

## STATEMENT TO COMMISSION OF INQUIRY INTO HISTORIC LOSSES OF LAND IN BERMUDA

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**DOB: 4<sup>th</sup> June 1954**  
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I am a graduate of Howard University in Washington DC; Yale University in New Haven, CT. (M.Div.); and Wesley Theological Seminary in Washington DC (D.Min).

I have served as the Pastor of Marsden First United Methodist Church for over twenty (20) years.

By presenting the following timeline, certain important facts will become evident:

1. Marsden endeavored for many years to work with Rosewood Tucker's Point to resolve several issues concerning the Old Marsden Cemetery.
2. Marsden partnered with the Tucker's Town Historical Society in addressing concerns pertaining to the cemetery.
3. Marsden also worked with CURB on these issues.
4. The former Ombudsman's report, "A Grave Error", clarifies much of the misinformation concerning Marsden and the cemetery.
5. However, the former Ombudsman erred in claiming that the church had been complicit in the desecration of its own graveyard.
6. In hindsight, the church regrets not including TTHS and other concerned stakeholders in the decision to restore the cemetery.
7. Marsden's primary concerns have been for the upkeep and maintenance of the graveyard; resolving the impact of the driving range; guaranteeing access to the cemetery by descendants; and working collaboratively with all stakeholder to ensure a proper restoration and memorial of cemetery.

**CEMETERY TIMELINE** (blue is from the Ombudsman's report and black is from Marsden):

**2007** – June: Pastor and representatives of Marsden met with members of the Tucker's Town Historical Society, CURB, and representatives from Tucker's Point Club ("TPC"). A number of grievances and concerns were presented to Tucker's Point and discussed. Chief among these was the desecration of graveyard by the driving range depositing numerous golf balls.

Subsequent meetings, communications, and a documentary film, failed to resolve the matter (despite verbal and written assurances from TPC that certain key issues would be addressed). To date, TPC failed to fulfill their agreement "to stop the continued desecration of graveyard" (with a sufficiently protective netting).

**2011** – July 13: A letter from Marsden was sent to two government ministers (Derrick Burgess and Wayne Perinchief), and the representative for our constituency, appealing for assistance in our efforts to resolve issues with Tucker's Point concerning the Old Tucker's

Town Graveyard. The letter was also sent to representatives of TPC (Brian Young and Ed Trippe).

The following is an excerpt from that letter:

*As we plan to hold our 150th Anniversary, Marsden intends to invite the community to gather at the Old Tucker's Town Graveyard. It would be a shame for the community to gather and witness the continuation of a disregard for a people's heritage and one of their holy grounds. We anticipate once again a community outcry over this issue.*

**2011** – August 30-31: **The Ground Penetrating Radar Survey** was conducted on the grounds of the old Tucker's Town Graveyard. The project was directed by Dr. John Triggs of the Department of Archaeology and Classical Studies at Wilfrid Laurier University, in Waterloo, Ontario, Canada, and two of his associates. Dr. Harris served as the project coordinator. This historic work was done with the consent and support of The Rosewood Tucker's Point. The resulting Ground Penetration Radar Survey Report ("GPRSR") documented numerous graves; mostly within the walls, and a few actually outside of the walls.

- Of equal importance, the GPRSR documented the transition via aerial photos taken in 1973 (showing no monument tops) and in 1997 (showing the tops). **These monument tops were added only 16 to 20 years ago and there are no records to indicate that approval was ever given by the church to put these sarcophagi in place. More importantly, the report proved that these concrete tops were not a part of the original graveyard.**
- Accordingly, accepting the recommendation of the GPRSR to remove the "false sarcophagi tops", the Trustees of the church decided to restore the graveyard to its original state; as it existed circa 1920.
- To the knowledge of the Trustees, none of the graves themselves had been violated. Certainly, the Pastor nor any trustee would ever consent to that, as the ancestors of many of our members are buried there as well.
- It is important to note that no one from Marsden was involved in overseeing the removing of the gravestones (sarcophagi). Neither the Pastor, the trustees or any member of the church participated in any manner with the attempted modifications of the cemetery.
- Dr. Edward Harris<sup>i</sup> involvement with the cemetery issue was at Marsden's request. TPC initially rejected the proposal to conduct a ground penetrating survey. It was only after the church's insistence that TPC conceded. However, TPC imposed restrictions upon the extent of the survey.
- It was Marsden's understanding that Dr. Harris would oversee the work of extending the boundary wall to include the newly discovered graves and the removal of the "false sarcophagi" to restore the area to its original state. Dr. Harris gave the church assurances that the integrity of graves themselves would not be violated.

- As Ms. Brock documents in her report, Marsden’s trustees were not aware of the historic protection designated for the cemetery. The Department was not alerted to Marsden’s custodianship and therefore did not consult with the church during the zoning process.
- At that time, **Ms. Brock recorded no one alleging that the “graves were dug up” and/or “bodies were removed”.**

***“Note: the graves underground at Tucker’s Point were not disturbed by the activity of mid-October 2012. It is the tombstones above ground that were demolished.”***  
(Grave Error, p. 3)<sup>ii</sup>

With regards to the decision of Marsden go with the recommendations from the Ground Penetrating Survey, as presented by Dr. Harris, Ms. Brock says:

*There is no reason to disbelieve Marsden and Rosewood Tucker’s Point. Had they had any indication at all from the Department prior to mid-October that the Department was taking steps to list the Cemetery in accordance with an Ombudsman recommendation, they would not have proceeded with the demolition.*<sup>iii</sup>

The Following is from Ms. Brock:

*The decision to remove the ancient tombstones was made by agreement of:*

- *Owners of the property – Bermuda Properties Ltd./Castle Harbour Ltd.; and Managers – Rosewood Hotels & Resorts*
- *Marsden First United Church*
- *Dr. Edward Harris, Director of the National Museum and Bermuda’s premier archeologist.*

*The decision was based on the mistaken assumption that the graves were “false”. This mistaken assumption was based in part on aerial photographs. Aerial photographs taken in 1962 did not reveal the Cemetery which was completely obscured by vegetation. However, aerial photographs from 1973 show partial clearance and some visible burials. Aerial photographs of 2003 revealed a Cemetery comparatively free of overgrown vegetation with whitewashed sarcophagi.*

Ms. Brock actually goes on to document that concrete tops were indeed added to the ancient graves.<sup>iv</sup>

**Ms. Brock erred in designating the church’s restoration attempts as “desecration”. Bermuda and UK laws cite as criminal damage done to property not belonging to one’s self.**

**“Cosmetic restoration” of the graves by the custodial owners of the cemetery can hardly be called “desecration”.**

**2011** – October: Marsden held a Memorial Service at the cemetery.

**2012** – October 15-16: The gravestones were removed from Tucker’s Town Cemetery (a section of the boundary wall was knocked down to be extended to include newly discovered graves).

**2012** – October 29: A meeting was by held by Marsden Church requesting input from the community on how the gravesite should be memorialized

**2012** – November 6: A meeting with the Pastor and Trustee chairman of Marsden Church, the chairman and two members of the TTHS and Dr. Ed Harris was held to discuss a submission to the Department of Planning

**2013** – January 24: Marsden Church put in an application to the Department of Planning

**2013** – March 9: CURB launched an appeal for an in-depth consultative process on how the Tucker’s Town gravesite should be memorialized

**2013** – March 15: A Government spokesperson tells the Royal Gazette that the “Department of Planning anticipates that the process to enable the Minister to consider the listing of the site as a historical monument pursuant to Section 30 of the Development and Planning Act 1974 would be concluded by 30 June 2013”.

**2013** – March 18: The Ombudsman issued a press release announcing her investigation into the disappearance of the gravestones


Meeting organized by the previous ombudsman, Arlene Brock, with stakeholders—representatives of Marsden Church, TTHS, Planning Dept, Bermuda National Museum. Ms. Brock sought to have Dr. Janet Fergusson and Mr. Glen Fubler to serve as arbitrators in leading the process of healing and reconciliation.

**2020** – September 18: The current Ombudsman, Victoria Pearman, held a meeting with Pastor and Bro. Sinclair White, Representatives of TTHS, to discuss a way forward in addressing concerns with Rosewood Tuckers Point and restoring the cemetery.

## **IN SUMMARY**

- 1) It is unfortunate that other stakeholders were not consulted before the concrete grave tops were removed.**
- 2) The church finds the unsubstantiated claims that “the graves were dug up and bodies removed” repugnant and counter-productive to the process of healing and reconciliation.**
- 3) Marsden supports efforts to determine the actual physical scope of the cemetery by determining the graves beyond the current boundary walls.**

- 4) **Marsden supports a Broad-based Coalition of Stakeholders to Collaborate on the Way Forward.** We are willing to work with all stakeholders to work towards restoring the cemetery and reconciliation of the community.
- 5) **Marsden advocates for the Redirecting of the Driving Range as this Benefits Everyone.**
  - a) Efforts to provide a protecting netting have totally failed.
  - b) The continued desecration posed by the driving range goes against the spirit of the initial intent to preserve the sight.
  - c) Redirecting the Driving Range will help promote efforts to bring restitution and a step towards the needed healing for the black community.



**DATE: 17<sup>th</sup> November 2020**

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<sup>i</sup> Arlene Brock recognized Dr. Harris' concerns for cemetery prior to 2012, stating, "Dr. Edward Harris, Bermuda's premier archeologist also questioned why the proposed SDO was silent about the Cemetery", on page 4 of her report "A Grave Error."

<sup>ii</sup> A Grave Error, Arlene Brock, P. 3

<sup>iii</sup> Ibid. 8

<sup>iv</sup> The following excerpts are taken from pages 9 and 10:

The group can clearly be heard identifying and describing fifteen visible tombs. Nine were recognizable tombs and others were remnant stones. They were low to the ground, made in the old style of Bermuda graves. Only one or two had partial covers and all had tall bush and even trees growing out of them. The stones were old, grey Bermuda limestone. The visitors related stories about why the tops were missing and speculated that storms may have felled trees that, in turn, crushed several of the stone tomb walls.

There was also a perimeter wall on the south and west sides of the Cemetery. The Castle Harbour employees noted that from time to time, the grass around the tombstones was mowed so that golfers could retrieve stray golf balls. However, they never interfered with the tombstones.

Two years later, the employees were responsible for rebuilding the Cemetery wall with a wrought iron gate. Critically, the vegetation growing out of the open tombs was cut. Concrete slabs were placed on top. Now retired, the groundsman is adamant that, in putting the concrete slabs on, he and the other workers *patched up* rather than *shaved off* in order to level the walls of the tombs. They were careful not to cut down or otherwise damage the existing limestone.

The evidence from this visit that the ancient limestone tombs existed and that the repairs done in 1991 were merely to cover them with cement tops is persuasive. I find this evidence to be far more logical than the notion that, sometime before the 1973 aerial photographs, Castle Harbour built "false sarcophagi" on a flat, barren golf course for no reason at all. Lamentably, the decision-makers deferred to the view developed by Dr. Harris (in casual conversations – unclear with whom) that the work done in 1991 constituted the erection of "false graves". In a response to the media, he asserted: "The reconstructed graves were not in keeping with Bermuda

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traditional graves and such a reconstruction would not have taken place, if archeologist or heritage specialists had been consulted, as such reconstruction would not be considered the right thing to do, then or now.”