

COMMISSION OF INQUIRY INTO HISTORIC LOSSES OF LAND IN BERMUDA

IN THE MATTER OF a Commission of Inquiry established by the Commission of Inquiry Act 1935 and appointed by the Premier of Bermuda

STATEMENT OF WITNESS

EUGENE MCNEIL STOVELL

I, Eugene McNeil Stovell of 28 First Avenue, Cavendish Heights, Pembroke East HM 20, retired, do provide this witness statement and say as follows:

1. That I produce this statement at the request of the Commission in my capacity as a descendent of the pre-1920 Tucker's Town community and as a researcher into certain aspects of the Tucker's Town history.
2. That this statement is made from facts and matters within my own knowledge and experience, and on the basis of documents and information referred to in this statement and found in an exhibit made in conjunction to this statement. Where information has been provided to me by others, the facts and matters are true to the best of my knowledge, information and belief.

DESCENDENT OF THE PRE-1920 TUCKER'S TOWN COMMUNITY

3. That I am a direct descendent of Josiah Smith, a free man of African descent who was a member of the Wesleyan Methodist community in Tucker's Town in 1833 - before slavery was abolished in 1834.
4. My genealogy line to Josiah Smith is found on *page 1 of the Exhibit* which accompanies this witness statement.
5. Josiah Smith was a Branch Pilot, later becoming a Queen's Pilot, and was involved in the whaling industry in Tucker's Town. His brother, Daniel Smith, was also a pilot who lost his entire family - wife & unborn child and four children in a tornado, which came through Tucker's Town in December 1875.

6. Josiah Smith died in 1876. I am a direct descendent through his daughter **Caroline Smith** (one of 10 children).

FIRST AWARENESS OF FAMILY CONNECTIONS TO TUCKER'S TOWN

7. I became aware of my family connections to Tucker's Town as a young boy, hearing the adults in my family discussing what happened - particularly my grandmother Enid Fox (nee Stovell) and my step-great grandmother Julia Matilda Hewitt Stovell (from Barbados, of Irish descent), who had married my great grandfather Samuel Ferguson (Smith) Stovell (*see page 2 of Exhibit*) - **the son of Caroline Smith**, and grandson of Josiah Smith. Caroline Smith died and was buried in Tucker's Town in 1893.
8. My grandmother Enid Fox used to say, from time to time, that Tucker's Town was "stolen" from the "coloured" people. Whenever Tucker's Town was mentioned in a conversation, she would get all "revved up" and didn't mince her words: "Those bastards stole Tucker's Town from us!"
9. My mother, Vera Isabelle Stovell (daughter of Enid Stovell Fox), was raised by her grandfather (Samuel Ferguson Stovell) and step grandmother. When I was born (1948), I was initially also living with my great grandfather and his wife (*see page 3 of Exhibit*). Samuel Ferguson Stovell died when I was four years old.

FAMILY RESEARCH & THE DISCOVERY OF TUCKER'S TOWN CEMETERY

10. When I became an adult (*see page 4 of Exhibit*), I never forgot the family stories about the taking of Tucker's Town and I was interested in tracing my family history on all sides. So sometime in the mid-1980s I visited the Bermuda Archives to start researching my family roots. The Government Archivist at the time, Ms. Helen Rowe, was very helpful to me. She was also instrumental in helping me to gain access to the records held at the Register General. I was able to research my family, and particularly my connections to family in Tucker's Town.
11. During the course of my research, I became aware of the existence of the cemetery in Tucker's Town, and in the late 1980s I decided to look for it. One day I took my camera and went to Tucker's Town where I located the cemetery on the golf course. I had to walk across the golf course to reach it and it was landlocked and there was no access right of way to it. I saw what appeared to be very old Bermuda stone grave-markers which had tall grass growing around them. It was evident that the cemetery was not cared for and had been neglected for a long time. I took photographs of what I saw and this is evidence of what existed at that time (*see pages 5-8 of Exhibit*).
12. Some time after that, I found a newspaper record of the burial of Josiah Smith in Tucker's Town (*The Royal Gazette*, 29 February 1876; *see page 9 of Exhibit*). Josiah Smith's burial in the cemetery was confirmed later after a conversation I had with Charles Orville Bascome, a senior member of the Somers Pride of India Oddfellows' lodge in St. George's, who was able to confirm from their record books that members travelled by boat to Tucker's Town to attend Josiah Smith's funeral in 1876. Unfortunately, I was not given a copy of that record and Mr. Bascome has since which passed away. I do not know if the record books he referred to still survive.

TUCKER'S TOWN CEMETERY RESTORED IN 1996

13. Some years later, the cemetery at Tucker's Town underwent a restoration, and a well-attended memorial service was reported on in the newspaper in 1996 (*see page 10 of Exhibit*). I attended this memorial and at least two more after that.
14. In 2002 I became a founding member of the Tucker's Town Historical Society (TTHS) and continued my research on Tucker's Town. Although the Society is now inactive, we were particularly concerned with the fact that a new golf club and driving range had been built above the cemetery, which was being littered with golf balls on a daily basis. This golf club and driving range had been included in a Special Development Order (SDO) approved by the Government in 1997 - just one year after the cemetery had been restored and cleaned up. In one article at the time, Mr. Ed Tripp of Castle Harbour agreed to have the cemetery covered to keep the golf balls from landing in there, but this has never been addressed.
15. Around this time, my particular interest amongst other things was that I wanted to figure out who was buried in the cemetery. In 2003 I spent one month (on a daily basis) in the Register General compiling a list of persons whose death records stated that they were resident in Tucker's Town at the time of death. My research revealed 164 deaths in Tucker's Town between 1879 and 1923 - 32 adult males, 46 adult females, 38 boys, 36 girls, and 12 still-born infants (of which 8 were male and 4 female). The ages of those documented ranged from 1 day-old to 96 years. These records are hand-written and my analysis is incomplete.
16. In 2007 I participated in the "Big Conversation" on race relations. The subject of Tucker's Town came up (as it usually does in any discussion on race). There is DVD on the Tucker's Town conversation in which I participated. People were shocked when we mentioned the cemetery down there in the middle of the golf course. This resulted in a group visit to the cemetery via a chartered bus - it was a very emotional visit with persons shocked and in tears (*see page 11 of Exhibit*).
17. Another SDO was applied for by Tucker's Point in 2011. I participated in a protest against the granting of this SDO, which was also objected to by environmental groups. This SDO was granted by the Bermuda government and allowed for further development of conservation-zoned green spaces in Tucker's Town.
18. I am aware that a ground-penetrating survey was conducted by a Canadian archeologist, Dr. Triggs, in October 2011. I attended another memorial service for the graveyard that same month. Dr. Harris and Rev. Whalen participated in this service, where Rev. Whalen gave a sermon: "What do these stones mean to you?" (*See pages 12-14 of Exhibit*)

DESECRATION OF THE CEMETERY IN 2012 AND MY ARRIVAL ON THE SCENE

19. On or about 16th October 2012, I received a telephone call at work from someone informing me that the cemetery was being destroyed. I cannot now remember who called me, but from what was said to me, I thought to myself: "What the hell is this? This doesn't make any sense!" In any event, I travelled to Tucker's Town with Keith DuBois and Denny Richardson. I was completely in shock by what I saw - all the grave stones and tombs had been removed. I saw a backhoe parked outside the cemetery. Someone called *The Royal Gazette* and a photographer and reporter arrived on the scene, resulting

in an article being published the next day (17th October 2012). The article quoted Rev. Joseph Whalen of the Marsden Church as saying that Dr. Harris, Tucker's Point and the Church were responsible for the excavations and removal of the grave stones, which he referred to as "false sarcophagi". (See pages 15-20 of Exhibit)

20. It is my understanding that Rev. Whalen was not the pastor of the Marsden Church when I took my photographs of the surviving cemetery gravestones in the late 1980s and that he did not take over the pastorship of Marsden until 1999 - several years after the graveyard was restored in 1996. It is also my understanding that no proper archaeological examination of the original stones I photographed was done to distinguish it from the restored stonework. This, I believe, is a travesty.
21. As the news of what had occurred there travelled around Bermuda, the former Ombudsman (Arlene Brock) instituted her own investigation which resulted in her report, "A Grave Error" (2014). I do not recall being interviewed during this investigation. I do have a copy of the report and, although I have not read it completely, it is my understanding that it particularly addresses access and decision rights of descendants when dealing with historic cemeteries of this nature.
22. Following the Ombudsman report, in March 2014, *The Royal Gazette* featured my photographs taken in the late 1980s which showed gravestones in existence before the restoration in 1996. This disproved Dr. Harris' assertion that the gravestones were entirely false. (See page 21 of Exhibit)
23. Over the years, although I have never studied the Bermuda Development Company Act (No. 2) in depth, I have come to understand that it exempted the cemetery from the compulsory purchase of lands in Tucker's Town; and I have been told that existing Methodist Church legislation prohibited the sale of a burial ground. Therefore, it is my belief that the cemetery could not have been purchased by the Company.
24. Through my research in the Register General as to the number of deaths which occurred in Tucker's Town between the mid-1800s and 1923 (see paragraph 15 above) I have come to the belief that the original cemetery must have been much bigger - the current cemetery having a mere 8-10 graves -- and may have been unlawfully appropriated by the Company as part of the golf course fairway.
25. This makes me extremely angry and gives me the feeling that the people that lived in Tucker's Town, that toiled the soil, that were satisfied with their community and way of life - have been disrespected because of who they were. If Queen Victoria was buried down there, they wouldn't have done this - there would probably be an honour guard down there still protecting her grave. What this translates to me, as a descendant, is the message that I am not important in this country.

MY BELIEF ABOUT THE TUCKER'S TOWN EXPROPRIATION

26. I do not believe that Tucker's Town was appropriated for a public benefit, but was politically motivated legalized theft by the local white oligarchy.
27. While since as a child I was told that the Tucker's Town lands were "stolen", I have conducted my own research on Bermuda's history at the time and documents I have seen that indicate that some of the Tucker's Town lands were sold to white Bermudians.

BERMUDA AT THE TIME OF THE EXPROPRIATION

- 28. In an article I wrote for *The Workers Voice* (2003), I presented an analysis of Bermuda's political demographics based on the 1921 Bermuda Census Report. Out of a population of 20,127 people (men and women) only 1,408 men (no women) had the right to vote. Of these, 934 were white voters and the remaining 474 were black.
- 29. The 1921 census did point out that the black citizens of Bermuda out-numbered white adults two to one, but none of this was reflected in Parliament where there were 34 white Parliamentarians against the only two blacks in a then 36-seat Parliament. (Some of these white Parliamentarians had property in more than one parish and therefore had multiple votes.) Because of the race factor in Bermuda politics at the time, this made the two black men in Parliament a minority political body that was representing a larger majority of the population of Bermudians of whom only 2% had the right to vote.
- 30. This gives an indication that those who had the power to do so did not hesitate to use that power to acquire whatever they wanted from those who had no power to stop them. It should not be so hard to understand how easy it was to deprive, not just the people of Tucker's Town of their property, but the losses of other Bermudians over the years that never had a chance against those who selfishly had dictatorial control through a minority elitist mercantile government. (See pages 22-24 of Exhibit)

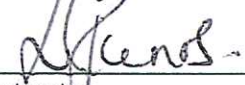
THE TRANSFER OF TUCKERS TOWN PROPERTY TO WHITE BERMUDIANS

- 31. From the contents of a 1954 letter written to the Mid-Ocean Club by the Colonial Secretary on behalf of then Governor Sir Alexander Hood, it has been revealed that properties in Tucker's Town were being sold to Bermudians - and the Governor was questioning the propriety and legality of this. I believe that more will be presented on this in future presentations scheduled to come before this Commission, but it is clear to me that these Bermudians would have been white Bermudians, as blacks were excluded from any kind of participation in the Tucker's Town scheme, aside from being able to work as caddies, domestics, pot washers and in maintenance. (See page 25 of Exhibit)
- 32. In closing, as reported in the *Bermuda Recorder* on Captain Robert Trott (born 1880 in Tucker's Town, visiting Bermuda in 1952) who left Bermuda at an early age, enlisting in the Spanish-American War and WW1, and whose father was forced to sell their family home and 9 acres of land in Tucker's Town: "When he visited the spot a few weeks ago he said he honestly felt sick. He considered his family had been raped. His father was an old man at the time and most of his sons were abroad." (See page 26 of Exhibit)

I, Eugene M. Stovell, set my signature }
this 27th day of October, 2020 }



Witnessed by:


Investigator