

BERMUDA.

In transmitting copies of these Reports for such directions as the Commissioners of Colonial Land and Emigration may see fit to give thereon, and for any observations with which they may deem it proper to favour the Board. I am to state, that the Comptroller of Hamilton has been apprised that the Board are advised that the Comptroller of St. George's was not authorised to take bond for the penalty, the amount of which should have been paid by the master previously to his departure; and further, that as all penalties incurred in the colonies are, by the 53d section of the Passengers Act, directed to be paid into the Colonial Treasury, the Board cannot interfere in the matter, but must leave the recovery of the penalty in the hands of the Governor, to whom the bond given in this case is to be delivered, in order that his Excellency may adopt such measures thereupon as he may think proper.

S. Walcott, Esq.
Sc. &c. &c.

I am, &c.
(signed) W. Maclean.

Sub-Enclosure 2, to Enclosure in No. 1.

Honourable Sirs,

Customs, Bermuda, 9 December 1850.

I HAVE the honour to transmit the enclosed statement from the Comptroller of Custom and Navigation Laws at the Port of St. George in these islands, reporting the arrival of the brig "James," Thomas William Burrows, master, from London, having on board 22 passengers, 21 of whom were boys and girls from the St. Paucras Union. The latter having been shipped under circumstances similar to those reported to your Honor in my letter No. 22, of the 23d July last, the master was duly summoned before two justices of the peace at the port of St. George, and convicted, as per memorandum herewith, of violating the 17th and 19th sections of 12 & 13 Vict., c. 33, though, from some unknown cause, the penalty adjudged for this infringement of the law has been laid at 5 L. only, whereas the Act expressly declares, that nothing less than that amount shall be imposed for each and every such offence. Finding such to be the case, I directed the Comptroller at the Port of St. George to request the magistrates to reconsider their judgment; this course, the Comptroller informs me, they have objected to, on the plea of not attaching much importance to the absence of a life-boat, the vessel being otherwise well found in boats, and their desire to impose the smallest possible fine upon the master, being convinced that he had infringed the law through ignorance. This occurred on the 6th instant, at which period the master of the "James" had again sailed from the Port of St. George for London.

A bond, executed by the master in conjunction with Mr. Augustus James Musson, one of the owners of the "James," to abide the pleasure of your honourable Board, touching the payment of the said penalty of 5 L., has been forwarded to me by the Comptroller of St. George's, and is now deposited in the Queen's chest.

I regret the imperfect manner in which the proceedings appear to have been decided in the magistrate's court, at the same time I respectfully beg leave to bear testimony to the merits of the master, S. W. Burrows, who, in the present instance (being his first voyage as a master), appears to have been entirely ignorant of the requirements of the Passenger Act.

I have, &c.
(signed) John L. Hurdis,
Comptr. C. & N. Laws.

The Honourable
The Commissioners of Her Majesty's Customs.

Sub-Enclosure 3, to Enclosure in No. 1.

Sir,

Her Majesty's Customs, Port of St. George's,
Bermuda, 23 November 1850.

I BEG to report the arrival on the 6th instant at this port of the brig "James," Thomas William Burrows, master, from London, Great Britain, bringing an assorted cargo of British and foreign goods, and also 22 passengers, 21 of whom are boys and girls from the St. Paucras Union. Immediately on the arrival of this vessel, I went on board of her for the purpose of ascertaining whether the provisions of the Passengers Act had been complied with, and on examining the master, discovered that he had infringed the 19th section of that Act by having 12 kegs of gunpowder on board as cargo, and again, the 17th section, by not being furnished with a life-boat. In compliance with the directions contained in the Honourable Board's letter of the 13th September last, No. 21, I summoned the master of the "James" before two justices of the peace for infringing the law in the above cases, and a penalty of 5 L. has been imposed on him by them, for which I have taken his bond jointly with Mr. A. J. Musson (one of the owners of the vessel), to await the decision of the Honourable Board.

In reporting this matter, I cannot but regret that it should have become my duty to enforce the law in this instance, being convinced that the master of the "James" had no intention of committing any breach of the Passengers Act, and that he has done so now solely through ignorance of the law. I think it right to mention, that the children on being questioned with regard to the treatment they had received during the voyage, expressed themselves