

MEMORANDUM

Put on 75th Dec 6, 1923

From:--

(77)

To:--

AM 02902

Colonial Secretary

Mr Hon S.S. Shweling C.C.S.

Dear Mr. Shweling

H.C. was anxious to know that you
receives the attached letter. Will you kindly
sign and return the form of acknowledgment below.

Montreal
Aug 28.

Received from the Acting Colonial Secretary

on 30th July 1923 a letter written in manuscript
to me by H.C. the former dated 26 July 1923 re.
sale of farms in Tucker Town.

S. S. Shweling

76
 Government House, Bermuda,

26.7.23.

My dear Mr. Spurling.

This question of sale of land in Tucker's Town is going to be a very important one and has given me food for thought for some time past. I am very anxious to find a solution which will ^{be} satisfactory to a business concern that has sunk much money here and undoubtedly very considerably aided the Colony to reach its present state of prosperity, and at the same time be satisfactory to the people of Bermuda. The situation is a very peculiar one and you have such a grasp of it that it is unnecessary for me to go into the detail of it, but you will, I am sure, have realized that it places the Executive Council in rather a difficult position and that a big responsibility falls on us.

Of course our first consideration is the people of Bermuda, but we have to be fair to the Company so I am anxious to find a course that will meet both these requirements. As I said at the Council meeting yesterday, the first thing we wish to know is the wishes of the House as regards the amount of land that may be held by Aliens. That will give us something to go on. I see by the draft bill that 70 acres per Parish is proposed. That is a very considerable decrease on the present allowance to the whole Island. It would help towards a solution of the Tucker's Town question if this were increased. The Council will then need to know some particulars such as:-

1. The number of houses that were expropriated.
2. The acreage that was taken by expropriation.
3. What of 1 and 2 are outside the limits of the golf course and the actual grounds of the club house buildings
4. How much of 3 it is proposed to sell to Aliens.
5. The price that was paid for the expropriation of 4.

6. Whether any of the present objections come within 4.

With this information we may possibly be able to steer a course which will keep us off the rocks.

Meanwhile it is desirable that you as a Director should warn your Board that altho' the Act allows them to sell 100 acres of the expropriated ground there is a snag ahead in the shape of the Allen Act and that I am most anxious that collision should be avoided, and that pending an understanding it will be advisable for them to refrain from sales of expropriated land to Allens.

On my return I will have a talk about

Yours sincerely

(sgd) J. Asser.

(COPY)

75

Government House,

Bermuda,

27th July, 1925.

My Dear Sir Frederick,

I have told Mr. Spruling to warn his Board not to rush into sales of expropriated land at Fockers town. My reason for so doing is that altho I find in the Act that the Company may sell 100 acres of the land taken by expropriation nothing is said in the Act about the sale to aliens to there is still the Alien Act to face!

The whole matter will, in my opinion, require very careful consideration for as you know, the Bermudian is very jealous of his birthright and, although he may stretch a point now and then to enable his pockets to be filled, his conscience pricks him at times.

Of course every thinking man knows in his heart of hearts how much the present prosperity of the Island is due to your Company but the general tendency is to forget that. But you know the situation in this respect probably better than I do so it is not necessary for me to go into details.

But the fact remains that we have a very strong public opinion in favour of retaining everything it possibly can for the Bermudian and resenting the intrusion of an alien. I have been surprised to find the case which is exercised in considering Alien applications for even the smallest parcel of land. How much greater will be their interest when it comes to sales of plots to Aliens for which Bermudian owners were but recently expropriated!

I consider the situation a very delicate one and that a satisfactory solution can only be found by careful study on the

spot with a view to fitting in your plans with the feelings of the people. I think it quite possible that we may be able to arrive at something.

But if sales to aliens are carried out before this is done it may result in an impasse which would be most detrimental to your interests. You must remember that what persuaded the Bermudians more than anything else to agree to the Truckers Town scheme was the fact that the Company is a British Company.

I have asked Mr. Spurling to collect certain data for me so that when I return from leave on the 7th of September we may go into the matter. By that time no doubt he will know your views.

The new hotel is shooting up. It is not exactly a thing of beauty but should be easily be ready in time. As you will have heard the Lemport Holt boat ran on a rock and blocked the channel up for a day. It is now announced that their boats will cease to call here. Many conjectures as to the reasons but as I hear ^{it} the cost £275 to bring such a boat to Grassy Bay I am not surprised. It's the old story.

We are off to Canada tomorrow. Please remember me to Lady Lewis.

Sincerely yours,

(Signed) J. Asser.

(72)

TO HIS EXCELLENCY Lieutenant-General Sir Joseph John Asser, K.C.M.G., K.C.V.O., C.B., Governor and Commander-in-Chief in and over the Islands of Bermuda;

THE PETITION OF THE BERMUDA DEVELOPMENT COMPANY, LIMITED,
humbly sheweth as follows:-

1. The Bermuda Development Company Act (No.2), 1920, was passed by the Legislature with the object of granting to the Company full powers of acquiring the lands at and near Tucker's Town specified in the First Schedule thereto which were required by the Company for carrying out its projects.

2. During the negotiations for the purchase of the said lands, now almost completed, it has transpired that the said Act does not make provision for dealing with (1) the cases of owners, or part owners, who by reason of some legal disability are unable to dispose of their interests, and (2) the cases of owners, or part owners, who either decline to treat with the Company or to conform in other respects to the provisions of the Act.

3. The former category includes the case of a patient in the Lunatic Asylum who has an interest in a small lot of land, and the case of certain minors who possess interests in remainder in another lot of land; and the latter category includes the cases of three persons possessing or reputed to possess part interests in two other lots of land.

4. Your Petitioners are consequently desirous of obtaining the passing of an Act containing provisions for dealing with such cases similar to those embodied in the present English statute law on the subject.

YOUR PETITIONERS THEREFORE PRAY that Your Excellency will be pleased to take this Petition into your favourable consideration and will assent to any Bill which may be passed by the other branches of the Legislature containing such provisions as will enable the Company to acquire such interests in the lands in question as cannot now be acquired under the provisions of the Act referred to in this Petition.

AND YOUR PETITIONERS WILL EVER PRAY etc.

THE BERMUDA DEVELOPMENT COMPANY, LIMITED.

per *Franklin Gray*, Secretary.

20th April 1923.

(21)

2302/2

1st December, 1922.

Sir,

I am directed to inform you that His Excellency the Governor has been pleased to re-appoint you as Chairman of the Commissioners under the Bermuda Development Company Act, (No. 2), 1920, vice Mr. C.F. Astwood who has resigned the Chairmanship but remains as one of the Commissioners, the vacancy being caused by the resignation of Mr. Allen C. Smith.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary.

The Hon. Major H. W. Appleby, J.P.,
Barrister-at-Law,
Hamilton.

WHEREAS Charles Erastus Astwood, Esq., M.C.P., has resigned his appointment as Chairman of the Commissioners appointed under The Bermuda Development Company Act, (No.2), 1920, but retains his appointment as one of the said Commissioners AND WHEREAS Allan Chalmers Smith, Esq., Barrister-at-Law, has resigned his appointment as one of the said Commissioners IT IS THIS DAY ORDERED by His Excellency the Governor under the provisions of Section 2 (1) of the said Act that the Worshipful Reginald Woodfield Appleby, J.P., Police Magistrate, Central District; Barrister-at-Law, be re-appointed and renominated as Chairman of the said Commissioners and that the Commission be endorsed accordingly.

Wm. Ashmore
Colonial Secretary.

Colonial Secretary's Office,
1st December, 1922.

WHEREAS Charles Erastus Astwood, Esq., M.C.P., has resigned his appointment as Chairman of the Commissioners appointed under The Bermuda Development Company Act, (No.2), 1920, but retains his appointment as one of the said Commissioners AND WHEREAS Allan Chalmers Smith, Esq., Barrister-at-Law, has resigned his appointment as one of the said Commissioners IT IS THIS DAY ORDERED by His Excellency the Governor under the provisions of Section 2 (1) of the said Act that the Worshipful Reginald Woodfield Appleby, J.P., Police Magistrate, Central District; Barrister-at-Law, be re-appointed and renominated as Chairman of the said Commissioners and that the Commission be endorsed accordingly.

Colonial Secretary.

Colonial Secretary's Office,
1st December, 1922.

69

Hamilton.

30th Nov. 1922.

The Hon. The Colonial Secretary,

Hamilton.

Sir,

In reply to your letter of 28th November instant No. 2302/2 I have the honour to inform you that I am prepared to accept re-appointment as Chairman of the Commissioners under the Bermuda Development Company Act (No. 2) 1920 vice Mr. C. E. Astwood resigned.

I have the honour to be

Sir,

Your obedient servant.

Wm. D. Appleby. J.P.

(68)

2302/2

28th November, 1922.

Sir,

I am directed to inquire whether you will accept re-appointment as Chairman of the Commissioners under The Bermuda Development Company Act (No.2), 1920, vice Mr. C.E.Astwood who has resigned the Chairmanship but remains as one of the Commissioners, the vacancy being caused by the resignation of Mr. Allan C.Smith.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary.

The Hon. Major R.W.Appleby, J.P.,
Hamilton.

(67)

2302/2

28th November, 1922.

Sir,

I am directed to acknowledge the receipt of your letter of the 24th instant, and to inform you that His Excellency has been pleased to accept your resignation as a Commissioner under The Bermuda Development Company Act (No.2), 1920, with effect from that date.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary.

Captain Allan C. Smith,

Hamilton.

46

2502/2

28th November, 1922.

Sir,

With reference to your letter of the 25th instant I am directed to inform you that His Excellency has been pleased to accept your resignation as Chairman of the Commissioners under The Bermuda Development Company Act (No.2), 1920, and has approved of your continuing to serve as one of the Commissioners.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary.

C. E. Astwood, Esq., M.C.F.,
Hamilton.

2502/m
Bernuda

(14)

25th Nov 1922

The Honorable

Colonial Secretary

Sir

I have the honor to
inform His Excellency
that I wish to resign as
Chairman of the Commission
appointed under the Coastal
Zone Development Act,
but would be pleased to
serve as one of the Commissioners
I have the honor to be

Yours
Very sincerely,
Wm. Stebbing Bennett
C. S. Oatlands

62

APPLEBY & SMITH

BARRISTERS-AT-LAW

HAMILTON AND ST. GEORGE'S, BERMUDA

Hamilton.

November 24th 1922.

The Hon The Colonial Secretary,
Hamilton.

Sir:-

I beg to tender my resignation as a
Commissioner appointed under the provisions of the
Bermuda Development Company Act (No 2) 1920 to take
effect from this date.

I have the honour to be,

Sir,

Your obedient servant,

A. S. Smith.

(61)



WHEREAS the Worshipful Jeremiah Scott Peartman,
J.P., M.C.P., a Commissioner re-nominated as Chairman
of the Commissioners under the Bermuda Development
Company Act has resigned his appointment IT IS THIS
DAY ORDERED by His Excellency the Governor under the
provisions of Section 2 (1) of The Bermuda Develop-
ment Company Act, (No.2), 1920, that Charles Erasmus
Astwood of Paget Parish in the Islands of Bermuda,
Esquire, M.C.P. be re-appointed and re-nominated as
Chairman of the said Commissioners and that the said
Commission be endorsed accordingly.

J. Williams

Colonial Secretary.

Colonial Secretary's Office,

18th August, 1922.

WHEREAS the Worshipful Jeremiah Scott Peartman,
J.P., M.C.P., a Commissioner re-nominated as Chairman
of the Commissioners under the Bermuda Development
Company Act has resigned his appointment IT IS THIS
DAY ORDERED by His Excellency the Governor under the
provisions of Section 2 (1) of the Bermuda Develop-
ment Company Act, (No. 2), 1920, that Charles Erasmus
Astwood of Paget Parish in the Islands of Bermuda
Esquire, M.C.P., be re-appointed and re-nominated as
Chairman of the said Commissioners and that the said
Commission be endorsed accordingly.

Colonial Secretary.

Colonial Secretary's Office,

18th August, 1922.

(60)

2302/2

18th August, 1920.

Sir,

In consequence of the resignation of the
Messrs. J. Scott Fearnman, J.D., M.C., I am directed to
inform you that His Excellency has been pleased to
re-appoint you to be Chairman of the Commissioners
under the provisions of Section 2 of the Bermuda
Development Company Act, (No. 2), 1920, with effect
from this date, ^{as} you have ~~been~~ kindly expressed your
willingness to serve in that capacity.

I have the honour to be,

Sir,

Your obedient servant,

Colonel Secretary.

C. E. Astwood, Esq., H.C.P.,

Paget, Magt.

52

2302/2

18th August, 1936.

Sir,

I am directed to acknowledge the receipt of your letter of the 16th instant, and to inform you that His Excellency the Governor has been pleased to accept your resignation as Chairman of the Commissioners appointed under the provisions of the Bermuda Development Company Act, (No. 2), 1936.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary.

The Hon. J. Scott Pearson, J.P., M.C.J.,
Hamilton.

Hamilton
(57) August 16/20

Wm. Stovell
The Colonial Secretary

Sir

I beg to be

allowed to resign my
position as Chairman
of the Commission appointed
to deal with the matter of the
Jussieu town property
to be acquired by the Bermuda
Development Co
I beg to remain
Yours faithfully
Geo. H. Newman

WHEREAS Charles Erasmus Astwood, Esquire, M.C.P.,

Chairman of the Commissioners appointed by His Excellency the Governor on the 8th June, 1921, under the provisions of Section 2 (1) of The Bermuda Development Company Act (No.2), 1920, has temporarily left the Colony without having obtained leave of absence and has thereby under the provisions of the said Section of the said Act vacated his said appointment and it is expedient to appoint a Chairman in his place, IT IS THIS DAY ORDERED by His Excellency the Officer Administering the Government under the provisions of the said section of the said Act that the Worshipful Jeremiah Scott Pearman, J.P., M.C.P., be appointed and nominated as Chairman of the Commissioners under the said Act, and that the said Jeremiah Scott Pearman having taken the prescribed oath before His Excellency this day, the Commission under the hand of His Excellency the Governor and the Great Seal of these Islands dated 27th September, 1920, be endorsed accordingly.

Wm. Whitford

Colonial Secretary.

Colonial Secretary's Office,

31st July, 1922.

WHEREAS Charles Prastus Astwood, Esquire, M.C.F.,
Chairman of the Commissioners appointed by His Excellency
the Governor on the 8th June, 1921, under the provisions
of Section 2 (1) of The Bermuda Development Company Act
(No. 2), 1920, has temporarily left the Colony without
having obtained leave of absence and has thereby under
the provisions of the said Section of the said Act
vacated his said appointment and it is expedient to
appoint a Chairman in his place, IT IS THIS DAY ORDERED
by His Excellency the Officer Administering the Government
under the provisions of the said Section of the said Act
that the Worshipful Jeremiah Scott Pearman, J.P., M.C.F., be
appointed and nominated as Chairman of the Commissioners
under the said Act, and that the said Jeremiah Scott
Pearman having taken the prescribed oath before His
Excellency this day, the Commission under the hand of
His Excellency the Governor and the Great Seal of these
Islands dated 27th September, 1920, be endorsed accordingly.

Colonial Secretary.

Colonial Secretary's Office,

31st July, 1922.

BERMUDA DEVELOPMENT COMPANY, LIMITED.

HAMILTON, BERMUDA

52
July 29th, 1922.

The Honourable The Colonial Secretary,
Colonial Secretary's Office,

Hamilton.

Sir:

Referring to Section 1 (Sub-section 2) of the Bermuda Development Company Act, 1920, (No. 19), I have the honour to inform you that the Office of the Company has now been transferred to Tucker's Town, which will accordingly be the location of the Offices of the Company for the purposes of the Act above referred to.

I have the honour to be,

Sir,

Your obedient servant,

A. Storer
Secretary.

REGG.M



Figure

WHEREAS Charles Erastus Astwood, M.C.P., Chairman of the Commissioners appointed by His Excellency the Governor on the 8th June, 1921, under the provisions of Section 2 (1) of The Bermuda Development Company Act (No. 2), 1920, has temporarily left the Colony

without having obtained leave of absence and has ^{under the provisions of the said section of the said Act} thereby vacated his said appointment and it is

expedient to appoint ^a another person as Chairman in ^{his} the place of the said ~~Charles Erastus Astwood~~, IT

IS THIS DAY ORDERED by His Excellency the Officer Administering the Government under the provisions of the ^{said} section of the ^{said} Act ~~above-quoted~~ that the

Worshipful Jeremiah Scott Pearman, J.P., M.C.P., be appointed and nominated as Chairman of the Commissioners under the said Act, and that the said Jeremiah Scott Pearman having taken the prescribed oath before His Excellency this day, the Commission under the hand of His Excellency the Governor and the Great Seal of these Islands dated 27th September, 1920, be endorsed accordingly.

Colonial Secretary.

Colonial Secretary's Office,

31st July, 1922.



WHEREAS Charles Erastus Astwood, M.C.P., Chairman of the Commissioners appointed by His Excellency the Governor on the 8th June, 1921, under the provisions of Section 2 (1) of The Bermuda Development Company Act (No. 2), 1920, ~~is absent from these Islands~~ and it is expedient to appoint another person as Chairman in the place of the said Charles Erastus Astwood, **IT IS THIS DAY ORDERED** by His Excellency the Officer Administering the Government under the provisions of the section of the Act above quoted that the Worshipful Jeremiah Scott Pearman, J.P., M.C.P. be appointed and nominated as Chairman of the ~~Commission~~^{services} under ~~the~~^{the} said Act, and that the said Jeremiah Scott Pearman having taken the prescribed oath before His Excellency this day, the Commission under the hand of His Excellency the Governor and the Great Seal of these Islands dated 27th September, 1920, be endorsed accordingly.

Colonial Secretary.

Colonial Secretary's Office,

31st July, 1922.

has temporarily left the Colony without having obtained leave of absence and has thereby vacated his said appt.

W. S. P.

2302/2

29th July, 1922.

Sir,

In consequence of the absence from the Colony of Mr. C.H. Atwood, M.C.J., I am directed to inform you that His Excellency has been pleased to appoint you to be Chairman of the Commissioners under the Provisions of Section 2 of the Bermuda Development Company Act (No. 2), 1920, with effect from this date, you having kindly expressed your willingness to serve in that capacity.

2. The other members of the Commission are:-
 Colonel W.H. Winter, O.B.E., J.P., and Captain A.C. Smith, M.C., J.P.

3. I am to request that you will be good enough to attend at this office at 2.30 p.m. on Monday, the 31st instant, in order to be sworn as a Commissioner by His Excellency in accordance with the provisions of Section 2, (2) of the Act above quoted.

I have the honour to be,
 Sir,
 Your obedient servant,

The Hon. J. Scott Parman, J.P., M.C.J.,

Hamilton.

Colonial Secretary.

WHEREAS the Worshipful Reginald Woodfield Appleby J.P., Police Magistrate, Hamilton, a Commissioner nominated as Chairman of the Commissioners under the Bermuda Development Company Act, and the Worshipful Jeremiah Scott Pearman, J.P., M.C.P. a Commissioner under the said Act both appointed by Commission under the hand of His Excellency the Governor and the Great Seal of these Islands dated the 27th day of September 1920 have resigned their appointments as such Chairman and Commissioners IT IS THIS DAY ORDERED by His Excellency the Governor under the provisions of Section 2 (1) of the Bermuda Development Company Act, (No.2), 1920, that Charles Braslus Astwood of Paget Parish in the Islands of Bermuda Esquire, M.C.P. be appointed and nominated as Chairman of the Commissioners under the Bermuda Development Company Act, and that Colonel William Robert Winter, O.B.E. and Captain Allan Chalmers Smith, M.O., J.P. both of Paget Parish aforesaid be appointed Commissioners under the Bermuda Development Company Act, and that they having taken the prescribed oath before His Excellency this day the said Commission be endorsed accordingly.

John Lawrence Pearman

Acting Colonial Secretary.

Colonial Secretary's Office,

8th June, 1921.

It was this day ordered by His Excellency the Governor under the provisions of section 2 (1) of The Bermuda Development Company Act, (No.2), 1920, No.25, that the Commission under the hand of the Governor and Great Seal of these Islands dated 22nd September, 1920, to the Worshipful Reginald Woodfield Appleby, J.P., Police Magistrate, Hamilton; the Worshipful Jeremiah Scott Peerman, J.P., M.C.P., and Charles Erasmus Astwood, Esquire, F.C.P., appointing them Commissioners for the purposes of the said Act, that in consequence of the resignation of the said H.W.Appleby as Chairman and the said Jeremiah Scott Peerman as a member of the said Commission, Mr. Charles Erasmus Astwood a member of the Commission be Chairman, and the Worshipful Colonel William Robert Winter, O.B.E., and Allan Chalmers Smith, J.P., be members of the Commission, they having taken the prescribed oaths before His Excellency this day, and that the said Commission be endorsed accordingly.

Acting Colonial Secretary.

Colonial Secretary's Office,

8th June, 1921.

MS

Waterville,

Paget East, Bermuda,

9th. June 1921.



Sir,

I have the honour to acknowledge the receipt of your letter No. 2302/2, of 7th. inst., informing me that His Excellency had been pleased to appoint me to be a member of the Commission provided for in the provisions of Section 2 of the Bermuda Development Act (No. 8) of 1920, a copy of which was enclosed in your letter, and to beg that you will be pleased to convey my thanks to His Excellency.

2. Noted, thank you.

I have the honour to be, Sir,

Your obedient Servant,

W. R. Tucker

The Honourable,

The Colonial Secretary,
Bermuda.

(27)

Bermuda

8th June 1921

Sir,

I have the honour to
acknowledge the receipt of your
letter no 2302/2 dated 7th June 1921.

My reply would say I am
willing to accept appointment as
Chairman of the Commissioners
in place of Mr. Appleby

I have the honour to be,

Sir,

Your obedient servant,

L. E. Atwood

The Honourable

The Actg. Colonial Secretary

2302/2

7th June, 1921.

26

1/25/21

Sir,

In consequence of the resignation of the
Worshipful H. W. Appleby, J. P., as Chairman, and of the
Worshipful J. S. Parnham, as a Member of the Commission
under the provisions of Section 2 of the Bermuda
Development Company Act (2), 1920, I am directed
by the Governor to inquire whether you will accept
appointment as Chairman of the Commissioners in
place of Mr. Appleby.

2. The vacancies in the membership of the
Commission will be filled by Colonel W. H. Winter, O. B. E.
and Mr. Allan C. Smith respectively.

3. I shall be glad to be favoured with a
reply at your early convenience.

I Have the honour to be,

Sir,

Your obedient servant,

Acting Colonial Secretary.

C. E. Astwood, Esq., M. C. P.,

Paget, East.

2302/2

35

2302/2

7th June, 1931.

Sir,

I am directed by the Governor to inform you that His Excellency has been pleased to appoint you to be a member of the Commission provided for in the provisions of Section 2 of the Bermuda Development Company Act, (No. 2), 1920, for the purpose of dealing with applications for the acquisition by the Company of the land described in the First Schedule to the Act, (copy of which is enclosed for your information) and generally for the purposes of that Act.

2. The rate of remuneration is £5 a day for each day on which the Commission sits.

I have the honour to be,

Sir,

Your obedient servant,

Acting Colonial Secretary.

The Hon. Allan V. Smith, J.P.,

Hamilton.

314

2302/2

7th June, 1921.

Sir,

I am directed by the Governor to inform you that His Excellency has been pleased to appoint you to be a member of the Commission provided for in the provisions of Section 2 of The Bermuda Development Company Act, (No. 2), 1920, for the purpose of dealing with applications for the acquisition by the Company of the land described in the First Schedule to the Act, (copy of which is enclosed for your information) and generally for the purposes of that Act.

2. The rate of remuneration is £3 a day for each day on which the Commission sits.

I have the honour to be,

Sir,

Your obedient servant,

Acting Colonial Secretary.

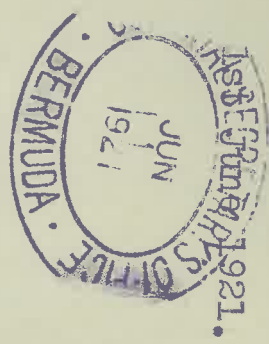
Paget.

Colonel W. H. Winter, O. B. E.,

30

[R

Hamilton, Bermuda.



The Hon. the Colonial Secretary.
Hamilton.

Sir,

We hereby beg to resign our appointment as Commissioners under the provisions of the Bermuda Development Company Act (No2) 1920.

We have the honour to be

Sir,

Your obedient servants,

W. J. J. Kelly *J. P. Chamberlain*
Fortham *JP*