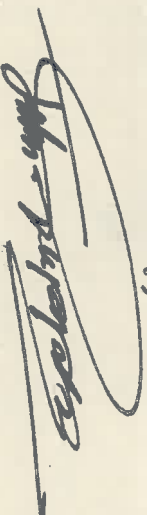
Office of the Colonial Secretary  
Hamilton, Bermuda.

Dear Sir:

I have to acknowledge receipt  
of your letter of October 20th.

The contents will be put before  
the Executive Committee of Mid-Ocean Club at their next  
meeting which will be held in the near future.

Yours faithfully,



J. A. Papps  
Resident Manager

JAP/jj



1384

1385



2302/2

CONFIDENTIAL.

20 October, 1954.

123  
Sir,

I am directed to refer to your letter of the 7th October in connection with the sale of land at Tucker's Town to Bermudians and non-residents of Bermuda.

Your Executive Committee is no doubt aware that the original intention of the undertaking at Tucker's Town had as its object the development of the tourist trade and hotel business in the Colony and especially in the Tucker's Town area. Purchasers of land in the Club area and immediately bordering on the Club Golf course had to be members of the Club, and they covenanted to use their houses for residential purposes only.

To enable the project to get started, former residents of the Tucker's Town Area were forced to sell their properties and had to seek other homes in the Colony. There have recently been several sales of property in this area to Bermudians and it is doubtful whether this conforms to the original purpose for which the land was compulsorily acquired.

Your Executive Committee will appreciate that if there is any change of policy the persons who were forced to sell their properties may well have genuine grounds for complaint.

It is for these reasons that His Excellency the Governor-in-Council is seeking a clarification of the present position.

I am also to enquire whether as a matter of policy all persons to whom land within the Club's property is sold are required to be members of the Mid-Ocean Club.

I am, Sir, your obedient servant,

*C. P. R. P. R.*

Colonial Secretary.

The Resident Manager,  
Mid-Ocean Club Ltd.,  
Tucker's Town.

RPS/ss

THE MID-OCEAN CLUB

TUCKER'S TOWN  
BERMUDA

October 7th, 1954

Mr. Edward Smith,  
Colonial Secretary's Office,  
Hamilton, Bermuda.

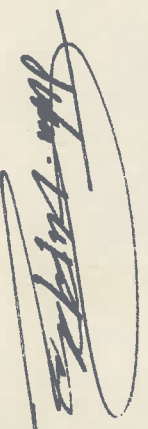
Dear Mr. Smith:

With reference to the request contained  
in your letter of September 18th, this matter was placed before my  
Executive Committee at a meeting this morning.

Since the information asked for con-  
cerns the Mid-Ocean Club, Ltd., and those people interested in this  
operation, my Executive Committee would be grateful if your office  
could state in detail the reasons for requesting the information as  
stated in your letter.

The Executive Committee wishes to co-  
operate at all times with your office and will be happy to consider  
your request on receipt of the above details.

Yours faithfully,



J. A. Papps  
Resident Manager



JAP/jjs



THE MID-OCEAN CLUB

TUCKER'S TOWN  
BERMUDA

September 22nd, 1954

The Acting Colonial Secretary  
Colonial Secretary's Office,  
Hamilton, Bermuda.

Dear Sir:

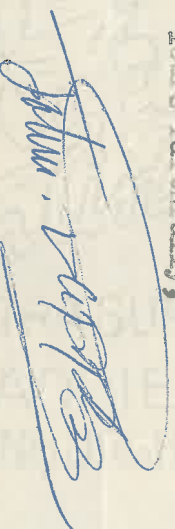
Re: No. 2302/2

Thank you for your letter of Septem-

ber 18th.

It will be put forward to the Execu-  
tive Committee at their next meeting, and we will communicate  
again with you after that date.

Yours faithfully,



J. A. Papps  
Resident Manager

JAP/jj



18 September, 1954.

(180)

Sir,

I am directed to refer to purchases of land in the Tucker's Town area from your Club by Bermudians and residents of Bermuda and to request that you be good enough to inform me of the general policy pursued by your Club when considering applications for such purchases.

I should also be grateful to learn whether your Club observes any obligations to the Bermuda Development Company, limited, in the sale of any lands.

I am, Sir,  
Your obedient servant,

*D. J. Elliott*  
Acting Colonial Secretary.

The Manager,  
The Mid-Ocean Club,  
Tucker's Town.

JTE/bj



18 September, 1954.

Sir,

I am directed to refer to purchases of land in the Tucker's Town area from your Company by Bermudians and residents of Bermuda and to request that you be good enough to inform me of the general policy pursued by your Company when considering applications for such purchases.

I should also be grateful to learn whether your Company observes any obligations to the Mid-Ocean Club in the sale of any lands.

I am, Sir,  
Your obedient servant,

*J. J. Bellitt*  
Acting Colonial Secretary.

The Manager,  
The Bermuda Development Co., Ltd.,  
Hamilton, Tucker Town.

JTB/bj

*Fidelity Onion Skin**MADE IN U.S.A.*



**Bermuda Development Co. Ltd**

APPROVED  
206 B

SOMERS BUILDING  
HAMILTON  
BERMUDA

CABLES:  
DEVCO, BERMUDA.

September 27, 1954.

The Acting Colonial Secretary,  
HAMILTON, Bermuda.



Sir:

I am pleased to thank you for your letter of  
September 16th, reference 2302-2.

The position in regard to purchased of land  
at Tuckerstown has become complicated by the sale by this Company  
of the Mid Ocean Club to an independent company. Originally the  
sale of lands in the area of the club was intended to establish  
a residential area for Club members. Thus all purchasers of lands  
in the Club area and immediately bordering on the Club golf course  
had to be members of the Club or become members in the usual way by  
nomination to a Committee of members. Purchasers covenanted to use  
the houses in this area for residential purposes only.

Since the split between the two companies, there  
is only one area of land left unsold which borders on the Mid Ocean  
Golf course - namely Glebe Hill. This company has an agreement with  
the Mid Ocean Club Ltd., that land on Glebe Hill will only be sold to  
persons acceptable to the Mid Ocean Club. Any other lands now be-  
longing to this company are saleable without reference to the Club  
and my directors have not stated any fixed policy in respect to their  
sale, and will naturally consider any applications as they occur.  
The amenities of the Castle Harbour Hotel will be preserved intact.

I trust this information will be of value and  
remain,

Your obedient servant,

J.W. Butterfield, A.C.A.,  
Secretary,  
Bermuda Development Co. Ltd.

JWB/ei

# EXECUTIVE COUNCIL

Meeting of the...15th September.....1954.

## MEMBERS PRESENT:

His Excellency the Governor <sup>A/</sup>Officer Administering the  
The Hon. The Colonial Secretary <sup>A/</sup>Government  
" " <sup>A/</sup>Attorney General  
" " <sup>A/</sup>Colonial Treasurer  
Capt. The Hon. N. B. Dill, C.B.E., M.C.P.  
The Hon. H. D. Butterfield, C.B.E., M.C.P.  
" " N. H. P. Vesey, C.B.E., M.C.P.  
" " H. T. Watlington, M.C.P.

## MINUTE

3. With reference to Council minute No. 11 of the 8th September, 1954, Council further considered the purchase by Bermudians and residents of Bermuda of land in the Tucker's Town area.

IT WAS ADVISED that (1) the policy of the Mid-Ocean Club and the Bermuda Development Company, Ltd., in respect of such purchases and (ii) the obligations of the Company to the Mid-Ocean Club and vice versa in regard to the sale of their respective lands, should be ascertained; and that the matter be again considered by Council when this information was forthcoming.



Petition from The Furness Withy Company, Limited, for Incorporation of The Bermuda Development Company, Limited.

To His Honour the Speaker and the Members of the Honourable House of Assembly:

The Petition of the Furness Withy Company, Limited, of Furness House, Billiter Street, in the City of London in England, humbly sheweth as follows:—

1. Your Petitioners, in furtherance of their declared policy of extending the resources of Bermuda for the accommodation, comfort and entertainment of tourists, have succeeded in securing the financial co-operation of certain capitalists and others in the execution of their plans.
2. These plans include the construction of first-class golf links and tennis courts, provision for sea bathing, yachting, fishing, riding, and other out-door sports, and the erection of a country club and hotels and cottages for winter and summer visitors to Bermuda.
3. Your petitioners are desirous of obtaining the incorporation of a company for these purposes in Bermuda, and of having the liability of the members thereof limited to the amount (if any) for the time being unpaid on their respective shares.
4. For the successful accomplishment of the objects of your petitioners it is essential that a site should be acquired capable of providing in one area accommodation for the whole of the facilities for outdoor sports referred to in paragraph 2 of this petition, with capacity for extension in future years.
5. With the object of selecting such a site a general survey of the Colony has recently been made by experts on behalf of your petitioners who have reported that by far the most suitable locality for the purpose is Tucker's Town and the immediate neighbourhood.
6. The configuration of the land is exceedingly well adapted for the construction of golf links, and it is conceived that a course equal to any in existence may be made, while the frontage of the area on the Ocean, Castle Harbour and Harrington Sound renders the locality particularly suitable for the other objects of your petitioners.
7. The total area of land required by your petitioners is somewhat less than 510 acres and is coloured pink on the six-inch scale plan which accompanies this petition. It includes the whole of Tucker's Town in St. Georges Parish, estimated at 300 acres, together with portions of Hamilton Parish to the north and west of Tucker's Town comprising the balance.
8. This land which your petitioners desire to acquire has been of little economic value to the Colony and has remained in a backward and undeveloped state for upwards of a century. Less than one-third of it is arable, the remainder being chiefly rocky hills and sand dunes. It is very sparsely populated, there being far fewer inhabitants to the square mile than in any other part of the Colony.

9. The locality having been selected, agents of your petitioners began negotiations for the acquisition of the lands from the various proprietors.

At first considerable success was experienced, satisfactory agreements to purchase being made for approximately three-fourths of the required area, but later it was found that some owners, especially in the area of Tuckers Town, were opposed to parting with their lands, giving as reasons their unwillingness to leave their homes or to part with their freehold property and votes.

Your petitioners are in entire sympathy with these points of view, and it is not their policy to eject a single one of the inhabitants from the district, and your petitioners offered in every case, in addition to a liberal cash payment, to secure to those owners who are opposed to parting with their lands the right of residence in their homes free of rent for life, or to give them other land in exchange in the same area with a suitable cottage in fee simple.

10. With regard to other lands several cases were found of estates which had remained unsettled for a long period of time, resulting in very complicated titles. In other instances there were titles of doubtful validity and in still others absentee owners or part owners who cannot be communicated with.

11. The opposition referred to exists in a few cases only and is attributable, in the opinion of your petitioners, mainly to indifference, but partly to a failure to grasp the great advantages which will accrue to themselves and their neighbours by the intended development, and in some measure to the agitation of a few who for reasons of their own desire that the district shall remain in its present backward state.

12. In consequence of the legal difficulties referred to in paragraph 10 and of this attitude of some of the inhabitants of the area, your petitioners have desisted from attempting to acquire all the lands by the ordinary methods, and have decided to apply for legislation to assist them in their object by authorizing a limited measure of compulsion in cases where owners unreasonably refuse to bargain for the sale of their lands.

13. Your petitioners accordingly propose to have inserted in the Bill for the incorporation of their Company, if leave is granted for its introduction into Your Honourable House, provisions to the following effect:-

(1) That three commissioners shall be appointed by the Governor, through whom shall be taken up all the lands required by the Company in the area, except such lands as the Company shall purchase at private sale.

(2) That every offer to an owner of land by the Company shall be submitted to the Commissioners, who shall determine whether such offer is just and reasonable, having regard to all the circumstances of each case.

(3) That every owner shall be supplied with a duplicate of such offer and shall be entitled to appear in person or by counsel before the Commissioners to represent any objection he may desire to make to the terms of the offer or any of them.



(4) That after hearing any opposition the Commissioners may alter or increase any offer in favour of the owner and any such alteration or increase shall be binding on the Company.

(5) That if after any such hearing the owner shall agree to the terms of the offer he shall sign and deliver to the Commissioners a declaration to that effect, together with the particulars of his title and any deeds or other documents of title in his possession relating to the lands.

(6) That if after any such hearing the owner shall not agree to the terms of the offer, notice in writing shall be served on him by the Commissioners that unless he shall notify to the Commissioners his acceptance within thirty days thereafter, the compensation for the lands shall be assessed as in cases of disputed compensation under The Public Land Acts.

(7) That parties under disability to sell or convey shall be placed in a similar position to such parties under the provisions of section 6 of The Public Land Act, 1880.

(8) That in cases of unsettled estates, or where there is more than one owner, the Commissioners shall decide the proportion of the purchase money to be paid to each owner or person entitled.

(9) That payments by the Company for all lands taken up whether by agreement or otherwise shall be made to the Commissioners who shall pay the several sums to the persons entitled to receive the same; and in the case of persons absent from these Islands who cannot be communicated with, and persons under legal disability, the Commissioners shall pay the said sums into Court to be dealt with as the law in such cases provides.

(10) That lands and roads the property of the Colonial Government, lands held in trust for church, cemetery, or school purposes, and land the property of the War Department, shall be exempt from this procedure.

(11) That all lands taken up shall be vested in the Company by the Commissioners by an order in a form to be prescribed by the Act.

(12) That all hearings of the Commissioners shall be held publicly and in some convenient place after due notice in each case to the owners concerned.

(13) That the Commissioners shall be empowered to take evidence on oath regarding all matters material to any hearing.

(14) That the remuneration of the Commissioners, which shall include travelling expenses, and the clerical and other expenses of the Commission, shall be borne by the Company.

14. Your petitioners submit that the above plan will adequately safeguard all the interests of property owners, and feel sure that the mediation of the Commissioners will in most cases result in a satisfactory mutual adjustment of the matters in difference.

15. Your petitioners have already expended a very large sum to purchase steamers for the New York-Bermuda service and contemplate increasing their fleet in the near future, and feel strongly that the apathetic or unreasonable attitude of a few small land holders should not be permitted to block an enterprise of such great importance to the full development of the Colony as a tourist resort, and thus to prevent the Company from reaping a reasonable financial benefit from their investment.

16. The proposals of Your Petitioners will not interfere with the construction of the golf links in some other part of the Colony to the cost of which your petitioners have undertaken to contribute £15,000 on certain conditions.

17. Unless the above course of procedure or some other procedure which Your Honourable House may consider preferable is adopted your petitioners will be compelled to abandon their intended scheme of development as no other area in the Colony present similar advantages or means of fulfilment of their objects.

18. Your petitioners propose immediately on the conclusion of the work of the proposed Commission to begin the construction of the golf links and country club and are willing that the Act of incorporation of the proposed company shall prescribe a limit of time within which such works shall be commenced and completed.

Your Petitioners Therefore Pray that Your Honourable House will be pleased to allow a Bill to be brought in providing:-

(1) That such members of your petitioners' Company and such other persons as shall become shareholders in the proposed Bermuda Company shall thereupon become a body corporate under the name of "The Bermuda Development Company, Limited";

(2) That the Company shall be empowered to acquire the aforesaid lands in Tuckers Town and the vicinity in the manner set forth above for its purposes in connection with the development of the tourist and hotel business;

(3) That the liability of the shareholders shall be limited to the amount (if any) unpaid on their shares;

(4) That the provisional Directors of the Company shall be the five persons whose names shall be first subscribed to the Memorandum of Association of the Company to be filed in the Colonial Secretary's Office within the time to be limited by the Act of incorporation, with such powers as are usual and necessary, and with power to add to their number and



(5) For such other incidental matters as are usually dealt with in incorporating Acts in Bermuda and as the Legislature may see fit to adopt.

And Your Petitioners Will Ever Pray, Etc.

THE FURNESS WITHEY COMPANY, Ltd.,  
Per WATLINGTON & CONTERS,  
Agents.

23rd February, 1920.

# EXECUTIVE COUNCIL

Meeting of the 8th September ..... 1954.

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## MEMBERS PRESENT:

His Excellency the Governor <sup>A/</sup> Officer Administering the  
Government

The Hon. The Colonial Secretary

" " <sup>A/</sup> Attorney General

" " <sup>A/</sup> Colonial Treasurer

Capt. The Hon. N. B. Dill, C.B.E., M.C.P.

~~The Hon. H. D. Battenfield, C.B.E., M.C.P.~~

" " N. H. P. Vesey, C.B.E., M.C.P.

" " H. T. Watlington, M.C.P.

## MINUTE

11. The Hon. N. H. P. Vesey, C.B.E., M.C.P.,  
informed Council of the concern felt in some quarters  
as a result of the recent acquisition and possible  
future acquisitions of land in the Tucker's Town  
area by Bermudians and local residents.

The Hon. the Acting Attorney General  
intimated that similar expressions of concern had  
been communicated to him.

IT WAS ADVISED that the original  
petition of the Bermuda Development Company, Ltd.,  
should be circulated and that particulars of Bermudians  
and local residents presently owning land in that area  
should be obtained for future discussion in Council.



# EXECUTIVE COUNCIL

Meeting of the.....21st. June,.....19.50.

## MEMBERS PRESENT:

His Excellency the Governor  
The Hon. The Colonial Secretary  
" " " Senior Military Officer  
" " " Attorney General  
" " " Colonial Treasurer  
" " N. B. Dill, M.C.P.  
" " H. D. Butterfield, M.C.P.  
" " N. H. P. Vesey, M.C.P.

## MINUTE

12. Council gave consideration to a Savingsgram from the Secretary of State for the Colonies regarding an application from the Bermuda Development Company for permission to raise £225,000 by the issue of Mortgage Debenture stock in London, and to the Currency and Exchange Control Board's comments thereon.

IT WAS ADVISED that the Secretary of State should be informed that the application had the support of the Bermuda Government.

DRAFT TELEGRAM

From: Governor of Bermuda  
To: Secretary of State

21st June, 1950.

IMMEDIATE. No. 156 Your Priority Savingsram No. 124 (121)  
of 14th June. Issue of Mortgage Debenture Stock by  
Bermuda Development Company.

Application is supported by this Government.

Inds.

CODE



# CURRENCY AND EXCHANGE CONTROL BOARD



19th June, 1950

Hamilton  
Bermuda

The Honourable, the Acting Colonial Secretary,  
Hamilton.

Sir,

With reference to your No. 2302/2 of the 19th June, 1950, and Priority Savingram No. 124, dated 14th June, 1950, from the Secretary of State for the Colonies regarding an application by the Bermuda Development Company to raise £225,000 by a Debenture Issue in London, I have the honour to submit the undernoted comments from the Currency and Exchange Control Board:-

(a) As regards the Debenture Issue itself, presumably my Board is not expected to comment, as this is a borrowing within the sterling area, requiring no hard foreign exchange in its servicing, except in the rare event of hard foreign investors subscribing. We do, however, take the opportunity to record that we favour the proposed procedure in all the circumstances.

(b) Regarding the sea-water distillation plant, this would primarily be a matter for the Supplies Commission to assess, against comparable and available plant from British sources. No such application has yet been received by them.

(c) Concerning the £11,000, we have no record of any specific approval for this amount. On enquiry from the Supplies Commission, who keep the records on imports, (which presumably this is), we find that permits for the total rehabilitation amount sanctioned by Joint Meeting between the Supplies Commission and this Board, (namely \$447,300), have been issued. Of this amount, goods valued at \$191,955 have not yet arrived and been cleared.

2. We have no further comments, except to point out that under (b) in the Savingram under reply, there is an apparent discrepancy of £3,000.

I have the honour to be,

Sir,

Your obedient servant,

Chalrman.

The Secretary,  
Currency & Exchange Control Board.

I am directed to transmit for the early comments of your Board the accompanying copy of Priority Savingsgram No. 124 dated the 14th June which has been received from the Secretary of State for the Colonies regarding an application by the Bermuda Development Company for permission to raise £225,000 by the issue of Mortgage Debenture stock.

I should be grateful to receive ten copies of your Board's comments as this matter is being discussed at 11.00 a.m. on Wednesday next, the 21st June, by His Excellency the Governor-in-Council.

Acting Colonial Secretary.

19th June, 1950.



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S A V I N G

From the Secretary of State for the Colonies.

To the Officer Administering the Government of BERMUDA.

Date 14th June, 1950.

No. 124. Saving. PRIORITY REPLY URGENTLY REQUIRED

Application has been made to the Capital Issues Committee by the Bermuda Development Company for permission to raise £225,000 by the issue in this country of Mortgage Debenture stock for the purpose of repaying Bank loans in respect of the rehabilitation of Castle Harbour Hotel, installing a new sea-water distillation plant and providing additional working capital. Application states:

- (a) that the plant will enable the Company to supply water at reasonable rates to local residents in times of drought;
- (b) that the proceeds of the issue will be spent in Bermuda and this country except £36,000 in the United States, of which £11,000 has already been approved by Bermuda Currency Board and £22,000 (cost of distillation plant) has not yet been authorised.

Grateful you telegraph me by 22nd June whether you support this application.

SECTER.

Copy sent to:-

Capital Issues Committee - Mr. H. Brockman.

Saving.

From the Secretary of State for the Colonies.

To the Officer Administering the Government of BERMUDADate 14th June, 1950.No. 124 Saving. PRIORITY KEELY URGENTLY REQUIRED

Application has been made to the Capital Issues Committee by the Bermuda Development Company for permission to raise ~~£385,000~~ by the issue in this country of Mortgage Debenture stock for the purpose of repaying Bank loans in respect of the rehabilitation of Castle Harbour Hotel, installing a new sea-water distillation plant and providing additional working capital. Application states:

- (a) that the plant will enable the Company to supply water at reasonable rates to local residents in times of drought;
- (b) that the proceeds of the issue will be spent in Bermuda and this country except £36,000 in the United States, of which £11,000 has already been approved by Bermuda Currency Board and £22,000 (cost of distillation plant) has not yet been authorised.

Grateful you telegraph me by 22nd June whether you support this application.

SECEER.

Copy sent to:-

Capital Issues Committee - Mr. H. Brookman.