

**A COMMISSION OF INQUIRY
INTO HISTORIC LAND LOSSES
IN BERMUDA**

CHAIRMAN

MR. WAYNE PERINCHIEF, JP

COUNSEL

MR. DIRK HARRISON (via Zoom)

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TRANSCRIPT OF PROCEEDINGS

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MORNING SESSION (a)

COUNSEL DIRK HARRISON

16:56: I'd ask we would now go to the matter and ask that Mrs. Elaine Fox takes the witness stand.

MR. WAYNE PERINCHIEF

17:10: Yes Counsel, would you wish to have her sworn or...Yes. She's going to be sworn.

COUNSEL DIRK HARRISON

17:18: Yes. And just for convenience, I know we discussed it earlier but just to indicate Mrs. Fox, if you have any religious conviction or any other reason that you choose not to be sworn, you may affirm to speak the truth. It's a choice that you have, to swear or to affirm. You may choose which you wish.

MR. WAYNE PERINCHIEF

17:42: Counsel, before we start would I just, I have an efficient welcome for Mrs. Fox. I met her earlier. I want to thank you for attending at this Commission hearing, Mrs. Fox, to give information that you have regarding St. David's

Island and we appreciate your attendance here.
Thank you very much.

MS. ELAINE FOX 18:03: Thank you, Mr. Chairman. I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

COUNSEL DIRK HARRISON 18:32: I'll ask you to pull that bottle to the side for me please. Mrs. Fox, could I just ask you to move that bottle to the side, the bottle in front of you, just move it to the side for me. Thank you.

MR. WAYNE PERINCHIEF 18:50: Yes, Good Morning Mrs. Fox. I think we're all now comfortable with our positions and you may continue or give us the information that you have to give the Commission today.

COUNSEL DIRK HARRISON 19:06: Good morning, Mrs. Fox.

MS. ELAINE FOX 19:08: Good morning, Counsel.

COUNSEL DIRK HARRISON 19:11: And how are you today?

MS. ELAINE FOX 19:12: I am very well, thank you.

COUNSEL DIRK HARRISON 19:14: Okay, good. Could you state your full name for me?

MS. ELAINE FOX 19:17: My name is Elaine Sandra Fox.

COUNSEL DIRK HARRISON 19:21: Where do you presently reside, madam?

MS. ELAINE FOX 19:24: I reside at 22 Chapel of Ease Lane, St. David's.

COUNSEL DIRK HARRISON 19:30: And how long have you resided there, madam?

MS. ELAINE FOX 19:36: About 45 years.

COUNSEL DIRK HARRISON 19:39: Thank you. Did you grow up in St. David's Parish?

MS. ELAINE FOX 19:48: Yes, Counsel, I have spent 73 out of my 75 years in St. David's.

COUNSEL DIRK HARRISON 19:57: Thank you very much. No whilst Living in St. David's, with whom did you live?

MS. ELAINE FOX 20:05: I lived with my parents till I was married. We lived at the east end of St. David's and a few years after I married, I moved to 22 Chapel of Ease Lane.

COUNSEL DIRK HARRISON 20:23: Now, what are the names of your parents, madam?

MS. ELAINE FOX 20:27: My parent's name was Albert Victor Fox, he was known to all as Peter, and my mother's name was Marva Elizabeth Auca Griffiths Fox.

COUNSEL DIRK HARRISON 20:48: Thank you very much. Now, I'm going to ask you about the statement which you provided to the Commission of Inquiry. You can, and certainly you know that's why you're here today. In respect of the statement you provided to the Commission of Inquiry, do you have it there with you?

MS. ELAINE FOX 21:11: Yes, Counsel.

COUNSEL DIRK HARRISON 20:14: That statement consists of three (3) pages?

MS. ELAINE FOX 21:18: That is correct, Counsel.

COUNSEL DIRK HARRISON 21:20: And that statement, you have signed that statement?

MS. ELAINE FOX 21:25: No, I haven't as yet.

COUNSEL DIRK HARRISON 21:27: I'm just going to ask you to, the statement that you wish to rely on, I'm just going to ask you to sign each page. The statement that you have just signed it, you gave it the title, "Southside, St David's, A Lost Way of Life", is that correct?

MS. ELAINE FOX 21:55: That is correct, Counsel.

COUNSEL DIRK HARRISON 21:58: I'm going to ask, Chairman, that the signed statement consisting of three pages titled "Southside, St David's, A Lost Way of Life", that it is tendered and admitted as **Exhibit EF1**.

MR. WAYNE PERINCHIEF 22:21: The statement of Mrs. Fox consisting three pages, titled "Southside St David's, A Lost Way of Life" is tendered and admitted for our records as **Exhibit 1**.

COUNSEL DIRK HARRISON 22:35: **EF1**, Chairman.

MR. WAYNE PERINCHIEF 22:41: **EF**. I was getting my 'x's and my 'f's confused.

COUNSEL DIRK HARRISON 22:45: Oh, okay, thank you very much. Mrs. Fox, could you kindly read all three pages from the start to the end for us, please?

MS. ELAINE FOX 22:53: Yes, Counsel. "I want to make it quite clear that in the mid to late 1930s. It was a reality that a World War was on the horizon and tiny Bermuda could and would play a significant role in the war effort. Like most St. David's Islanders (SDI), I have heard stories of old St. David's. However, I was always drawn to the stories of St David's and what life was like prior to World War II. My parents were born in the mid 1920s and I would often hear them reminiscing with family and friends about what life was like before the Base, Kindley Air Force Base, came to Bermuda. This is how the conversations would often start with my parents and their friends: "*During the War...*" and they would go on... "*Before the War...do you remember when?*" and they would go on or "*Until the Base came...*" and they would finish the sentence.

The area on the southern side of St. David's encompassing the present day runway and air terminal, Clearwater Beach and Cooper's Island Reserve, the hillside area across the water from Clearwater Beach where the white-washed water catchment on the hill, and then going north toward the St. David's Gas Station liquor store, including where the Clearwater Middle School is located, this is where the majority of people of St. David's Island lived and worked.

MS. ELAINE FOX 24:41: **Southside:** Southside consisted of islands. Large and small homes were built on these islands. Some of the islands were

connected by narrow wooden bridges. There were numerous beaches, coves, mangrove swamps, etc. The soil was rich and there were farms, large and small. There were lily fields and a cricket field. The whole area was part of Castle Harbour, making Tucker's Town the closest neighbour. St. David's was isolated from mainland Bermuda until the Severn Bridge was built in 1934. The people of St. David's, like their neighbours in Tucker's Town, were self-sufficient. They were expert carpenters, masons, boat builders sailmakers, chefs, farmers, fishermen and pilots, to name a few of their skills.

Henry Mortimer, Tommy Fox and his brothers and sister owned a large portion of land on St. David's and in particular on Southside. The land was inherited from their father, Charles Styles Fox. Their homes, mostly wooden but several built of stone, were built of cedar including the porches, blinds, doors, floorings, etc.. One such cottage had been in the Fox family for over 250 years. However, after listening to all the conversations between my parents, aunt and friends, it became clear to me that during those days, the nucleus of St. David's Island Southside community was Ruth's Bay. Ruth's Bay, which was owned by Victor Fox, the son of Tommy Fox, was actually a magnificent Bermuda cedar tree lined beach which was located directly across from the present day Clearwater Beach and just below the present day, white-washed water catchment. This bay is where the fishermen went directly out to sea for whaling and their catch, Pilots, prior to the Pilots Association being formed, could race straight out to sea to incoming ships in their swift sailboats and gigs.

MS. ELAINE FOX

27:11: During the summer months, Ruth's Bay was renowned throughout Bermuda as a prime picnic area and various groups as far away as Somerset would visit St. David's via boat to enjoy their picnics, parties and social gatherings. Also, some St. David's Island

entrepreneurs had businesses on Southside, such as restaurants, "The Happy Hit" owned by Mrs. Doris Minors, "The Quarry" owned by Mrs. Evelyn Bowden and a Dance Hall and Recreation Centre, the "Eastern Star Casino" owned by Mr. Charles War Baby Fox. There are probably other businesses as well. Like most small, isolated communities, the St. David's Islanders had their dignity, customs and their way of life. However, there was war coming and tiny Bermuda, strategically located in the middle of the Atlantic Ocean, became a prime location for a United States military base and it was decided that Southside, St. David's would be the best location to put this military base. There was great urgency with very short notice to the residents. They were told that the property would be required to create this military base and they would get stone houses to replace their lost homes and property. For King and Country, the residents of Southside, St. David's complied. Some St. David's islanders, being good loyal subjects, complied willingly and others such as Mr. Benjamin Melville, Red Benny Lamb absolutely refused to leave his property and home and was moved by a piece of construction equipment, lifting part of the room and the chair he was sitting on out of the way, then demolishing his house. I was told that men and equipment were waiting as a family put their belongings in a horse driven cart. The cart is barely moving away when the wrecking ball was demolishing their home. The mother was crying, father was upset seeing their homes destroyed. Families were moved into barracks in the Cashew City area. They were long wooden barracks on the northern side of present day, Cashew City Road. Behind these buildings on the rocky shoreline were the out-houses. Each family had three rooms, but there were often nine to ten in a family. I am not certain of the number of families per building, old and young were moved there. Babies were born and people probably died. These families lived in the barracks for nine months to a year before they were able to move into their

permanent locations. The authorities built little stone cottages for the displaced St. David's Islanders. These generic cottages were built in the area of present day Texas Road, St. David's and some were also built in other parts of St Davids as well. You can still see some of them or the form of them as many have been renovated and are now part of larger homes. The building of the Base was of such urgency that sorting out the homes for the displaced St. David's Islanders was not a priority at the time. I was also told but have not been able to confirm, the St. David's Islanders had to pay a mortgage for these cottages. Did they actually live on Southside debt free and end up being relocated with a debt and less land for their patriotism? Plus, their new cottages did not have large tracts of land for farming etc. or provide easy access to the sea.

MS. ELAINE FOX

31:37: I was told that many of the older St. David's Islanders died during the 1940s. Probably some may have had broken hearts due to their *'lost way of life.'* My mother spoke often of these days as she got older. She would be on the phone until the wee hours in the morning and she would recite her memories time and time again. I still have notes on odd pieces of paper or anything I could write on when she was talking. On the back of a paper placemat. I drew a diagram of where everyone lived on Southside, as Miss Dolly Pitcher and my mother were talking. A series of beautiful islands in Castle Harbour, unimaginable sea and bird life and relocation of human life and a quaint way of life crushed out of existence. The beautiful Ruth's Bay was where the Base authorities decided to locate the base dump. It was literally burnt out of existence. Today, the Ruth's Bay Base Dump has been replaced with large granite boulders and a forest of casuarina trees. Ironically, I was also told that two (2) of my grandfather's sisters, Helen and Elsie Fox, married two (2) Fogo brothers from Tucker's Town and that they moved either by force or by choice from Tucker's Town to St. David's and twenty (20)

years later, they had to give up for a fee their land on Southside. Signed. Elaine Fox 22nd October, 2020.

- MR. WAYNE PERINCHIEF** 33:33: Mrs. Fox, you told me your age is 75.
- MS. ELAINE FOX** 33:42: Correct 75.
- MR. WAYNE PERINCHIEF** 33:46: So you would have been born during the War?
- MS. ELAINE FOX** 33:50: 1946.
- MR. WAYNE PERINCHIEF** 33:50: 1946. And that would have been roughly five years after the Bases had taken over. Correct?
- MS. ELAINE FOX** 34:03: That is correct.
- MR. WAYNE PERINCHIEF** 33:05: And so you indicate to us, you certainly have through your statement indicated that you grew up, immediately after or during part of the development of US Base. Do you have any memories yourself personally at all of the US Bases and their later development?
- MS. ELAINE FOX** 34:31: Yes, Mr. Chairman. Living on St. David's, everyone was incorporated in the Base. We had Base personnel for neighbours. I had that until the Base left. We rented our homes to them. I as a child played with their children and on special occasions such as 4th July or other holidays during the summer the Base personnel would take Bermudian children, St. David's Island children, on Base to swim at Clearwater Beach. We didn't necessarily go into the commissary, but we would be on Base while they shopped. Many of us went to movies at the Base theatre. In later years, we would get McDonald's, when they opened McDonald's, the Base personnel would get McDonald's for us, so it was a good relationship that we had and to this day I still hear from tenants who were Base personnel in my apartment. Personally, yes, I saw lots of changes as the Base changed from Air Force Base to a Naval Air Station and then when the Base built more homes, then of course we saw more of the Americans moving

to the Base, but we still kept close contacts and, of course, many, Many St. David's Islanders worked on the Base. As a result, after the land had being taken, they did, they were able to work on the Base and gain experience.

- MR. WAYNE PERINCHIEF** 36:49: Mrs. Fox, have you lived in St. David's in perpetuity, I mean from the time you were born, have you lived in St. David's all of your life or most of your life?
- MS. ELAINE FOX** 37:01: I lived in St. David's all of my life, except for two (2) years when I accompanied my granddaughter to the UK.
- MR. WAYNE PERINCHIEF** 37:11: So you would have actually had a continuous experience of living in St. David's and watching the development of the United States Base itself. Is that correct?
- MS. ELAINE FOX** 37:24: That is correct.
- MR. WAYNE PERINCHIEF** 37:26: Are you free to answer other questions of my other contemporaries or other Commissioners?
- MS. ELAINE FOX** 37:33: Yes, sir.
- MR. WAYNE PERINCHIEF** 37:34: Did any of the other Commissioners wish to ask questions?
- COUNSEL DIRK HARRISON** 37:36: Chairman, I still have some other questions, Chairman.
- MR. WAYNE PERINCHIEF** 37:39: Yes, Counsel.
- COUNSEL DIRK HARRISON** 37:41: Yes, I just indicated I wasn't finished, Chairman.
- MR. WAYNE PERINCHIEF** 37:46: Yes, would you repeat, Counsel?
- COUNSEL DIRK HARRISON** 37:52: Yes. I've just indicated that I have questions.
- MR. WAYNE PERINCHIEF** 37:55: Sorry, Counsel. I almost forgot that Counsel was online. Counsel, you're amazingly quiet.

COUNSEL DIRK HARRISON 38:02: I was just waiting. You started to speak. I was just waiting, Chairman.

MR. WAYNE PERINCHIEF 38:07: Yes, Mrs. Fox Counsel wishes to have a word.

COUNSEL DIRK HARRISON 38:14: Thank you, Chairman. Now, Mrs. Fox, being here today and giving evidence, what exactly does that mean for you?

MS. ELAINE FOX 38:30: It means, Counsel, that I would like yourself, Mr. Chairman and Commissioners to visualize how these people lived on Southside. They were not just a group of illiterate fishermen and farmers. Southside was a thriving community, self-sufficient. There were farms, large farms, lilies of lilies, onions, potatoes that were exported out of Bermuda. These people grew these plants. Some of the farms are still evident on St. David's today. It's important for me to try to speak for these people, to try and help Bermuda understand and get a vision, as my cousin Marlene Warren said in her previous commentary. She spoke of a vision of what her grandparents suffered and I want to speak to a vision of how they lived. In the lily fields at Easter time they conducted the Easter Service in the lily field. They had a cross that was illuminated with lights. Hammond organ playing music. The...

COUNSEL DIRK HARRISON 40:25: Take your time..

MS. ELAINE FOX 40:26: Tourists staying at St. George's Hotel were encouraged to take the ferry to St. David's to take pictures in the lily fields. Also, in 1903, a group of St. David's Islanders and our Tucker's Town neighbours decided to organize a cricket match. The match was played in 1904. We still play that match today and that's the Eastern Counties. It originated between friends and family of Tucker's Town and St. David's. Bailey's Bay and Flatt's were invited a year later or a year or two later. This is how they lived over there. There were social clubs, the Rainbow Social Club and the Bluebird Social Club. They organized concerts and plays and maypole

displays for the bazaars, fundraisers for their respective churches and schools. There was a school on Mission House Hill, everybody knows where Mission House is coming into St. David's. Well, that school, the house was there in 1832. The school started around that time in the house. It taught all children, whites and blacks. The children albeit were all taught at the back of the school. But there was a school there. There was Miss Eva Minors's school on St. David's. When the Prince of Wales arrived, King Edward VIII, when he arrived at the Soldiers Wharf in St Davids to be taken up to the Battery to visit the soldiers at the Battery, Miss Eva Minors and her students, she picked a bunch of wild flowers and curtsied and presented him with these flowers with her students present. That was not I understand and I was told by my mom, that wasn't arranged. She just did it. Mr. Hilton Richardson, Hilary Richardson, he taught most St. David's Islanders in a building behind the AME Church. These people had a vibrant life. They lost the community. They lost their way of life. They lost their livelihood.

MS. ELAINE FOX

43:51: Mr. Stanley Pitcher and his sons, they were some of the best handline fishermen in Bermuda. They owned two dinghies, most likely they built them themselves, but they owned two dinghies, one for fishing and one for the fish nets. They used lobster for bait and they fished in what the St. David Islanders called the Group of Arms, just a short distance from Clearwater Beach. They caught rockfish, groupers, choice fish. They would...

COUNSEL DIRK HARRISON

43:45: Just before you go any further, what, what you're reading from, Mrs. Fox, these are further notes you have?

MS. ELAINE FOX

43:51: It's just notes to accompany, just to...

COUNSEL DIRK HARRISON

43:54: Yes, we'd love you to share those notes. I'm not going to stop you. We should let you continue reading, but I just wanted to ensure that you leave a copy of that with us so it could form a bit

of the evidence. So you're relying on notes or other notes you have made that you mention in the Exhibit?

MS. ELAINE FOX

44:11: These notes accompany my statement.

COUNSEL DIRK HARRISON

44:13: Okay, well continue. I just wanted to make sure we knew exactly the your source of your information. These are your thoughts?

MS. ELAINE FOX

44:19: Yes. At this point in my life, my memory is very very good, but very short. I have notes that help me to get through. Mr. Stanley Pitcher, his sons had two dinghies, one was for fish and one was for nets. They would leave at four (4) in the morning and go out with lobster. They'd haul the lobsters and use that for bait and catch the fish. They would come ashore early afternoon, normally at Annie's Bay, Annie's Bay was like the work bay, that's the bay that's just down from Clearwater, sorry, just down from Ruth's Bay, and Annie's Bay, it's a bit of Annie's Bay you can still see, where the runway lights are running out into the water. They would come ashore there and clean the fish and then cart that fish from Annie's Bay straight over the hill down to where St. David's Liquor Store is now and around the road to the dock where the Black Horse is, take the ferry and cart that fish up to the St. George Hotel. They supplied St. George Hotel with fish.

MS. ELAINE FOX

45:37: Well, the Group of Arms was blown up and destroyed. When the Base was being built, there was war, there was a threat of German U boats being all around Bermuda and the Base military dropped depth charges and blew up the Group of Arms, the reefs and everything around. So Mr. Stanley Pitcher and his sons lost their way of living completely and then they had the horror of standing or even going up the lighthouse, just up the hill, and looking over and seeing probably hundreds of pounds of fish destroyed. At Ruth's Bay, that is where the Base decided to put like an open pit incinerator but in addition to the incinerator, the sewage system was down there and also the

evaporation plant for creating water when there was drought, I believe. I understand that the sewage plant is still there and I hope it's been upgraded, but at that time liquid sewage was also pumped out and that was in the area of the Group of Arms. So there was no hope of Mr. Stanley Pitcher unable to move from Annie's Bay and Ruth's Bay and go straight out to sea. He would have to, once the Base was taken, they had to find other means of going out to sea and that was from where the Black Horse is, and in that area, the Great Bay area, so they would have to go around. And the fishing, they were unable to fish off the Clearwater section, the Group of Arms, they were unable to fish there so they would have to go more off the Paget Island, off the north western side of St. David's which wasn't as plentiful as where they had fished for generations.

COUNSEL DIRK HARRISON

47:58: So, Mrs. Fox, where you are now in terms of, even in terms of fishing practices, these are things that you observed yourself or these are things passed on through oral history?

MS. ELAINE FOX

48:09: Ah, this is being passed on to me by mother, cousins. I said in my statement that my mother talked to Ms. Dolly Pitcher, well Ms. Dolly Pitcher was the granddaughter of Mr. Stanley Pitcher.

COUNSEL DIRK HARRISON

48:33: So these things that have been passed on, you have like a little book there, you have only given us three pages, but you have more that you could submit to us? Is it in a form that you could give it to us so that we could also have it form a part of the record?

MS. ELAINE FOX

48:51: Yes, yes.

COUNSEL DIRK HARRISON

48:53: How long is it? How much do you...?

MS. ELAINE FOX

48:57: Not that long. It's bits and pieces. I wrote this anticipating that whatever questions you asked, I could answer them if I sort of try to anticipate

that if you ask the question pertaining to my statement, this is what I would answer.

COUNSEL DIRK HARRISON

49:17: Okay, what we could do, we could direct the questions, but what I'm going to ask is to be given a copy, I had been advised that Mr. Adams was advised that you had some other material, but we weren't aware of it before and we're certainly not stopping you from speaking, just it would inform the questions that I would ask if I knew exactly what you had. So, just to sort of summarize, what you have there is that you have looked at general, not just living, but everyday activity in St. David's.

MS. ELAINE FOX

49:53: Yes.

COUNSEL DIRK HARRISON

49:17: You speak of fishing. Are there any other things, what other things have you highlighted in your notes? You speak about fishing practices, you speak about cricket matches. Is there anything else? What else would you like to share with us as activities, as social activities that took place in St David's, based on the notes you made and what has been handed down to you in oral history?

MS. ELAINE FOX

50:17: In these notes, I speak to the pros and cons of having the Base, of having to lose their land to the Base, how they benefitted and what they lost. And then from there, I am talking about the fishing, the loss of income, the environment, to how the environment was adversely affected and destroyed. And that is about it, actually. I've talked about my mother, how she talked to me all the time, talking about Southside and how much she knew about it. And she knew these people, she lived amongst them. She In fact, dressed for her wedding day at Mrs. Rosa Fox's house. This was the lady that my cousin Marlene Warren spoke of, her grandmother. Well, my mother dressed for her wedding at her house, so it was such a tight knit community and isolation made it even closer knitted.

COUNSEL DIRK HARRISON 51:39: Mrs. Fox, what, in your opinion, if any, based on the relocation of persons, based on the situation of the establishment of the US Base there, how did this tight knit community, based on the notes that you have made, based on what you have been told, how did the relocation of persons and the establishment of the US Base, how did that affect persons in St. David's and the tight knit community that you mentioned?

MS. ELAINE FOX 52:14: I would like, if you will allow me Counsel, to speak how it benefitted them and how it adversely affected them. I'll speak to the benefits first if I am allowed.

COUNSEL DIRK HARRISON 52:28: Please, the Chairman, just direct the Chairman., I'm certain that the Commissioners will allow you, I am sure, Please go ahead, madam.

MR. WAYNE PERINCHIEF 52:37: Counsel, repeat that, I was just distracted a bit.

COUNSEL DIRK HARRISON 52:42: No, Mrs. Fox was asking her to be allowed to read something in respect of the last question I asked her and I was indicating that I am certain that you and Commissioners would have no objection and I'm not seeing you based on the camera, so I was just speaking through a blind eye,

MR. WAYNE PERINCHIEF 53:02: There's no objection. Mrs Fox...

MS. ELAINE FOX 53:05: Thank you. Mr. Chairman, I'll speak to how they benefitted, how St. David's islanders benefitted. St. David's Islanders gained work experience and opportunities in various support departments such as secretarial clerical staff, librarians, beauticians, barbers, landscapers, working on the various machine and carpenter shops on the Base. The Power and Sewage and Evaporation plants, they worked there, the bakery they were butchers, in stock, clerks at the commissary, cooks, bartenders, waitresses in the officers' and enlisted personnel clubs. In emergency situations on St. David's or any emergency situations on St. David's, the US military and firefighting facilities were always

available to assist because at that time, until recent times, I would say during the 50s and 60s, there weren't that many St. David's Islanders that had transportation, their own private cars to drive to the hospital in an emergency. So we always had the confidence of knowing that if we were injured or ill, that the Base Hospital and the sentries on guard would never turn us away. Bermuda had benefitted in that the US military maintained the runway and Longford Bridge. St. David's Islanders and other Bermudians also worked at the Sofar Station, a restrictive facility that monitored submarine activity during the Cold War in the Atlantic Ocean. And, of course, during the space race, St. David's Islanders and Bermudians were employed by NASA, at Cooper's Island. And of course, the homeowners throughout Bermuda benefitted from having the US Base here by renting their homes and apartments to the Base personnel. That was some of the pros, some of the benefits that Bermudians and St. David's Islanders acquired after the Base arrived.

MS. ELAINE FOX

55:37: What they lost, in my opinion, what they lost and what my parents and aunts and cousins discussed, they lost their ancestral homes and properties, some dating back to the 1600s. I mentioned in my statement that one home had been in the Fox family for more than 250 years. Well, this was a statement that my grandfather made to the *Bermuda Recorder* in February of 1937. Well, we can do the math. If that house had been in the family for 250 years in 1937, then that house was built in the late 1600s. I have a picture of that house that I would like to share with you and a copy of the newspaper article. They lost their simple way of life. They lost their community. Everybody was related. We look at the map of the Southside allocation of all the properties and I can see sisters, brothers, cousins, whole families and the matriarchs and patriarchs were living in the middle of where these people live. It was just completely splintered. Degradation of the environment, unimaginable, loss of livelihood,

farming, fishing, boating was interrupted by the building of the Base. Loss of future development prospects. St. David's was beautiful, there were coves, there were beaches everywhere. It could have been developed as a tourist attraction later on.

MS. ELAINE FOX

57:42: Elders lost the opportunity to pass on the skills of boat building, gig building, carpentry, they lost the farming, they lost the ability to pass that on to their children and grandchildren. And of course, there was a social problem. Young St. David's Island women were often left to face motherhood as single parents. This happened time and time again. So that's all I want to speak to and I want to speak to, yes, it was a war and desperate times call for desperate measures and their sacrifice was small compared to the sacrifice that millions of people in Europe and Asia made. They were simple people, very simple people, fiercely loyal to one another, fiercely clannish. And yet there's nothing to commemorate their loss. There is property over there, I can show you where, the vicinity where Tommy Fox lived and Solomon and Rose and Sinclair Fox lived.

COUNSEL DIRK HARRISON

59:00: So Mrs. Fox, but just before you show us a photograph you mentioned, you are indicating that as an outcome, you're asking the Commissioners to consider the fact that nothing has been done to recognize the loss that has been suffered, to commemorate it. Is that one of the outcomes that you'd like from this presentation?

MS. ELAINE FOX

59:27: Yes, Counsel, I would ask the Commissioners and Bermuda to recognize the small sacrifice that these residents of Southside made. This Heroes' Week coming up, Tommy Fox, all of his property was taken, all of it and he was the Leader of St. David's. Can, why can't there be a bench or something up on that hill. I would like to take my granddaughter and sit up on that hill on a bench and look to the east and show her through their eyes, what they saw, and then look

to the west and see the end result of their sacrifice. The runway, the airport when she and my other grandchildren go overseas to attend university, they are going on the sacrifice of these residents of Southside, albeit a small sacrifice but there's nothing over there. They named a road after Tommy Fox. The Base authorities did that in the early 40s. We in Bermuda have done nothing to commemorate this man's patriotism and his leadership.

COUNSEL DIRK HARRISON

1:01:04: Is there any other way that you think, Mrs. Fox, that the Bermudian authorities or anyone else could recognize the efforts and any loss that have been suffered by the people of St. Davids?

MS. ELAINE FOX

1:01:22: For me personally, Counsel, it is not about restitution. I would be bold enough to, I would be bold enough to say that 99.9% of the people that lived on Southside at that time, if they had a choice between a stone house and a bathroom and running water and the house that they lived in, albeit wooden and not as fancy as some houses in Bermuda, they didn't have running water, some of them, they didn't have electricity some, they didn't have in-house bathroom. But I can speak categorically that I know the choice that they would have made and, but they are yet to be recognized for their courage and their patriotism.

COUNSEL DIRK HARRISON

1:02:37: And we must thank you for what you have done here today in terms of bringing these things to light and also your recommendations. Could you share with us the photograph you said you wanted to share it, you could share it now with the Commissioners, to show it to them. Mrs. Lister could assist us with this.

MS. ELAINE FOX

1:02:56: There are a few photographs, Commissioner. This is the one of my grandfather and he's outside of Mary Parker Cottage.

COUNSEL DIRK HARRISON

1:03:06: Could you just show it to the Commissioners please? Those photographs, you can leave them with us or we can take copies of them?

MRS. LISTER (Admin) 1:03:17: Counsel, if you were to give me a two minute pause, I could upload them on the screen.

COUNSEL DIRK HARRISON 1:03:22: Okay, sure certainly. Probably it's best that I'd ask that Mrs. Fox, could you just hand Mrs. Lister all the photographs you wish to rely on, she could just have all of them uploaded at the same time and then when she projects them on the screen, you can then indicate to the Commissioners what each picture is. She'll, just seven photographs.

MS. ELAINE FOX 1:03:52: There are several...

COUNSEL DIRK HARRISON 1:03:55: And at the end of that exercise the Commissioners, I believe, will have some further questions for you. I have nothing further so I'm just going to ask that the photographs will be uploaded. Mrs. Fox, you can then indicate to the Commission what each photograph depicts and then the Commissioners may have questions for you.

MR. WAYNE PERINCHIEF 1:04:24: I will ask Mrs. Fox, but it will be possible to make photocopies of her handwritten notes, perhaps submit that as an Exhibit. Would that be plausible, reasonable, Counsel?

COUNSEL DIRK HARRISON 1:04:36: That could be done, Chairman. I'd just need to, we just need to ascertain from her how many pages she is relying on and I'm not certain if the notes, if we have the notes, if we'd be able to know how it flows or what follows from what. I don't know if she would wish to organize them and then return them to us at a later date, Mr. Chairman.

MR. WAYNE PERINCHIEF 1:05:02: Yes.

MS. ELAINE FOX 1:05:23: Mr. Chairman and Counsel, my father left me or gave to me a series of albums that he kept and these pictures, most of which have come out of his album. The pictures of Ruth's Bay, well I'll explain, these are pictures that my father collected over the years.

COUNSEL DIRK HARRISON 1:05:53: Those are the seven pictures or different other pictures?

MS. ELAINE FOX 1:06:00: Counsel, there are several pictures.

COUNSEL DIRK HARRISON 1:06:04: Okay, what I propose, Mrs. Fox, is that after today, I'm going to ask through you, Chairman, I'm going to ask that Mr. Adams sits down with you. You could go through the photographs, go through the notes and then we could put them all together and then you return on another date, which is convenient to you.

MS. ELAINE FOX 1:06:28: Yes, Counsel.

COUNSEL DIRK HARRISON 1:06:30: Okay, but for now, what we're going to do, we're just going to have a look at the seven photographs, you're going to identify them, tell us about them and then we're just going to ask Mr. Adams to meet with you on, at a convenient time, go through the notes that you can put them in order, if you wish to make any connection between each page of the note. And then you can have us, also you could share with us the photographs from your father which, as I understand, they are not included in the seven, seven photographs that Mrs. Lister is going to project on the screen.

MS. ELAINE FOX 1:07:10: I can choose the seven (7) pictures. Do you have them all? I think it's more than seven, slightly more than seven.

COUNSEL DIRK HARRISON 1:07:29: Certainly. Mr. Chairman,

MR. WAYNE PERINCHIEF 1:09:38: Yes Counsel.

COUNSEL DIRK HARRISON 1:09:39: I am not certain whether, if yourself and other fellow Commissioners have questions. Probably if you want, if you would wish to take them now, because you could utilize the time.

MR. WAYNE PERINCHIEF 1:09:58: We will take advantage of the ??? questions from ??? Mrs. Fox, are you organized now to take a few questions from the Commissioners?

MS. ELAINE FOX 1:10:09: Yes.

MR. WAYNE PERINCHIEF 1:10:11: And I believe we could start with Mrs. Milligan-Whyte, I think she was ready to ask you a question.

MS. LYNDA MILLIGAN-WHYTE 1:10:21: I was. I want to personally thank you for your presentation this morning. It's very informative and startling, and one lesson, one sets. You talked about the pros and cons of the impact of the Base lands on Bermuda and I wasn't clear enough. In your estimation, did the Government at all help in the process of getting people jobs on the Base lands? I know that there was a lot of work involved in building the Base land from the airport runway and so forth? Do you know any efforts on the part of the Government at the time to make sure that St. David's Islanders got jobs?

MS. ELAINE FOX 1:11:28: No, Commissioner, I cannot verify this. All of this is a work in progress. And I haven't...

MS. LYNDA MILLIGAN-WHYTE 1:11:38: But generally, did you hear conversations at all on this topic?

MS. ELAINE FOX 1:11:44: No, I have never heard or have not heard of Government office or body setting up employment opportunities with the Base or for the locals. I would venture to say that perhaps the locals applied, things were done a bit differently in those days than they are now. They all worked on the Base, but I don't think they got jobs on the Base through the Government. But I stand to be corrected.

MS. LYNDA MILLIGAN-WHYTE 1:12:20: Okay. Thank you.

MS. ELAINE FOX 1:11:24: You're quite welcome.

MR. WAYNE PERINCHIEF 1:12:29: Commissioner Starling would like to ask some questions as well.

MR. JONATHAN STARLING 1:12:35: Hi, good morning. Thank you for what you've told us, you certainly very eloquently put to us the cultural and ecological destruction caused by a rather toxic mix of colonialism and war. I do have a couple questions, not so much about the lost way of life in the last community that you speak off, but about the process that led to that loss. Do you mind if I, can I ask you those?

MS. ELAINE FOX 1:13:05: Yes sir.

MR. JONATHAN STARLING 1:13:06: I just want to take advantage of the historical memory which is crystallized in you. Was the site selection of Southside, do you think that was fair and unbiased?

MS. ELAINE FOX 1:13:28: I am still working on all of that. I haven't had a chance to really search. But from what I've read, Dr. Steven High, he wrote a book recently, it was published. And the implications are that they had two choices between the Great Sound and the Castle Harbour area which included Southside. Bermuda's only twenty-two miles long, there's not a whole lot of choices that they could make and of course, Southside ended up being the choice. I would have to really investigate, however, to draw my conclusion. I as a born St. David's Islander would naturally say no, but I haven't verified that.

MR. JONATHAN STARLING 1:14:38: Sure. And this is partly like the oral history, what the oral consensus is, I'm asking. Similarly, the evaluation and compensation process with people who lost their property, would you say that was fair and unbiased in the way it was handled?

MS. ELAINE FOX 1:15:01: Again, I am working on that, trying to verify it, there are their conflicting stories. Rosie Sinclair Fox and Solly, Solomon Thaddeus Fox, their granddaughter is the only one that's come forward with some kind of evidence on that. For

the land that they had and all the opportunities that the land provided over there on Southside for them, and then what they got in return. There's no comparison really and to top it all, the trauma of their experience. I think they're trashing to this day, they're trashing their farm and... Was it fair? No, I don't think so.

MR. JONATHAN STARLING

1:16:11: Thank you. I just have two (2) more questions. I'll be quick. You spoke a little about the post compensation period, the pay, you spoke about barracks and the like. Would you say that the post relocation aspects of life for the displaced persons, were they treated fairly in an unbiased way?

MS. ELAINE FOX

1:16:37: This is relocating them in their new homes, and...

MR. WAYNE PERINCHIEF

1:16:41: Just in general, the whole process of relocation, how they were treated, supported by the Government and so forth.

MS. ELAINE FOX

1:16:49: How they were supported by the Government. Again, I am working on all of this. In fact this, I am an amateur genealogist and I've been working on writing about my family, going back to the late 1600s and coming forward. Since my cousin Marlene Fox Warren gave her talk and she mentioned my name, I think it was on the 6th of January when she came back and did her second appearance, I've tried to compile this, sort of in preparation, I thought I would get a call at some point. So I haven't had a whole lot of time to really dig into what you're asking. Dates, the St. David's Islanders survived. They made lemonade out of lemons, so to speak. Many of them died. The patriarchs and matriarchs, they died between 1941, 1948. They might have had prevailing medical conditions but I would venture to say that this helped break their hearts, particularly Tommy Fox. And, again, I'll repeat, all we've done as a country, in honouring these people in some small way, we've just trashed, completely trashed their karma.

- MR. JONATHAN STARLING** 1:18:33: Thank you. My last question kind of ties them all together in a pretty bow. If there was unfairness or bias, what do you think the nature of that unfairness and bias might have been? The motive.
- MS. ELAINE FOX** 1:18:49: They were St. David's Islanders. They were different and we still are. They were authentic St. David's Islanders, I'm proud to say We've always been '*those people in St. David's*'. Maybe it was because we were so isolated and I say 'we' going back to the 1600s, collectively, St. David's Islanders. The bridge wasn't there and there was the island of St. David's and it was always and to some degree still is '*those people in St. David's*.' A little bit the same as Tucker's Town. We were intertwined with Tucker's Town, friends, relatives, I had two aunts, Helen and Elsie Fox who married two Foggo brothers from Tucker's Town. So, I think the isolation had a lot to do with it, just that, I think in every country there is a group that is a little bit different.
- MR. JONATHAN STARLING** 1:20:10: Thank you very much for helping me.
- MR. WAYNE PERINCHIEF** 1:20:11: I do have a question. You mentioned some ecological damage, the destruction of the grouper grounds by actions of the US Forces in demolishing them. You also mentioned the existence of boulders on Ruth's Bay, on the old dump. Do you know what was put in that dump at all? Have you heard?
- MS. ELAINE FOX** 1:20:50: I experienced, I can speak from personal experience. From what I was told, from a technical point of view Ruth's Bay was an open pit incinerator, we're talking about the 40s, late 40s 50s 60s up into the 70s until the, saving the environment became a huge issue for us. The Base authorities had no regard whatsoever for the environment. That dump was set alight whenever they felt like it and they burnt everything over there, aircraft tyres, everything and the whole of St. David's would on occasion be covered in black smoke and soot. I have

watched my mother rush out to the clothesline to pick in her sheets or to pick in her clothes because the whole of St David's would suddenly be covered with soot and ash. They had no regard for the wind direction, from which direction the wind was blowing. They would just light the dump. The Base hospital, I remember walking with groups of children going to church at Chapel of Ease, I lived in the east end so I was walking up to the west end to go to Chapel of Ease. I have a picture, I have brought a picture of a pipe, two huge pipes that ran under St. David's Road into an inlet in Dolly's Bay and I guess on Sundays they would pump the waste from the hospital into that bay and that bay would be bright red with blood or whatever else that was floating in the bay.

MR. WAYNE PERINCHIEF 1:22:46: You're saying that at least once a week and usually on Sundays, they would discharge hospital waste into Dolly's Bay.

MS. ELAINE FOX 1:22:56: I brought pictures of the pipe.

MR. WAYNE PERINCHIEF 1:22:58: Have you ever seen it yourself?

MS. ELAINE FOX 1:23:00: Yes, I'm telling you what I saw as a child. We would walk from St. David's to Chapel of Ease to go to Sunday School in the afternoon. And many times I've looked, as children meandering along, I looked over the wall, it's still there, I can take you there right now and show you.

MR. WAYNE PERINCHIEF 1:23:19: The outfall is still there?

MS. ELAINE FOX 1:23:21: The pipes are still there and that day would be bright red with blood. There would be, I don't know, like a white cotton something floating on the top and that's not a bay where the water rushes in and out, it's a bay that's calm, so they just had no regard for the environment. There were cedar tree forests, I'm told, aligning Ruth's Bay. They were, I guess they became part of the fill that filled in Castle Harbour to make the runway. So what I'm saying to my granddaughter is that, or my grandchildren,

when you come into Bermuda or leave Bermuda to go to university or when tourists or international businesses will be coming in and out on that runway, that is part of the sacrifice that Bermuda made.

MR. WAYNE PERINCHIEF

1:24:24: Dealing more specifically with the waste from the outflow from the hospital, the open pit burning and subsequent pollution of smoke, etc., were any complaints ever made officially to anyone to your knowledge about that?

MS. ELAINE FOX

1:24:46: Oh no, at that time, we're talking about the 1950s, the 1950s, 60s, I would say into the 60s this went on until the world became aware of the importance of preserving the environment. It was just...

MR. WAYNE PERINCHIEF

1:25:07: Specifically about the dump, are you aware that it's closed off now, that it is fenced off?

MS. ELAINE FOX

1:25:17: Yes, that area is fenced off from Annie's Bay going over the hill.

MR. WAYNE PERINCHIEF

1:25:23: Would you surmise why? Have you ever thought why that's fenced off?

MS. ELAINE FOX

1:25:29: I would surmise that goodness knows what is buried down there, what was even thrown into the sea, drums or copper wiring, all that type of stuff. I have no idea. They, I think that was the one thing the military did before they left, they covered that over. But the sewage system I think is still down there and it's still operational. So I can understand why it's closed off. You wouldn't want anybody going down there, vacationing or swimming down there.

MR. WAYNE PERINCHIEF

1:26:11: Are you aware, the boulders that are placed on Ruth's Bay that you say are there, are you aware, do you remember what happened when we had a hurricane, to that dump? Do you know why those buildings are there and who put them there?

MS. ELAINE FOX 1:26:30: As far as I can remember, and again, I stand to be corrected, I'm not into industry as such, the boulders were put there just prior to the Base leaving. It wasn't put there as a guard against the storm surge, so to speak. I believe that they were put there in order to smooth it out and perhaps even cover up what is buried there. The Base, I think prior to all the emphasis being put on the environment, the ash and residue from the dump was pushed into the sea so that along with the sewage was pushed into the sea until you know, today you could be held accountable for violating the environment.

MR. WAYNE PERINCHIEF 1:27:36: In St. David's, do you have any formalized or informal association at all; any organization that makes, that could make a collective effort on behalf of St. David's Island?

MS. ELAINE FOX 1:27:51: Carter House. I haven't mentioned Carter House. Rick Spurling...

MR. WAYNE PERINCHIEF 1:28:02 Spurling?

MS. ELAINE FOX 1:28:03 Spurling, Rick Spurling.

MR. WAYNE PERINCHIEF 1:28:05: The, ah, the descendants of MP Spurling who oversaw the annexation of your lands to the US Bases?

MS. ELAINE FOX 1:28:17: He is a relative. He and Ronnie Chameau have commemorated, pay tribute to life in old St. David's at Carter House and would suggest that everyone in Bermuda go there and you'll get some idea of how old St. David's lived, that's the St. David's Historical Society.

MR. WAYNE PERINCHIEF 1:28:51: Alright, Mrs. Fox, I want to thank you very much for your contribution thus far. We appreciate the great information you brought to us and we hope that you will return upon request to present your photographs and any further evidence to your anecdotal statement today. We really appreciate your information. Thank you very much. Counsel.

COUNSEL DIRK HARRISON 1:29:24: Chairman, pictures are ready. Mrs. Lister has the pictures to present. Finally, we just ask that they could be displayed one by one and Mrs. Fox could indicate what each picture depicts.

MR. WAYNE PERINCHIEF 1:29:37: Yes, thank you very much, Counsel.

COUNSEL DIRK HARRISON 1:29:42: What is this one, madam, Mrs. Fox, what does this show?

MS. ELAINE FOX 1:29:50: Sorry, I'm looking at the screen. This shows Mary Barker Cottage and it shows, there's a newspaper clipping dated The Bermuda Recorder, February 20, 1937 and my grandfather is, he, the Fox family is entertaining Mrs. Joe Louis. Joe Louis was the World Champion prize fighter. She was visiting Bermuda and the Fox family was entertaining her, first in Hamilton and then they took her to St. David's to visit my grandparents, Charles War Baby and Frances Fox.

COUNSEL DIRK HARRISON 1:30:31: So she's in the picture, who are the persons in the picture, in the photograph?

MS. ELAINE FOX 1:30:34: There is my grandfather, Charles War Bay Fox, and my aunt Janet Fox and this is actually Mary Barker Cottage. I remember asking my father, you know, whose this house and he said, "*Oh, that's Mary Barker..*"

COUNSEL DIRK HARRISON 1:30:51: Okay and who was that?

MS. ELAINE FOX 1:30:54: That was my father.

COUNSEL DIRK HARRISON 1:30:55: No the lady is the same Louis, the boxer's wife?

MS. ELAINE FOX 1:31:00 I'm sorry, Counsel?

COUNSEL DIRK HARRISON 1:31:02 Who is the lady on the extreme right?

MS. ELAINE FOX 1:31:04: That's my grandmother, Frances Olivia Fox.

COUNSEL DIRK HARRISON 1:31:08: Okay, thank you. And you refer, what is attached there, is a newspaper clipping that you'd like us to place reliance on?

MS. ELAINE FOX 1:31:19: I'm sorry.

COUNSEL DIRK HARRISON 1:31:20: That's correct? No, the clipping, attached to the photograph is a newspaper clipping that you wish us also to place reliance on?

MS. ELAINE FOX 1:31:30: Yes, yes. Okay.

COUNSEL DIRK HARRISON 1:31:31: So I'd ask, Mr. Chairman, that it be tendered and admitted as **Exhibit EF2**.

MR. WAYNE PERINCHIEF 1:31:40: Yes, Counsel, we'll...

COUNSEL DIRK HARRISON 1:31:43: Okay, could we have that next photo please?

MS. ELAINE FOX 1:31:50: And these are just newspaper write-ups relating to Ruth's Bay. Okay, not that one.

COUNSEL DIRK HARRISON 1:32:01: No, wait a minute, Mrs. Fox. I know she said not that, what we did, we actually took all of them so we're actually going to, do you wish us to rely on all of them or, because what's happening here, Mrs. Fox, we weren't aware before you had these. We're just trying to facilitate them so we have to go in order.

MS. ELAINE FOX 1:32:20: Okay, I understand, Counsel.

COUNSEL DIRK HARRISON 1:32:23: What is this one?

MS. ELAINE FOX 1:32:25: This is a picture of Westcott House which was located on Westcott Island and my mother often spoke of walking across small wooden bridges leading from island to island. So this is showing Westcott Island, the house on Westcott Island and the small wooden bridges that connected the islands.

COUNSEL DIRK HARRISON 1:32:58: And just for completeness, Westcott Island is a part of St. David's Parish?

MS. ELAINE FOX 1:33:04: Yes, Westcott Island is a part of the Southside complex.

COUNSEL DIRK HARRISON 1:33:10: Thank you. I'd ask that this be tendered and admitted as **Exhibit EF3**, Mr. Chairman.

MR. WAYNE PERINCHIEF 1:33:15: **ES3**, yes.

COUNSEL DIRK HARRISON 1:33:17: **EF, EF, EF** as F as in Fox Could we have the next picture?

MR. WAYNE PERINCHIEF 1:33:28: **EF3**, Westcott House on Westcott Island.

COUNSEL DIRK HARRISON 1:33:31: Could we have the next photograph, please? What is this, madam?

MS. ELAINE FOX 1:33:40: This is a picture of Mission House. This was in the area of Mission House Hill going into St. David's where the current bowling alley is located and that was the school that was opened around 1832 just prior to the abolition of slavery and taught, all the children of St. David's were taught there.

COUNSEL DIRK HARRISON 1:34:08: Thank you. Could be tendered and admitted as **Exhibit EF4**, Mr. Chairman?

MR. WAYNE PERINCHIEF 1:34:12: **EF4**, photograph of Mission House, circa 1832.

COUNSEL DIRK HARRISON 1:34:19: Next photograph, what is this madam?

MS. ELAINE FOX 1:34:21: That is also Mission House, that's from another angle.

COUNSEL DIRK HARRISON 1:34:24: Please be tendered as **Exhibit EF5**, Mr. Chairman.

MR. WAYNE PERINCHIEF 1:34:32: Yes, a further photograph of Mission House, **EF5**.

COUNSEL DIRK HARRISON 1:34:39: Next photograph, madam. What is this, madam?

MS. ELAINE FOX 1:34:45: Okay, that is a picture looking from Black Horse, looking toward this, now current St. David's Liquor Store and Variety Store. You will see in the photograph that there's a wall, that was the wall that was built for...

COUNSEL DIRK HARRISON 1:35:07: Where is the wall, next to the right, middle of the photograph?

MS. ELAINE FOX 1:35:11: Yes to the right in the photograph. So that tells me that this photograph was taken around 1930, 1941, 42 because the wall covers the Base graveyard. But opposite the Liquor Store, right at the end of the wall, was where there was a road, a path that led straight over to Annie's Bay and Ruth's Bay.

COUNSEL DIRK HARRISON 1:35:39: Okay, I want to ask that this picture be tendered and admitted as **Exhibit EF6**, Mr. Chairman.

MR. WAYNE PERINCHIEF 1:35:43: **Exhibit EF6** admitted.

COUNSEL DIRK HARRISON 1:35:45: Could we have the next photograph please? What's next, madam?

MS. ELAINE FOX 1:35:52: That is a picture of St. David's. I would say that was taken from the St. David's school area, the Pilot Station area, it's looking toward Black Horse, that is the white building on the right. And it's just showing the cedar forest and that St. David's Islanders did not live over this side like they used to. They all lived on the south side.

COUNSEL DIRK HARRISON 1:36:17: Could this be tendered and admitted as **Exhibit EF7**?

MR. WAYNE PERINCHIEF 1:36:24: **EF7**. Photograph looking towards Black Horse.

COUNSEL DIRK HARRISON 1:36:33: What is this, madam?

MS. ELAINE FOX 1:36:34: This is a picture of Ruth's Bay. Those are our cousins and relatives on a boat at Ruth's Bay and that was taken in 1939. My father noted, he left a number of pictures of Ruth's Bay and it is written at the top of the page, "All Ruth's Bay, 1939".

COUNSEL DIRK HARRISON 1:37:04: Could I tender as **EF8**?

MR. WAYNE PERINCHIEF 1:37:16: **EF8**, photo at Ruth's Bay and your family?

MS. ELAINE FOX 1:37:18: Yes, they're all cousins really. My aunt is sitting in the shorts. That's my father's sister and Kenny and Ralph Brangman, the Lambs, so they are all cousins, all relatives.

COUNSEL DIRK HARRISON 1:37:38: Now the next photograph is?

MS. ELAINE FOX 1:37:52: That is another picture of Ruth's Bay and that's my father and some of his buddies. Again, that was taken in 1939.

COUNSEL DIRK HARRISON 1:38:01: And you want us to make that an Exhibit, Mrs. Fox?

MS. ELAINE FOX 1:38:06: Not really.

COUNSEL DIRK HARRISON 1:38:08: Okay, we'll go to another, the next photograph. What is this, madam?

MS. ELAINE FOX 1:38:28: Yes, I purposely chose this one. It was in The Royal Gazette, August 31, 1935 and it is speaking to the Portuguese community from Southampton coming down to St. David's and picnicking in the beautiful waters of Ruth's Bay.

COUNSEL DIRK HARRISON 1:38:51: Thank you and I'd ask that it be tendered and admitted as **Exhibit EF9**, article from The Royal Gazette.

MR. WAYNE PERINCHIEF 1:38:57: **EF9**, RG photograph dated August 31, 1935

COUNSEL DIRK HARRISON 1:39:07: Thank you, could we have the next photograph? What is this about, madam?

MS. ELAINE FOX 1:39:15: It's the same, it's the Salvation Army's annual picnic at Ruth's Bay and they came over to St David's via 'The Daisy', the ferryboat. They would have walked where I just showed you near the liquor store and straight over the hill to the beach.

COUNSEL DIRK HARRISON 1:39:33: I ask that this be tendered and admitted as **Exhibit EF10**.

MR. WAYNE PERINCHIEF 1:39:41: **EF10**, RG article showing the Salvation Army.

COUNSEL DIRK HARRISON 1:39:44: No, it's a Bermuda Recorder, Chairman, yes?

MR. WAYNE PERINCHIEF 1:39:48 Is this the Bermuda Recorder?

MS. ELAINE FOX 1:39:49: Yes.

MR. WAYNE PERINCHIEF 1:39:50: Sorry..

COUNSEL DIRK HARRISON 1:39:52: Could we have the next photograph please? What is this, madam?

MS. ELAINE FOX 1:40:05: Okay, that one is a birthday party that my grandparents had for my Aunt Janet. I might ??? the wrong one. I'm sorry. I had the wrong one. This is again an annual picnic of the Ebenezer Methodist Church, again describing Ruth's Bay and going to St. David's from St. George's via the ferryboat 'Daisy' and then walking to Ruth's Bay.

COUNSEL DIRK HARRISON 1:40:37: Thank you, please be tendered and admitted as **Exhibit EF11.**

MR. WAYNE PERINCHIEF 1:40:42: **EF11.** What's the date on it, Mrs. Fox?

MS. ELAINE FOX 1:40:47: Royal Gazette, 31st of August, 1937.

COUNSEL DIRK HARRISON 1:41:02: What do you have here, madam?

MS. ELAINE FOX 1:41:04: And this, this one is a birthday party that my grandparents Mr. and Mrs. Charles War Baby Fox had for my aunt Janet and my father. And the young children at Ruth's, it was held at Ruth's Bay, and they swam and played games etc. at the beach.

COUNSEL DIRK HARRISON 1:41:27: I ask that this be tendered and admitted as **EF12.**

COUNSEL DIRK HARRISON 1:42:11: What do you have there Madam?

MS. ELAINE FOX 1:42:13: That is a picture of my parents on their wedding day and as I said, my mother dressed from Rosa Sinclair and Solomon Thaddeus Fox's residence.

COUNSEL DIRK HARRISON 1:42:36: **EF13**.

MR. WAYNE PERINCHIEF 1:42:51: **EF13**, picture of the wedding of your parents. So done.

COUNSEL DIRK HARRISON 1:43:04: Thank you, next photograph, please.

MS. ELAINE FOX 1:43:09: And last, but not least, this is a picture of Henry Mortimer Tommy Fox. And just as a matter of interest, Solomon Thaddeus Fox was Tommy Fox's right hand man. He was the deed man. He handled his deeds for him.

MR. WAYNE PERINCHIEF 1:43:29: **EF14**, photo of Henry Mortimer Tommy Fox. And his relation to you, madam?

MS. ELAINE FOX 1:43:56: He was my great grandfather's brother. No, no, he was my great grandfather's brother. He's a great, great uncle.

COUNSEL DIRK HARRISON 1:44:15: Thank you, Mr. Chairman, and those are the questions and the photographs. As indicated, I'm going to ask Mr. Adams to ask Mrs. Fox to allow Mr. Adams to make contact with her after this in respect of a note she has to organize them so that they could be in a manner to present to us because I have not seen it, we're not aware of it and we just want to ensure that there's a seamless process that is undertaken here, so we know the start and the end of in terms of the material that is there. Thank you so much, Mrs. Fox.

MS. ELAINE FOX 1:44:55: You're very welcome Counsel.

MR. WAYNE PERINCHIEF 1:44:57: Yes, Counsel, Mr. Adams is present and does hear your request. I've had another request, Counsel, before we adjourn this matter. We'd like to adjourn for 45 minutes before Mr. Adams has his presentation.

COUNSEL DIRK HARRISON 1:45:18: Thank you, it should allow us to deal with some administrative, other administrative matters, that Mrs. Lister has also brought to my attention.

MR. WAYNE PERINCHIEF 1:45:29: Yes. At this point, Mrs. Fox, we'd like very much to thank you again for your attendance here today, maybe long overdue, but we hope it's an event that it's going to actually bring forward some development in situations in St. David's. We appreciate your diligence and actually getting here and we realize that you came aboard later than some. But nevertheless, we appreciate your contribution tremendously. And Mr. Adams will contact you to formalize your photographs and notes and other things in your later presentation. Thank you very much again.

MS. ELAINE FOX 1:46:20: You're very welcome.

MR. WAYNE PERINCHIEF 1:46;21 And we will now adjourn for 45 minutes. Let's clarify that. If we're going to go for 45 minutes, we may as well go for an hour.

COUNSEL DIRK HARRISON 1:46:33: Very well, Chairman.

MR. WAYNE PERINCHIEF 1:46:35: We will resume at one o'clock. It appeared to me to make sense.

COUNSEL DIRK HARRISON 1:46:41: Very well.

MR. WAYNE PERINCHIEF 1:46:44: We will resume at one o'clock.

COUNSEL DIRK HARRISON 1:46:47: Thank you, Chairman.

END OF TRANSCRIPTION MARCH 11 2021 (MORNING SESSION a) AT 2:10:14