

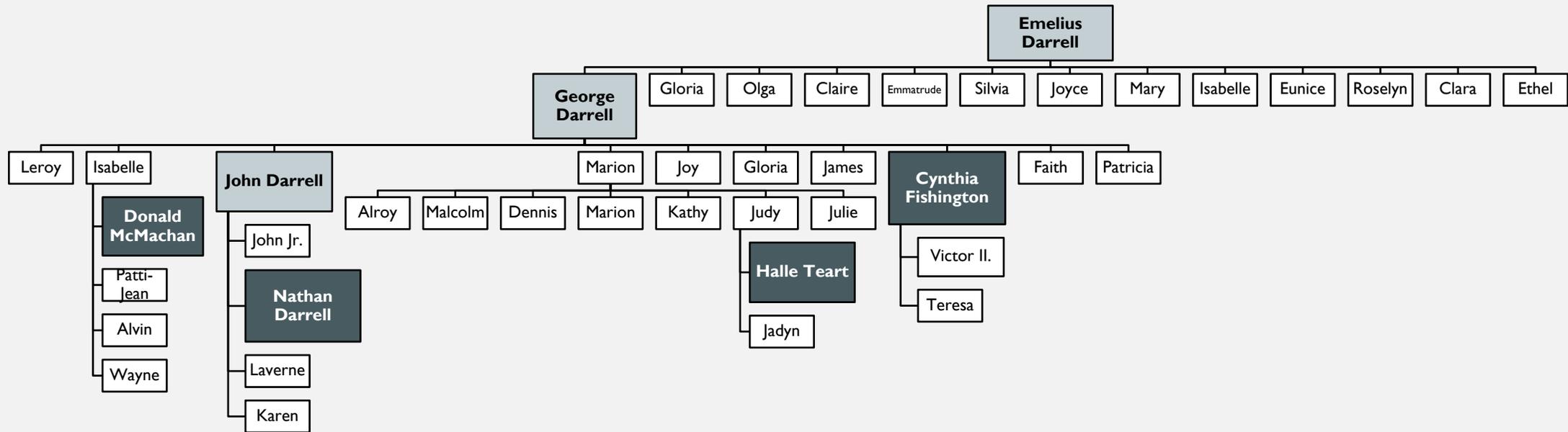
# THE ESTATE OF EMELIUS DARRELL

Presented by the descendants of Emelius Darrell, George Darrell, and John Darrell: Nathan Darrell, Halle Teart, Donald McMachan, and Cynthia Fishington

## BACKGROUND

- Submitting this claim are the descendants of George Wellington Darrell, sibling of John Nathaniel Darrell, and the son of John Nathaniel Darrell
- Throughout this presentation, the land in question is referred to as the Estate of Emelius (Emilius) Darrell. However, this land was passed down to George Darrell, and later willed to John Darrell, his son.
- The aim of this presentation is not to further prove the validity of the claim to the true Estate of Emelius, as this has already been proven, but rather to inform the Commission of the unresolved status of this claim.

# FAMILY TREE



- Nathan Darrell is the son of John Darrell, the grandson of George Darrell, and the great-grandson of Emelius Darrell
- Donald McMachan is the nephew of John Darrell, the grandson of George Darrell, and great-grandson of Emelius Darrell
- Cynthia Fishendon is the sister of John Darrell, the daughter of George Darrell, and the grand-daughter of Emelius Darrell
- Halle Teart is the great-niece of John Darrell, great-great-granddaughter of George Darrell, and the great-great-great granddaughter of Emelius Darrell

# SUPPORTING DOCUMENTS

- Birth Certificates of:
  - Emilius (Emelius) Daniel Montrose Darrell
  - George Wellington Darrell
- Death Certificates of:
  - Emilius (Emelius) Daniel Montrose Darrell
  - George Wellington Darrell



# Certificate of Birth

Registration No. **1887/11386**  
Registration Date **28th day of September, 1887**  
Child's First Name **-**  
Middle Name(s) **-**  
Surname **DARRELL**  
Date of Birth **26th day of September, 1887**  
Place of Birth **SOUTHAMPTON**  
Sex **MALE**

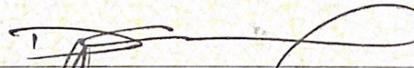
Mother's First Name **REBECCA**  
Middle Name(s) **HARRIET**  
Surname **DARRELL**  
Maiden Name **PAYNTER**

Father's First Name **DANIEL**  
Middle Name(s) **DAVIS**  
Surname **DARRELL**  
Occupation **FARMER**

Informant(s) **D.D. DARRELL (FATHER)**

*Additional Information* Prior to 1910 it was not customary to register Christian names. Applicant states names are: "EMILIUS DANIEL MONTROSE".

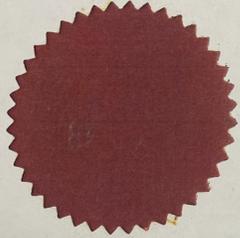
*In testimony whereof I have at Hamilton, Bermuda hereto subscribed my name and affixed the seal of office, this 4th day of January, 2021*

  
Registrar General



*This is to certify that this document is a true copy of the entry of a birth in the General Register of Births maintained in the Registry General of Births, Deaths and Marriages for the Bermuda or Somers Islands. Particulars of racial origin are omitted as required by Section 4 of "The Registration (Birth and Deaths) Act, 1949".*

This is to Certify that the within document marked "A" is a true copy of the entry of a Birth in the General Register of Births maintained in the Registry General of Births, Deaths and Marriages for the Bermuda or Somers Islands. Particulars of racial origin are omitted as required by Section 4 of "The Registration (Births and Deaths) Act, 1949."



In testimony whereof I have at Bermuda aforesaid hereto subscribed my name and affixed the seal of office, this 14th day of July 1989.

*M. Philip Tapscott*  
Registrar General.

"A"  
**CERTIFICATE OF BIRTH**

Number	Name if any	Sex	Father's		Mother's Name and Maiden Name	When Born	Where Born	Name and Description and Signature of Informant	Date of Registration
			Name	Description					
27933	GEORGE	Male	Emelius	Pilot	Tible	30th	Warwick	E.D. Darrell	25th
	WELLINGTON		Daniel		Jedidah	August		(Father)	October
			Darrell		Darrell	1912		E.D. Darrell	1912
					born			Jas. Thos.	
					De Shield				Darrell



# Certificate of Death

Registration No. 1947/31524  
Date of Registration 8th day of August, 1947

Mother's Name REBECCA  
DARRELL

Name in Full EMILIUS  
DANIEL MONTROSE  
DARRELL

Father's Name DANIEL  
DARRELL

Sex Male  
Age 58 Years 11 Months  
Marital Status Married  
Nationality

Residence at Death WARWICK

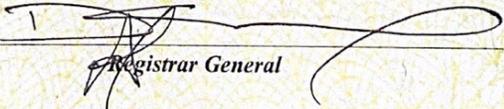
Cause Of Death Cancer of Stomach (Cert. by Leon J. Williams  
M.D.)

Date of Death 8th day of August, 1947

In testimony whereof I have at Bermuda aforesaid hereto subscribed my  
name and affixed the seal of office, this 4th day of January, 2021.

Place of Death, Parish -  
House, or road -

Name and Description of Informant G.W. DARRELL (SON)  
-

  
Registrar General



This is to certify that this document is a true copy of the entry of a Death in the General Register of Deaths maintained in the Registry General of Births,  
Deaths and Marriages for the Bermuda or Somers Islands. Particulars of racial origin are omitted as required by Section 4 of The Registration (Births  
and Deaths) Act, 1949.



# Certificate of Death

Registration No. **1988/00418**  
Date of Registration **17th day of January, 1989**

Mother's Name **JEDIDIAH  
DESHIELD**

Name in Full **GEORGE  
WELLINGTON  
DARRELL**

Father's Name **EIMILUS  
DARRELL**

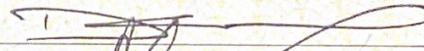
Sex **Male**  
Age **76 Years 4 Months**  
Marital Status **Married**  
Nationality **BRITISH**

Residence at Death **SOUTHAMPTON**

Cause Of Death **CONGESTIVE HEART FAILURE DUE TO ISCHAEMIC  
HEART DISEASE**

Date of Death **31st day of December, 1988** *In testimony whereof I have at Bermuda aforesaid hereto subscribed my name and affixed the seal of office, this 4th day of January, 2021.*

Place of Death, Parish **PAGET**  
House, or road  
Name and Description **W. WARNER**  
of Informant **R.M.P**

  
Registrar General



*This is to certify that this document is a true copy of the entry of a Death in the General Register of Deaths maintained in the Registry General of Births, Deaths and Marriages for the Bermuda or Somers Islands. Particulars of racial origin are omitted as required by Section 4 of The Registration (Births and Deaths) Act, 1949.*

# SUPPORTING DOCUMENTS

- Evidence of Transfer of Property
  - Mortgage Book 11 (Daniel Davis Darrell)
  - Southampton Parish Vestry Records (Daniel Davis Darrell)
  - Freeholders Registry (Emelius Darrell)
  - Valuation List
  - Power of Attorney
  - Will of George Wellington Darrell
  - Deed of Confirmation

250. at seven per centum per annum.

Registered, 30<sup>th</sup> October, 1888.

Archibald Alison  
Colonial Secretary.

Heads of Mortgage.

Date of Mortgage. 17<sup>th</sup> December, 1885.

Mortgagors. Daniel Davis Darrell and Rebecca Harriet  
Darrell his wife.

Mortgagee. Alice Louise Romeo.

Property mortgaged. A Parcel of Land in Southampton  
Parish bounded on the North by land formerly of  
Anthony Darrell deceased and now in the occupation or  
possession of William Lightbourn and there measuring  
one hundred feet on the South by land formerly of  
Thomas Cooper deceased and now in the occupation or  
possession of Joseph Francis Darrell and there measuring  
one hundred feet on the East by land in the possession of  
Forster Mallory Cooper and there measuring seventy five  
feet and on the West by a Trilbe Road running North and  
South or thereabouts and leading from the Public Road  
near the store of the said Forster Mallory Cooper to the  
South Longitudinal Road and there measuring seventy  
five feet which said Trilbe Road separates the Parcel  
of Land now being described from land formerly of  
Thomas White deceased and now or late in the possession  
of Rose Ann Bean or however otherwise the said parcel  
of land may be bounded or may measure or ought to  
be described together with the Cottage or Tenement  
thereon erected and the appurtenances.

Sum secured. Forty pounds with interest thereon

at the rate of seven per centum per annum.

251.

Note - The Mortgage of which the foregoing are the Heads was deposited for registration on the 19<sup>th</sup> December, 1885, and was endorsed as having been registered in Book of Mortgages No. 10 page 319, but through a clerical omission this was not done.

Hamilton, 31<sup>st</sup> October, 1888.

Archibald Wilson  
Colonial Secretary

### Heads of Mortgage.

Date. 31<sup>st</sup> October, 1888.

Mortgagors. William Ludor Pitman and Hewietta Pitman his wife.

Mortgagee. Daniel Frimingham.

Property mortgaged. A Parcel of Land in Sandy's Parish intersected by the Ferry Road and bounded on the North by land of the Honourable Joseph Henry Harvey and there measuring one hundred and eighty six feet on thereabouts on the East by land of the War Department and the Waters of Mangrove Bay and there measuring eighty feet or thereabouts on the South by land of John Henry Pitman and there measuring 200 feet or thereabouts and on the West by a Road leading from the Public Road called the Ferry Road to land formerly of James Henry Roach Taylor now of the Honourable William Henry Gosling and others or however otherwise &c. together with the Messuage or Dwelling House thereon erected and the appurtenances.

Sum secured. Two hundred pounds with interest

NAME De Silva John and Angelina

Date	Description of Property	Date	Property Transferred	Balance
1931 Jan 26	To Honor and about 1 1/2 ac of land No 1 of No 94 K 2/4 Deed 16 July 1931 from Capt. H. Drumbly	1931 Jul 16	By <del>De Silva</del> <del>to</del> <del>owned</del>	200 0 0
	- 1 Car \$200, Road off \$200		- Road off to road	200 0 0
1931 Feb 14	add to Honor \$100 + \$400			
1931 Feb 13	2 ac Honor - also Lot \$4000.			
	1932			
	\$2 500 00			
	17 15 00 00			
1938 July 19	Darrell Cornelius Daniel Estate To a lot of land 100 Feet by 70 Feet, by heir at law from David Davis Darrell, No 600 1/4, and Run			
1942 July 27	To wife for add to to run on No 600 1/4			
1942 July 20	- - - - -			
1942 July 10	- - - - -			
1942 July 3	- - - - - to Bldg on No 600 1/4			
1942 July 23	Darrell George Wellington To Road off	1970 1970		
1952 July 13	Darrell George Daniel Henry To 1 Car	1948 Feb 6	By 1 Car owned	200 0 0
1954 July 19	Darrell Richard Estate To Lot 108 of 25, date 12 Jan 1938 from M. A. Burns 75, 79, 21; - 15 Dec. 1938 - - - -	1954 July 11	By Lot 108, 78, 29, of 2500 h/4 ac. Will 26 Oct. 1946 to Doug H. Beschman	100 0 0
1958 Mar 2	Dill Clarence To Lot 132 of 25, date 28 April 1950, from Will F. Wilson			

COPY

Registered at LTR Office

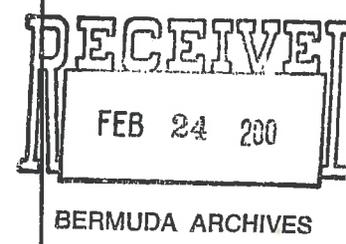
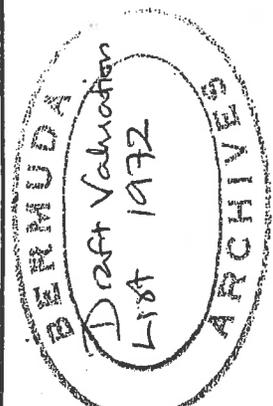
Parent (S)  
Date 21 / Jan / 2021

*[Handwritten Signature]*

VALUATION LIST, BERMUDA 1972

PARISH: SOUTHAMPTON

ASSESSMENT NO.	PLAN NO.	GRID REFERENCE	OWNER	OCCUPIER	DESCRIPTION OF PROPERTY	SITUATION OF PROPERTY	ANNUAL RENTAL VALUE \$	AMENDMENT
474	2/16	19/8 A/9	SIMONS, ERSKINE RIVIERA ESTATE MIDDLE RD	ADAMS, KEITH	APT 1ST FL	RIVIERA ESTATE MIDDLE RD	1320	no 3
474D	See Supp List # 4							
474A	See Supplementary list # 1							
474B	See Supplementary list # 2							
474C	A/9	0/6 A/1	DARRELL, G	DARRELL, G	HOUSE	RIVIERA ESTATE MIDDLE RD	<del>1500</del> <del>2500</del>	0
474D	See Supp list No. 3							
475A	4/13	0/8 K/3	Williams, Fitzgerald	Williams, Fitzgerald	apt. 1st Fl.	Breezy Holme Riviera Estate	5040	
475B	4/13	0/5 J/6	Douglas, Arthur	Douglas Arthur	House lot 53	Riviera Estate	2400	
476	4/13	0/5 J/5	SIMONS, NELSON		APT 2ND FL & GARAGE	RIVIERA ESTATE (WOODSUCK) MIDDLE RD	<del>1000</del> 0700	Prop. 31.3.77
477	4/13	0/5 J/5	SIMONS, NELSON	DARRELL, P	APT 1ST FL	RIVIERA ESTATE MIDDLE RD	1500	PROPOSAL- 30
477A	4/13	0/3 S/7	VANPUTTEN, LIONEL	-	APT. LOWER. WEST	MIDDLE RD	1440	
477B	See Supp list No. 5							
477C						RIVIERA ESTATE OFF. MIDDLE RD	1320	
478	4/13	0/5 J/9	BURROWS, ALAN RIVIERA ESTATE MIDDLE RD		APT 2ND FL	RIVIERA ESTATE MIDDLE RD	2700	
478A	4/13	0/5 J/9	BURROWS, ALLAN	-	APARTMENT 1ST FL W	RIVIERA ESTATE MIDDLE ROAD	1440	
478B	See Supp list # 4							
479	4/13	0/8 K/0	RAYNOR, ERVIN RIVIERA ESTATE MIDDLE RD	STONEHAM, M	APT 1ST FL	RIVIERA ESTATE MIDDLE RD	1320	
479A	See Supplementary list # 1							
479B	See Supplementary list # 2							
480	4/13	0/8 K/0	RAYNOR, ERVIN	RAYNOR, ERVIN	APT 1ST FL WEST	RIVIERA ESTATE MIDDLE RD	1620	
481	4/13	0/8 K/0	RAYNOR, ERVIN	RAYNOR, ERVIN	APT 2ND FL	RIVIERA ESTATE MIDDLE RD	3000	
481A	4/13	0/4 K/5	RAYNOR, MR. LEE E.	RAYNOR, MR. LEE E	APT 2ND FL	"MIR-A-LEE" RIVIERA ESTATE OFF MIDDLE ROAD	<del>2700</del> 2040	
481B	See Supp list # 4							
481C								
482	4/13	0/7 K/2	STOVELL, JOHN	STOVELL, JOHN	APT 1ST FL	RIVIERA ESTATE MIDDLE RD	1380	
482A	See Supp list # 4							
482B	See Supplementary list No. 1							
482C	See Supp. list No. 3							
483	2/20	19 K/8	HODGSON, GEORGE L P GUTTERIDGE PAR LA VILLE RD HAMILTON	BRANGMAN, ALVIN	HOUSE	RIVIERA ESTATE MIDDLE RD	1500	



9103

Ministry of Labour & Home Affairs



No 4 B A

REGISTRY GENERAL  
Government Administration Building,  
30 Parliament Street,  
Hamilton, Bermuda HM 12  
Telephone: (809)295-5151

Our Ref. No.

Your Ref. No.

THIS IS TO CERTIFY that the document hereto annexed, marked "A" and initialled by me is a true copy of a Power of Attorney dated the twenty-second day of February, One thousand nine hundred and seventy-seven, and made between GEORGE WELLINGTON DARREL and JOHN NATHANIEL DARRELL, WHICH said Power of Attorney is recorded in Book of Deeds No. 108 at Page 217/219 in the Registrar General's Office, Hamilton, Bermuda, pursuant to the laws of these Islands.



IN WITNESS WHEREOF

I have hereto set  
my Hand and Seal  
of Office this 15th  
day of July, 1988.

*P. John's Topher*  
REGISTRAR GENERAL

THIS POWER OF ATTORNEY is made this *22nd* day of *February* One Thousand Nine Hundred and Seventy-Seven by me GEORGE WELLINGTON DARREL of Wellington Lands, Southampton East in the Islands of Bermuda

1. I HEREBY APPOINT JOHN NATHANIEL DARRELL of Ord Road, Warwick Parish in the said Islands to be my Attorney for the purposes hereinafter mentioned and declare that the expression "Attorney" shall include the said JOHN NATHANIEL DARRELL and any substitute of him, the said purposes being for me and on my behalf, either in my name or, except where the law otherwise requires, his own name.

(1) To receive the rents and profits of and manage all the houses, farms, lands and property of whatever tenure and of any interest therein, of or to which I now am or at any time hereafter shall or may become entitled for any estate or interest whatsoever, whether solely or as a joint tenant or tenant-in-common, with liberty in the course of such management to let or demise the property, or any part thereof, either from year to year or for any term or number of years or for any less period than a year, at such rents, and either with or without any fine or premium and subject to such covenants and conditions as the Attorney shall think fit AND with liberty also to accept surrenders of leases or tenancies, to make allowances to and arrangements with lessees, tenants, and others, to cut timber and other trees, whether for repairs, sale, or otherwise, to repair and rebuild houses or other buildings, and to insure the same against damage by fire, tempest or otherwise, to repair fences, to drain or otherwise improve the property or any part thereof, to appoint and employ agents, servants and others to assist in the management of the property, and to remove them and appoint others in their place, and to pay and allow to the persons to be so employed as aforesaid such salaries, wages or other remuneration as the Attorney shall think fit AND with power also to give effectual receipts and discharges for the rents, profits and income of the property, and on non-payment of any rent or the breach of any covenant, agreement or condition, which ought to be observed or performed by any lessee or tenant, to take such proceedings by distress, action or otherwise for recovering such rent or in respect of such breach as the Attorney shall think fit AND generally to do all such acts or things in or about the management of the property as the Attorney might do if he were the absolute owner thereof ALSO to use and take all lawful ways and means for recovering any houses, lands or property belonging or supposed to belong to me ;

- 2 -

(2) To exercise all powers and trusts conferred on me by statute or by any instrument, whether as tenant for life, statutory owner, trustee, personal representative or otherwise but so that in all cases involving the exercise of any discretion the Attorney shall (save as hereinafter provided), before exercising the power or trust, communicate with me by cablegram or otherwise and obtain my instructions;

(3) To ask, demand, sue for, recover and receive all sums of money, goods, effects and things (whether real or personal) now or hereafter owing, or payable, or belonging to me, whether solely or as a joint tenant or tenant-in-common, by virtue of any security or upon any balance of account or otherwise howsoever, and to give, sign and execute receipts, releases and other discharges for any property or thing in action whatsoever;

(4) To settle, adjust, compound, submit to arbitration, and compromise all proceedings, accounts, claims and demands whatsoever, which now are or hereafter shall be pending between myself and any persons whomsoever, in such manner as the Attorney shall think fit;

(5) To dispose of (whether by way of sale, mortgage, lease or otherwise) or deal with any real or personal property (whether in possession or reversion) now or hereafter belonging to me, whether solely or as a joint tenant or tenant-in-common, or which I have or shall have power to dispose of under any general power or as a mortgagee or otherwise, and in particular:

(i) To sell, either by public auction or private contract, and subject to any conditions as to title or otherwise, with power to buy in or to rescind any contract for sale and to resell;

(ii) To raise money by way of mortgage for any purpose and in any manner, and so that no mortgagee shall be concerned to see whether the money is wanted or whether more than is wanted is raised or as to the application thereof;

(iii) To grant leases or tenancy agreements for any term or purpose with or without an option to purchase or rights or renewal;

- 3 -

(iv) To give or accept any interest in real or personal estate as the consideration for any transaction.

(6) To complete by conveyance, assignment, or delivery or otherwise, any contract for sale of real or personal property, made by me, either alone or jointly with any other person, before or after the date of this Deed, and to rescind or to agree to the modification or cancellation of any such contract for sale and to complete any contract for the purchase of real or personal property made by me, either alone or jointly with any other person, before or after the date of this Deed, and to accept a conveyance, assignment or delivery of any such property and to rescind or to agree to the modification or cancellation of any such contract for purchase;

(7) To appear for me in any court in any action or other proceeding which may be instituted against me, and to defend the same or suffer judgment to go against me and to commence and prosecute any action or proceeding on my behalf in any court in any matter as the Attorney shall be advised or think proper;

(8) To apply any money which may come to the hands of the Attorney under this Deed in payment of all costs and expenses incurred by the Attorney in or about the execution of the powers herein contained or to raise the same by way of mortgage or otherwise;

(9) To deposit any money not required for costs and expenses as aforesaid at any bank, either in the name or names of the Attorney or in my name and to withdraw the same from time to time and to open or close any current account and to draw and sign cheques;

(10) To invest any money, either in the name or names or under the control of the Attorney or in my name, in any investment (whether being investments authorised by law for the investment of trust money or not) or in the purchase or on the security of any property real or personal, or any interest therein which the Attorney may think proper and to vary the investments from time to time;

(11) To execute and do all such deeds, covenants, agreements and things as the Attorney may think proper for the purpose of giving effect to the powers hereby conferred;

(12) Generally to manage all my concerns and affairs of every description at his absolute discretion, and as fully and effectually as I could do if I were present and acting in my proper person and without being liable to account for any act or default done or committed in good faith.

2. The Attorney may from time to time appoint one or more substitute or substitutes to do, execute and perform all or any such matters and things as aforesaid; and may at pleasure remove the same substitute or substitutes and appoint another or others in his or their place or places.

3. All and whatsoever the Attorney or his substitute or substitutes shall do or cause to be done in or about the premises, I hereby covenant with the Attorney to allow, ratify and confirm.

IN WITNESS WHEREOF I have hereunto set my hand and seal the day and year first above written.

*George W. Darrell*

SIGNED SEALED and DELIVERED by )  
the said GEORGE WELLINGTON )  
DARRELL in the presence of: )

*James Murray with  
Messrs. Dill & Pearson  
Hamilton, Bermuda*

*Elizabeth Walsh  
Secretary with Messrs.  
Dill & Pearson*

RECORDED: 23rd February, 1977

VALERIE T. SCOTT,

REGISTRAR GENERAL: mis

RECEIVED ... 22/2/77  
PER ... *F. E. ...*

No 9 A

# The Registry of the Supreme Court BERMUDA

BERMUDA,  
Alias  
Somer's Islands

By the Registrar of the Supreme Court of Bermuda.

I DO HEREBY CERTIFY that the instruments in writing  
hereto annexed marked "A" & "B"  
respectively and initialled by me are examined and correct copies  
respectively of the last will and testament

and of the probate of

the same of GEORGE WELLINGTON DARRELL

late of Southampton

parish in the said Islands, deceased, which said will

has been duly admitted

to probate in common form by the Supreme Court of Bermuda and  
been duly deposited in the Registry of the said Court for record  
pursuant to the laws of these Islands.

IN WITNESS WHEREOF I, the Registrar aforesaid, have  
hereto set my hand and seal of the Supreme Court of Bermuda

this 27<sup>th</sup> day of September

one thousand nine hundred and ninety-nine



*[Handwritten Signature]*  
Registrar.

11

# 88

# This is the last Will and Testament

of me GEORGE WELLINGTON DARRELL, Retired Stonecutter, of  
29 Riviera Estate, Southampton East Parish in the Islands  
of Bermuda and I do hereby Revoke all former Wills and  
Testamentary dispositions made or executed by me.

1. I Appoint my son, JOHN NATHANIEL DARRELL,  
Mason Contractor, of Fairvale, Warwick Parish in the Is-  
lands of Bermuda, to be the Executors and Trustees of this  
my Will and I Direct that all my just debts, funeral and  
testamentary expenses shall be paid as soon as convenient-  
ly may be after my decease.

2. I Give and Bequeath all my Personal Chattels  
and Personal Estate to my wife, BERNICE ELIZABETH DARRELL  
absolutely.

3. I Devise all my Real Estate to which I am  
entitled from the Estate of my late father, EMELIUS DANIEL  
MONTROSE DARRELL unto my said son, JOHN NATHANIEL DARRELL  
in fee simple.

4. I Devise all the rest and residue of my Real  
Estate wheresoever situated unto my said son, JOHN NATHA-  
NIEL DARRELL in fee simple.

IN WITNESS WHEREOF I have hereunto set my hand to this my  
Will this 29<sup>th</sup> day of January One thousand nine hundred  
and eighty-seven.

*George Darrell*

GEORGE WELLINGTON DARRELL

SIGNED by the above named GEORGE WELLINGTON DARRELL, the  
Testator, as his Last Will and Testament in the presence  
of us both being present at the same time, who at his re-  
quest in his sight and presence and in the presence of each  
other, have hereunto set and subscribed our names as at-  
testing witnesses.

*John Darrell*  
*Bernice Darrell*

*J. Richards*

*C. MASTERS*

"B"

165  
*[Handwritten signature]*



IN THE SUPREME COURT OF BERMUDA  
(PROBATE JURISDICTION)



BE IT KNOWN

that on the date hereof the last  
Will

which is hereunto annexed of  
GEORGE WELLINGTON DARRELL  
late of Southampton Parish  
in the Islands of Bermuda

*[Handwritten signature]*  
REGISTRAR

deceased, who died on the 31st day of December, 1988  
at Paget Parish in the said Islands, domiciled in Bermuda  
was duly admitted to probate in this Court and that the administration of the  
estate of the deceased is hereby granted by this Court to  
JOHN NATHANIEL DARRELL the sole Executor

named in the said Will, he having been duly sworn, as appears by his  
affidavit which is hereto annexed.

Given under my hand and the Seal of  
the Supreme Court of Bermuda  
this *[Handwritten initials]* day of August, 1991



IN THE SUPREME COURT OF BERMUDA  
(PROBATE JURISDICTION)



BE IT KNOWN

that on the date hereof the last  
Will

which is hereto annexed of  
GEORGE WELLINGTON DARRELL  
late of Southampton Parish  
in the Islands of Bermuda

  
REGISTRAR

deceased, who died on the 31st day of December, 1988  
at Paget Parish in the said Islands, domiciled in Bermuda  
was duly admitted to probate in this Court and that the administration of the  
estate of the deceased is hereby granted by this Court to  
JOHN NATHANIEL DARRELL the sole Executor

named in the said Will, he having been duly sworn, as appears by his  
affidavit which is hereto annexed.

Given under my hand and the Seal of  
the Supreme Court of Bermuda  
this  day of August, 1991

THIS DEED OF CONFIRMATION is made the *Eleventh* day of *September* 1991 BETWEEN JOHN NATHANIEL DARRELL of Hamilton Parish in the Islands of Bermuda (The Sole Executor of George Wellington Darrell, deceased) (hereinafter called "the Grantor") of the one part and JOHN NATHANIEL DARRELL of Hamilton Parish in the said Islands (hereinafter called "the Grantee") of the other part.

W H E R E A S:

(1) By a Voluntary Conveyance dated the 6th day of March 1987 (registered in the Book of Voluntary Conveyances No. 44 at page 137 in the office of the Registrar General) and made between the said George Wellington Darrell of the one part and the Grantee of the other part for the consideration therein mentioned a parcel of land in Southampton Parish was conveyed unto the Grantee in fee simple absolutely.

(2) It has been apprehended that the said Voluntary Conveyance did not fully describe the property thereby intended to be conveyed and for the avoidance of doubt the parties hereto have agreed to execute these presents for the purpose of confirming to the Grantee the legal estate of and in the property as hereinafter described in the Schedule hereto.

(3) By way of further assurance the parties hereto have caused the firm of Bermuda-Caribbean Engineering Consultants Ltd. to re-survey the property and stake the boundaries in accordance with their plan attached hereto and being their reference Drawing No. SV8513/1/7 June 1991.

NOW THIS DEED WITNESSETH that in pursuance of the said agreement and in consideration of the premises the Grantor by way of further assurance HEREBY CONVEYS AND CONFIRMS unto the Grantee ALL THAT freehold property situate at and known as No. 29 Riviera Estate Road, Southampton Parish in the Islands of Bermuda intended to be comprised in the said Voluntary Conveyance and more particularly delineated on the

Bermuda-Caribbean Engineering Consultants Ltd. plan annexed hereto and described in the Schedule hereto TO HOLD the same unto the Grantee in fee simple TOGETHER WITH the benefit of the rights of way appurtenant thereto and all buildings thereon erected.

THE SCHEDULE

ALL THAT parcel of land situate to the Northeast of the Riviera Estate Road in Southampton Parish in the Islands of Bermuda and delineated on the plan annexed hereto and prepared by Bermuda-Caribbean Engineering Consultants Ltd. under their Drawing No. SV 8513/1/7 in June 1991 and thereon edged red comprising nought decimal point seven four seven acres (0.747 acres) and bounded on the Northwest by the said Riviera Estate Road and there measuring two hundred and thirty two decimal point six six feet (232.66') and then on the North by land of the estate of Emelius Darrell and there measuring in two straight lines firstly eighty decimal point zero zero feet (80.00') and secondly sixty two decimal point one eight feet (62.18') and then Easterly by land also of the estate of Emelius Darrell and there measuring two hundred and twenty-two decimal point five zero feet (222.50') and Southerly in the part by Lot number 48 and in part by land of the estate of Emelius Darrell and there measuring one hundred and forty-nine decimal point two three feet (149.23') or however otherwise the said parcel of land may be bounded may measure or ought to be described together with the dwellinghouse thereon erected and all other houses buildings fixtures ways rights privileges rights of way easements advantages and appurtenances whatsoever belonging to the said parcel of land.

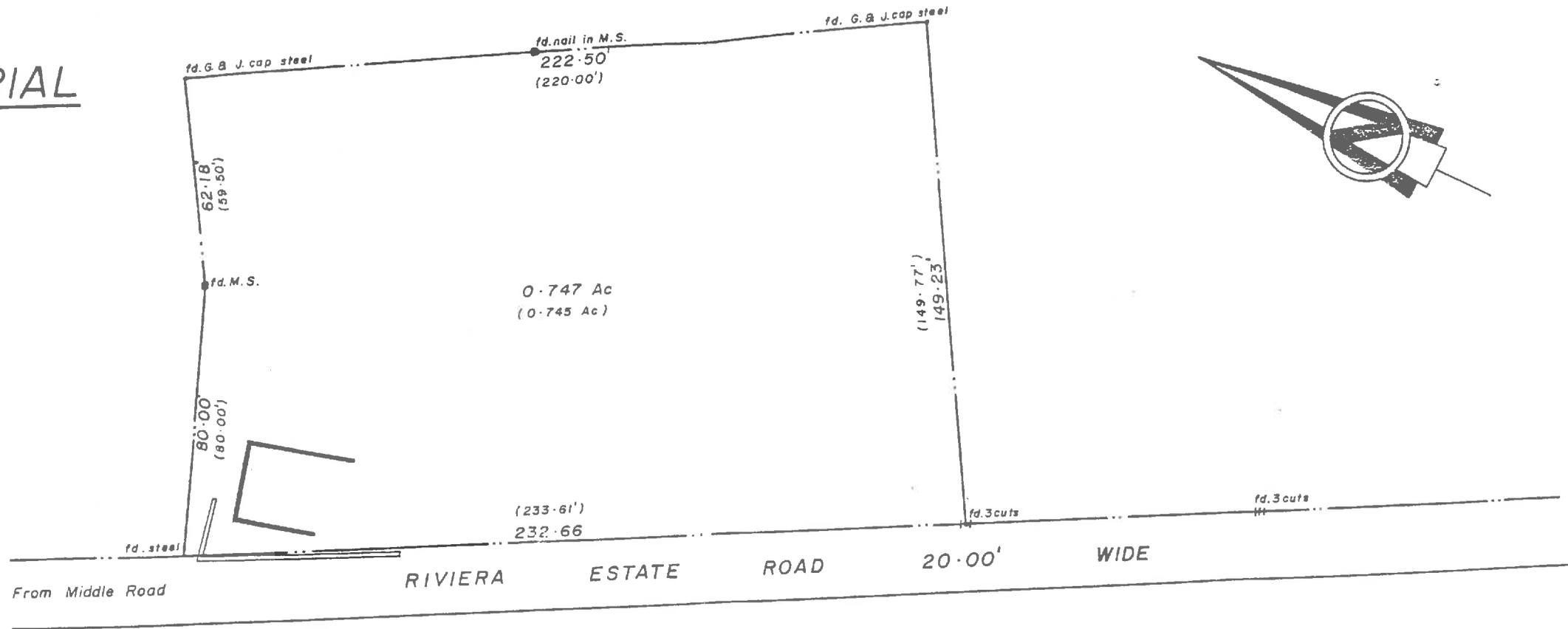
SIGNED SEALED AND DELIVERED  
by the above named JOHN  
NATHANIEL DARRELL in the  
presence of:-

*John Darrell*

*[Signature]*  
Appleby Spence & Venne



IMPERIAL



NOTE:-

- G. & J. - denotes Gauntlett & Jones
- fd. - denotes found
- ( ) - Dimension from Robert H. Clarke  
Drawing NR 79/227 dated, July 1979.
- M. S. - denotes markstone.

# PLAN OF LAND IN SOUTHAMPTON PARISH - BERMUDA

SCALE - 1 : 500

BERMUDA-CARIBBEAN ENGINEERING CONSULTANTS LTD.  
SURVEYORS, PLANNING CONSULTANTS AND VALUERS  
HAMILTON BERMUDA

SIGNED SEALED AND DELIVERED  
by the above named JOHN  
NATHANIEL DARRELL in the  
presence of:-

*John Darrell*



*[Signature]*

Church - Letter - to Governor - Human Rights  
express our concern  
↓ Not be resolved

abuse of the Crown

## SUPPORTING DOCUMENTS

- Battling John Score a Moral Victory but He's Run out of Cash by Jonathan Kent, Mid-Ocean News, October 25, 2002
  - Containing:
    - Letter from Buckingham Palace
    - Letter from John Darrell addressing Parliament after investigations by the Bermuda Police and the Department of Public Prosecutions
    - Letter from the Crown Counsel, Anthony L. Blackman, in support of John Darrell
    - Letter from Detective Inspector David Cart, in support of John Darrell

# Mid-Ocean News

HAMILTON, BERMUDA, October 25, 2002

VOL. 82, NO. 43, 28 PAGES, 75 CENTS

War hero  
Geoff's  
exploits  
recalled  
- Page 6



Boris Becker: Former German tennis star has appeared in court on tax evasion charges

## Bermuda boring? Well, try living in Monaco!

by JONATHAN KENT

PEOPLE living in Bermuda need to fly away regularly to avoid getting bored, a reporter told a global audience of millions of the BBC World Service this week.

Patrick Middleton, an English reporter based in Nice in southern France, made his comments to *Newsnight* host Judy Swallow during Wednesday evening's programme.

He was being interviewed about the case of former tennis star Boris Becker, who used to reside in the principality of Monaco to keep down his tax bill.

Three-time Wimbledon champion Becker appeared in court this week in Germany, where he was facing charges of tax evasion. Yesterday, he was handed a two-year suspended jail sentence and fined around \$300,000.

During the course of the interview, Mr. Swallow asked why Monaco was the tax haven of choice for so many of the rich and why not Bermuda, for example?

His reply implied that Monaco was boring and he seemed to imply that Bermuda life could be dull as well.

When contacted, Mr. Middleton said he had never intended to make out that Bermuda was an uninteresting place to live.

"No way did I say Bermuda was boring," said Mr. Middleton from his home in France.

"In fact, I said Bermuda was a very nice and attractive place, but people who live there have told me that they feel the need to get away to somewhere like New York now and again.

"In fact, I went to Bermuda not long ago and stayed at Elbow Beach. I had a great time down there."

He went on to describe Monaco - just up the coast from where he lives - as being boring.

"There are lots of people living there just for tax reasons and the place is incredibly boring," said Mr. Middleton.

"There's nothing to do. You see people there walking their dogs and looking really downcast. In fact, the whole of the South of France is

## 'Fools and children': Scott slams his Berkeley critics

WORKS & Engineering Minister Alex Scott has rubbished claims that the Berkeley Institute project is a year behind schedule.

Mr. Scott said he was still hopeful children could start in the secondary school on the intended target date of September next year - even if some blocks of the \$65-million project had not been completed.

And he said work was being stepped up with more people than ever, around 160 in total, now working on the site. More sub-contractors might be brought in to speed things up further, he added.

A variety of factors, such as a late start and delays in deliveries of con-

struction materials, meant the project was indeed behind schedule, conceded Mr. Scott.

But he added that delays were not unusual on such large construction projects and that any cost overrun was unlikely to exceed five per cent of the target budget.

Yesterday's *Royal Gazette* published quotes from anonymous "construction experts" who claimed it was unlikely that the school would be completed until at least September, 2004, 12 months behind schedule.

In response, Mr. Scott said yesterday: "I have a background in design and when I read that story, one specific thought came to my mind: 'Fools and children' should not see unfinished work'. That is true about Berkeley."

And the Minister appeared irritated by the comment in the *Gazette* report that "little had changed" since the paper had last photographed the site in July this year. He dismissed that as "a half-baked notion".

He went on to explain that sufficient blocks might be ready for the school to open next September, provided an occupancy certificate was granted.

"The project is a large one but it's not one large unit, it's a series of

Turn to Page 3



Alex Scott, pictured with a model of the new Berkeley Institute

## Housing policy 'abysmal failure': Dunkley

by JONATHAN KENT

THE Government's housing policy has been an "abject and abysmal failure" which has seen the waiting list for emergency housing grow over the past four years, Shadow Health & Family Services Minister Michael Dunkley said yesterday.

Mr. Dunkley gave a cautious welcome to moves by new Housing Minister Senator David Burch to address some of the problems at the strife-ridden Bermuda Housing Corporation.

He said this week's press conference in which Sen. Burch had promised Government would sue contractors who had been overpaid by the BHC was a start, but much more needed to be done - and quickly.

The revelation by Sen. Burch that many BHC contracts were verbal raised serious questions about why previously established practices had been changed, said Mr. Dunkley.

And the Shadow Minister also expressed concern over why BHC-built condos in Warwick remained empty while the number of those in need of affordable housing continued to grow.

"It's all well and good to sue the contractors, but it's not as if they walked into the Housing Corporation offices and took the money out of the safe - they were given the money," said Mr. Dunkley.

"If the Government is going after the contractors, let's hope they are also going after every single person who did not conduct business as it should have been done.

"Don't get me wrong, I am in full support of the police and their inquiry into the BHC, but at the end of the day justice must be seen to be done right down the line.

"Surely the responsibility goes right up the chain of command, the general manager, the board, the Minister and it goes right up to the Premier. I feel there are too many people taking no responsibility. You can't just shift the blame."

Mr. Dunkley, who first raised allegations of corruption at the BHC when he described the publicly funded organisation as "Bermuda's Enron" in the House of Assembly in March, was particularly concerned about the issue of verbal contracts.

When asked how much money had been overpaid, Sen. Burch said: "My assessment so

Turn to Page 9

## Senior lost property unfairly says DPP lawyer

# Battling John scores a moral victory but he's run out of cash

by News Editor JONATHAN KENT

JOHN Nathaniel Darrell is a 64-year-old veteran of a battle against cancer, has limited resources and believes he has been cheated out of his property.

Even a lawyer from the Office of the Director of Public Prosecutions, who studied details of his long-running, agreed that Mr. Darrell had been "unfairly dispossessed of his land".

Yet after numerous efforts to reclaim the Southampton property that had been in his family since the 19th century, he has now come to the stage where there is little else he can do to right the wrongs of the past, besides taking out a civil case that he cannot afford.

In effect, the DPP lawyer's report amounts to solely a moral victory for Mr. Darrell.

In today's *Mid-Ocean News*, Mr. Darrell has taken out a two-page advertisement, featuring many of the documents he has accumulated during the four decades or so that he has been fighting to reclaim his property.

Mr. Darrell has written to politicians, the Governor, the police and even the Queen during the course of his 40-year legal battle with the Government.

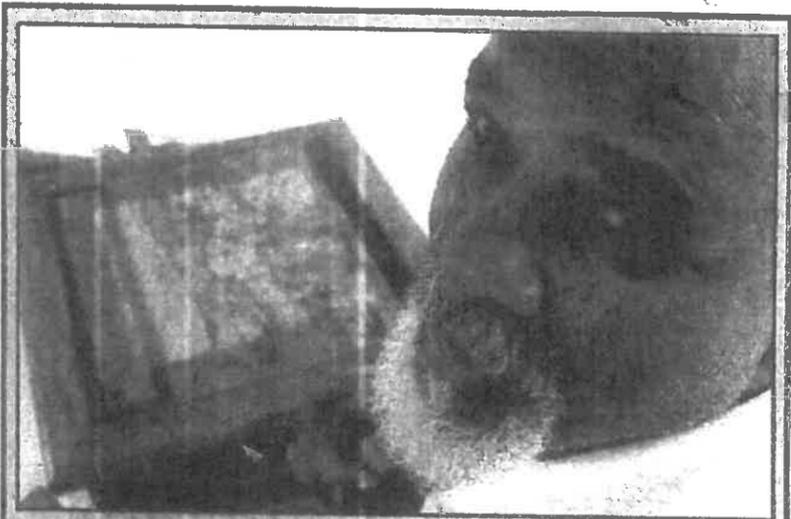
The cost of numerous unsuccessful court battles to reclaim the property he said was unjustifiably taken from him has used up almost all of the retired stonecutter's financial resources. Mr. Darrell believed that when the Riviera Estate Road was built, it went through his property without his permission.

Anthony Blackman, the DPP lawyer who studied Mr. Darrell's case last year, said he had no doubt Mr. Darrell had been the victim of "professional negligence", particularly when a plan produced in 1932 named a non-existent person, Benjamin Darrell, as the owner of the

Turn to Page 3



John Darrell: 40-year battle



Picture: Russell Stevens

Artist Vernon Clarke with "Copper Tops", the pair of tables he constructed from recycled wood and copper to aid the Anglican Cathedral in today's fundraising auction.

## Artist Vernon is delighted to aid Cathedral fund-raiser

by HEATHER WOOD

WHEN asked to participate in *Raising the Roof: A Celebration of Art*, a fund-raising auction for the Anglican Cathedral that takes place today, artist Vernon Clarke was intrigued for a variety of reasons.

The challenge presented - to produce original works using pieces of copper from the church's old roof - agreed with his views on conservation and recycling, while the idea that he might assist in the restoration of one of the

island's historic structures appealed to him on a more personal level.

Copper Tops, a pair of tables constructed of copper and recycled wood, are the result of the more than 120 hours he laboured over the project.

"I was glad to be involved," he said. "It's my Cathedral. It's everybody's Cathedral. And I did it for the glory of the Cathedral. Just the other day I was walking along Marsh Field Road and caught a glimpse of it. With the finished roof it

Turn to Page 3

# Senior 'lost property unfairly'

Continued from Page 1

of the Darrell family's property.

"I've been ready to go ahead with further action for a year now," said Mr. Darrell. "It seems that the police and Mr. Blackman agree with what I'm saying, but everyone just keeps passing me on to the next person."

"Nobody wants to deal with this, but the issue of land ownership is very important."

Asked if he intended to pursue a civil case, Mr. Darrell said: "No, there's no money there and who do I fight?"

Mr. Blackman's work came after Mr. Darrell claimed to have been the victim of fraud. But no evidence of fraud could be found, so no criminal case was brought.

Mr. Darrell claimed there had been a cover-up over land he alleged had been stolen from his grandfather Emilius Darrell in 1962.

In 1979, a survey by Robert H. Clarke showed that the land allegedly owned by the non-existent Benjamin Darrell, Horace Cooper and the Government was in fact owned by Mr. Darrell and that the Riviera Estate Road had cut through a portion of his property.

Three years later, Mr. Darrell discovered two plans at the Department of Planning, both of which confirmed the Government's ownership of the property in question - in conflict with all the deeds and plans in existence.

In his report, dated August 8 last year, Mr. Blackman concluded: "There is no doubt in my mind that the virtual complainant has



Queen Elizabeth: She acknowledged Mr. Darrell's letter to Buckingham Palace

been unfairly dispossessed of his land.

"From the documents submitted, I am of the opinion that the Riviera Estate Road does in fact pass through the complainant's property."

Mr. Blackman added that there was "evidence of shoddy work by the professional surveyors and some attorneys" and he went on: "What is obvious to me is professional negligence and a blatant breach of the Rules of Natural Justice."

Mr. Blackman found no evidence of fraudulent conduct and concluded that Mr. Darrell's case was a civil matter.

He added: "Considering the amount of litigation that has already taken place and the

financial status of the complainant, I am afraid that unless he receives some gratuitous payment / compensation, his efforts to keep what appears to be his (the property) were all in vain, indeed a sad situation when one considers the quest by the Darrells to own their share of 'the littlerock' and the offending individuals have all passed."

Mr. Darrell took his case to Bermuda Police Service, alleging fraud by the Government.

In his report to the Commissioner of Police, dated June 5 last year, Det. Insp. David Cart wrote: "Mr. Darrell is an old man who has been pursuing his case for years. He is sincere in his claim."

"Whilst I cannot find a criminal offence worthy of investigation, there does appear to be some merit in his claim from a civil point of view. It certainly appears that the Riviera Estate Road was built over his property and the Government cannot or will not produce documents substantiating their ownership of the land they claim."

"Mr. Darrell is virtually penniless, having spent everything he owned to prove his point. He cannot afford to take out further court actions, which could drag on for years."

"The only solution I can see is for the Government Planning Department to undertake a full review of his claim, and the plans which he disputes, to determine once and for all whether he was disadvantaged by incorrect judgments in the courts and if he should be compensated in some way by the Government."

Mr. Darrell's documents appear on Pages 8 & 9.

# Scott hits back at his Berkeley critics

Continued from Page 1

blocks, A, B, C, D, E and J," said Mr. Scott. "The so-called experts quoted by the *Gazette* did not break it down like this."

"We hope we may be able to complete some of these areas to the degree that we can get our occupancy certificate. If we can get that by May or June of next year then we will meet with the Education Ministry and see if they are prepared to introduce students to the site on time. That is our intention at this point in time."

"However, it may be that not all the students will be introduced at one time."

"If we look at major office building projects in the city, there have been cases where staff have moved in before the final details and landscaping have been finished. This is not unusual."

Mr. Scott said the project had started six weeks to two months late and had faced added challenges from factors such as last year's Sep-



**BUCKINGHAM PALACE**

The Queen has asked the Private Secretary to thank Mr. John Darrell for his letter, and to say that it has been passed to the Governor General of Bermuda so that this approach to Her Majesty may be known, and consideration given to the points raised in the letter.

1st February, 2000.

John Nathaniel Darrell  
71 Sleepy Hollow Drive  
Hamilton Parish Cr 02

23rd September, 2002

TO ALL MEMBERS OF PARLIAMENT  
& THE SENATE

**RE: My Allegation of Mal-administration and Injustice - Investigation ordered by Her Majesty The Queen - Investigations, Reports and Inaction by The Governor and Government of Bermuda**

Sometime in the early months of the year 2001, the captioned investigation was ordered and carried out by both the Bermuda Police and The Office of the Director of Public Prosecutions.

Reports of their findings, which confirm my allegations and recommend that I be compensated (copies enclosed) were submitted to the heads of the investigating departments and later to the Governor. However, to date, over a year later nothing has been done either by the Governor or the Government of Bermuda to address the injustice.

I am a retired old man, penniless and in poor health (suffering from cancer which is currently in remission) and therefore seek your assistance in moving Parliament to act in an effort to redress my grievance by way of compensation for the mal-administration and injustice that I have suffered at the hands of the various Government Departments, officials and the Courts for most of my adult life.

I bring this matter to the attention of all Members of both Houses because I feel it is not a partisan matter. So that you will not be taken by surprise, I must also inform you that in an effort to inform the public prior to any debate that may take place in either House of Parliament regarding this matter, I will be publishing the enclosed reports in their entirety and a copy of this letter in a local newspaper.

Yours faithfully,

John N. Darrell

cc: file  
Enclosure



The Office of the Director of Public Prosecutions  
2nd Floor, Global House  
43 Church Street  
Hamilton HM 12  
Bermuda

Tel: (441) 296-1277 Fax: (441) 296-8464

**MEMORANDUM**

Our Ref: ALB/mir  
(Please quote in all replies)

To: Khamisi M. Tokunbo, Director  
From: Anthony L. Blackman, Crown Counsel  
Date: 8th August, 2001  
Re: Allegation of Fraud by Complainant, Mr. John Nathaniel Darrell

In furtherance of your request for advice on the captioned, a precis of the facts is in order. The facts fall within a compass in my submission.

The virtual complainant Mr. John Nathaniel Darrell resides at Sleepy Hollow Drive, Hamilton Parish, Bermuda. The virtual complainant's great grandfather Daniel Davis Darrell owned four (4) portions of real estate in Southampton Parish. On his death in 1888 the complainant's grandfather Emilius Darrell inherited the aforementioned four (4) properties. In 1947 Emilius died and he left the property he owned (i.e. The property he inherited from Daniel Darrell) for George Wellington Darrell - the complainant's father. There is unquestionable proof of this as notices for Land Tax payments were made up to 1971. It should be noted however, that the description of the property on the Land Tax request forms was the "Estate of Emilius" because one E.T. Richards who was the lawyer of the complainant's father, did not convey the property in to the name of the complainant's father in 1950. In my submission this act commenced the legal problems which followed.

Ownership of the properties belonging to the complainant's father is further provided by a 1956 deed, which makes references to the estate of Emilius Darrell.

The Last Will and Testament of George Wellington Darrell (the complainant's father) dated 29th January 1987 and duly admitted to probate on the 27th September 1999, showed a devise of all Real Estate which was inherited from his father Emilius Darrell to his son John Nathaniel Darrell. On the 6th March 1987 a voluntary conveyance was executed between George Wellington Darrell and the complainant. The conveyance confirmed that there is no Benjamin Darrell ownership and no Horace Cooper as recorded in a 1924 deed and Government plans. A deed of confirmation dated 11th September 1991 prepared by Appleby Spurling & Kempe indicated that the complainant's father owned 75% of the property formerly owned by the complainant's grandfather. The virtual complainant alleges that a 20 foot piece of property at the Northern end which increased to 60 feet in width at the Southern end was misused to form the Riviera Estate Road to the West of his property. He further alleges that another section to the South was also misused to form Lots 48-54 of Sunnyside Park.

A plan submitted by Robert H. Clarke which appears to have been traced from a plan of 1932 prepared by Jim Dale shows that Benjamin Darrell (who does not exist) owns property 20 feet further to the East. This was not recognised in earlier plans. What this plan did in effect was to move the property over to the East, which facilitated the Riviera Estate Road to the West. Another legal problem now created by this plan. The original 1932 plan prepared by Mr. Dale has never been produced. It is believed that this plan will show that Emilius Darrell is the owner of property to the North boundary of Lot 47 Sunny Side Park and to West boundary of Lots 40 to 47 of the Sunnyside Park.

In 1953 a plan of Sunnyside Park prepared by Wycliffe

Stovell shows land owned by Mr. Darrell as being that of the Colonial Government. It also shows that land to the West of Lots 40 to 47 of Sunnyside Park is owned by George Arnold Williams. This is not correct. A further legal problem is now created.

In 1974 the Bermuda Government instituted Court proceedings to assert their claim to the virtual complainant's land. An area map was produced by the Government but no supporting deeds. The case went against the complainant. The effect was incorrect recognition of Sunnyside Park Lots 48-54, and incorrect recognition of the Riviera Estate Road. This decision apparently forms the basis of the virtual complainant's concern as it exists today.

In 1977 the complainant knocked down some fencing which was erected by the Government and had separated his land. A Court case ensued and the then Magistrate Mr. Nadarajah ruled in favour of the complainant. The Magistrate ruled that the Government did not produce the appropriate documents to support ownership of the land. This ruling was contrary to that of 1974.

In 1978 another Court case was instituted against the complainant. A claim was made to the entire parcel of property. Success for the Government would have signalled goodbye to the complainant's property. It is to be noted that the Judge who determined the case Mr. Walter Robinson, was the Attorney for Sunnyside Park owners in 1953 and the Attorney for the complainant's father in 1963. He in the role of Attorney in 1964 prepared a deed in favour of the complainant. However, in adjudicating the case, he decided in favour of the Government. The act of determination by the Judge in my submission was a clear violation of the principles of Natural Justice and obvious bias. It is also worthy to note that the Judge ruled that the house in which the complainant resided (according to the plan of 1930 by J.H. Dale) belonged to the non-existent Benjamin Darrell. Further legal confusion.

In 1979 Robert H. Clarke surveyed the land. His survey showed that the portion of land allegedly owned by Benjamin Darrell, Horace Cooper and the Government was actually owned by the complainant. It further showed that the Riviera Estate Road had in fact been cut through a portion of the complainant's property.

In 1982, the complainant found two plans at the Department of Planning. Both plans confirmed Government's ownership to the property. These plans were in conflict with all the deeds and plans which were in existence. More legal confusion.

In 1983 the complainant bulldozed his personal property. Another court case followed.

In 1987 the complainant blocked the Riviera Estate Road directly outside his residence. Another court case followed. Judge Hull heard the matter and ruled in favour of the Government. His ruling was buttressed on the 1953 Sunnyside Park sub-division which was prepared by Wycliffe Stovell.

During the period 1988 to present the complainant's health has deteriorated. His finances has also dwindled. He still wants to fight the Government. He is still of the opinion that he has been cheated out of his land. He now alleges fraud.

*Issue whether or not there is evidence of the criminal offence of fraud and if so by whom.*

**Discussion**

To defraud is to deprive by deceit. It denotes impropriety and the obtaining of property by unlawful means. The mental element of Mens Rea must be satisfied.

Having read the documents submitted, there is nothing in my opinion to substantiate fraudulent conduct by any party. What is obvious to me is professional negligence and a blatant breach of the Rules of Natural Justice.

Professional Negligence in my opinion occurred from 1950 when E.T. Richards who was the Attorney for the complainant's father, did not convey the property to the father of the complainant. Further, evidence can be seen in the following:-

- A plan of 1932 submitted by Robert Clarke which showed one Benjamin Darrell (who did not exist) as owning property.
- The 1953 plan of Sunnyside Park prepared by Wycliffe Stovell which showed the land owned by the Darrells as being owned by the Colonial Government and the land to the West of Lots 40 to 47 of Sunnyside Park to be owned by George Arnold Williams.
- The two plans produced in 1982 which were in conflict with all plans and surveys produced up to that point, including those relied on by the Court in 1974.
- In my submission a clear breach of Natural Justice occurred in 1978 when Mr. Water Robinson, the presiding Judge, a former attorney for Sunnyside Park owners and the attorney for the complainant's father in 1963, did not remove himself from the trial. He eventually ruled against the virtual complainant.

**CONCLUSION:**

There is evidence of shoddy work by the professional surveyors and some attorneys. There is no doubt in my mind that the virtual complainant has been unfairly dispossessed of his land. From the documents submitted, I am of the opinion that the Riviera Estate Road does in fact pass through the complainant's property. The documents produced and indeed the legal representation which the complainant received in the early proceedings must also be questioned. It so happened that the Crown was better able to prove its case and it did so based on the documentary evidence that was available.

I am of the opinion that there has been no direct or fraudulent conduct on the part of the Crown. The problem was inconsistent and misleading documents (plans). This is indeed a civil matter. Considering the amount of litigation that has already taken place and the financial status of the complainant, I am afraid that unless he receives some gratuitous payment/compensation, his efforts to keep what appears to be his (the property) were all in vain, indeed a sad situation when one considers the quest by the Darrells to own their share of "the littlerock" and the offending individuals have all passed.

Respectfully submitted,

Anthony L. Blackman  
Crown Counsel

BERMUDA POLICE



To: Commissioner of Police Div/Dept: CCD  
Attn: David Cart - Detective Inspector  
Date: 5th June 2001

Subject: Alleged Fraud - John Nathaniel Darrell.

Sir,

In July 2000, the complainant in this case;

Mr. John Nathaniel Darrell  
DOB: 8th Jan 1938  
Retired Stonecutter  
H/A: 71, Sleepy Hollow Drive  
Hamilton Parish.

Mr. Darrell had been directed to this office following letters sent to Her Majesty the Queen, The Governor and the Ag's Chambers. He was eventually referred to the police by the DPP when the issue of fraud was raised.

I met with Mr. Darrell and discussed his complaint, which appeared to me to be a purely civil matter and I subsequently provided him with a short letter to this effect.

In October 2000, the matter resurfaced and Mr. Darrell was again referred to this office. Over the months since Mr. Darrell has visited this office on numerous occasions, producing various documents relating to his problem and attempting to outline to me the nature of his complaint.

Mr. Darrell himself concedes that a very complicated situation exists which is not easy for any person to understand. The narrative provided below, read in conjunction with the attached documents, sums up his complaint;

In 1888 the complainant's Great Grandfather, Daniel Davis Darrell died. Prior to his death (in 1885, the complainant contends, he was the owner of four adjoining portions of property in Southampton, one of which is described on page 319 in the Book of Mortgages #10 (Docs 1A & 1B). At the time of his death, according to the complainant, his Grandfather Emilius Darrell inherited the four properties including the one previously described. - The deeds to some, if not all, of these properties were once in the possession of the complainant's father, and subsequently in the possession of his father's lawyer (E.T. Richards) and should be inferred to exist based on the ownership of adjoining properties as outlined later in this report.

The Darrell property is referred to in a conveyance of adjoining property from Joan O'Flaherty to Gayous Edmund Powell, which is dated the 30th June 1939. At that time Joan O'Flaherty conveyed a piece of property about 3.5 acres in size, located to the immediate west of a portion of Darrell properties, to Mr. Powell. This document describes three of the properties bordering the eastern boundary of the O'Flaherty land as being owned respectively by Alice Maud Joyces, Emilius Darrell and Mr. George A. Williams (Docs 2A). A plan (attached) from a 1912 deed for that area shows the land which Joan O'Flaherty owned was originally owned by H.W. Dallas upon which was subsequently drawn the approximate position of the Bermuda Railway, but the most significant aspect of this conveyance is that it makes no mention of Government's ownership of any land to the east of the O'Flaherty property in 1939.

On the 22nd December 1959 Mr. Powell sold a piece of property amounting to some 12.5 acres to Benjamin Rego (Doc 2B). There are two schedules in that conveyancing document which described the size of these lots as 3.58 acres and 9.04 acres respectively. The description of these lots seems to indicate that the larger section of that property was to the south of the Railway land and the smaller section was to the north of the railway land which is confusing when comparing it to the properties which border it to the east. The 2nd schedule of that document, relating to the larger section indicates that its border to the east extended for 584' and encompassed land at its north eastern end which was owned by the railway company, then by Emilius Darrell in the center and by George Arnold Williams along the south eastern end. It almost suggests that the land described in the O'Flaherty deed must overlap that described in the second schedule of the 1959 Powell conveyance. The 1st Schedule to that document does show Government's ownership of a 356' stretch of land on the eastern boundary, upon which the Heron Bay School had been built, but Government have never been able to produce deeds to show their ownership of this land.

The situation is even more confusing when the above documents are compared with the Marshall & Lawton Plan dated 14th October 1959 (Doc 2C), which describes the Riviera Estate sub-division. This plan encompasses all of the property sold by Powell to Benjamin Rego, as outlined above, plus some additional property. This plan fails to properly describe the Tribe Road which passes through that land, the property overlaps the Tribe Road on its eastern boundary and encompasses a strip of land belonging to Mr. Darrell upon which the Riviera Estate Road was built which will be referred to in more detail later in this report.

The complainant enlisted the services of Christopher Crison, a local Civil Engineer & Surveyor who studied that area extensively, and who prepared a plan of that area to show how the properties existed in 1888 when inherited by Emilius (Doc 4A).

This plan, dated the 6th Feb 1995 shows the borders of each portion of property and, outlines the dimensions of one the portions referred to in Docs 1A & 1B above, as being owned; to the north by William Lightbourne (100ft), to the East by Forster Mallory Cooper (75'), to the south by Joseph Francis Darrell (and formerly by Thomas Cooper - then deceased) (100'), and to the west by the Government Tribe Road (75'). The Flaherty Conveyance, he contends, fails to recognise the Tribe Road to the west, which separates the properties.

The complainant also contends that two conveyancing documents to Gayous Powell from 'The Pitts' family describe and confirm the existence of the Tribe Road to the west of property owned by Emilius. (Doc 6A) The approximate position of the Tribe Road is also shown on the Robert H. Clark plan received by the complainant's father in August 1953 which

was allegedly copied from the J.H. Dale plan of 1932. (The complainant disputes some aspects of the redrawn 1932 plan) (Doc 6B).

In 1947 Emilius died and left the property he owned to the complainant's father George Wellington Darrell (b1912-d1988). A receipt for payment of 'Land Tax' confirms this, dated the 25th October 1947, which recognizes the complainant's father as the property owner. Demand Notices to the complainant's father in 1971 indicate that he was still paying land tax on the said properties but describes the inherited property as 'The Estate of Emilius' because E.T. Richards (complainant's father's lawyer) had failed to convey the property into the complainant's father's name in February 1950 (Doc 7A & 7B).

A 1943 deed and subdivision in respect of property then in the ownership of George Arnold Williams (formerly owned by Horace Cooper - 1928 and then owned by Ormond Ralph Loblein after that) shows that property to the North was owned by the estate of Joseph DeRosa and to the west by the Estate of Emilius Darrell. A 1956 deed in respect of a Mr. Anthony Rabaine further confirms ownership of the property belonging to the complainant's father (George Darrell) by referring to the estate of Emilius Darrell (Doc 8A & Doc 8B).

The last will and testament of Mr. Darrell's father dated the 29th Jan 1987, which has been probated, indicates that he leaves all of the property he owns to his son (the complainant) John Darrell (Doc 9A). A voluntary conveyance dated 5 weeks later (6th March 1987) prepared by Brown & Wade confirms that there is no Benjamin Darrell ownership and there is no Horace Cooper as recorded in the 1924 deed and Government plans (Doc 10A). A deed of confirmation dated the 11th September 1991, prepared by Appleby Spurling & Kempe, confirms his father's ownership of 75% of the property owned by his grandfather. He contends that it only reflects 75% because a slice of property measuring 20' at the northern end and increasing in width to 60' at the southern end was misused in 1962 to form the Riviera Estate Road to the West of his property. Another section of his property to the south was misused to form lots #48 to 54 of Sunnyside Park (Doc 11A).

The complainant contends that a plan prepared by Robert H Clarke, allegedly traced from a 1932 plan prepared by J.H. Dale, (Doc 6B) is false in that it shows the property owned by a Benjamin Darrell to be 20' further to the east than was recognised in earlier plans. The complainant contends that there was no Benjamin Darrell in existence from 1885 to date. It is not known why the name of Benjamin Darrell was introduced - perhaps by error. The land referred to on this particular plan is the complainant's land but the net effect of this plan was to move the property over to the east which allowed for the future development of the Riviera Estate Road to the west, an event which took place in 1962.

Government cannot produce, or will not produce, the original 1932 J.H. Dale plan, nor will they produce the 1943 and 1953 sub-division of that area which he further contends will show that Emilius Darrell is the owner of property to the North boundary of lot 47 Sunnyside Park and to the West Boundary of Lot 40 to 47 of the Sunnyside Park. The 1953 plan of Sunnyside Park, prepared by Wycliffe Stovell is accurate except that it shows land owned by Mr. Darrell as being that of the Colonial Government. The land to the west of lots 48 to 47 of Sunnyside Park is also falsely represented as being owned by George Arnold Williams (Docs 13A 13B & 13C).

In 1974 there was a court case brought by the Bermuda Government to assert their claim to his father's land and in furtherance of their case Government produced an area map but no supporting deeds or plans (Doc 14A). During those proceedings Government failed to justify their ownership of the Colonial Land as shown on the 1953 Sunnyside Park sub-division plan (Doc 14B) but his father's lawyer in those proceedings, Ann Cartwright, failed to put forward an adequate challenge to Government to produce the documents supporting the area map, (which he contends was false) which resulted in the case going against his father. The effect of this case was the incorrect recognition of Sunnyside Park (Lots 48-54) and the incorrect recognition of the Riviera Estate Road (Doc 14C & 14D).

*The complainant contends that the incorrect position reached by the court in this case was the basis of the problem, which exists today and subsequent court cases have further compounded and complicated the situation.*

In 1977 the complainant knocked down some fences, which had been erected by the Government and separated his land, below the old Railway right of way to the rear of the Heron Bay School. This led to a court case in HMC with Government suing the complainant for \$594.00. When it came to trial the Crown's Prosecutor (name unknown) met with the complainant outside of Magistrates Court but knew nothing about the case and subsequently adjourned it. When the matter eventually came to trial later that year, Government prosecutors dropped the amount of their claim to \$55 but the complainant refused to be pacified and a trial was held in 1978 with Mr. Nadarajah as the Magistrate. Once again Government failed to produce the appropriate documents to support ownership of the land and on this occasion the magistrate correctly found in favour of the complainant and held that Government had failed to show any right to erect a fence separating the property. In reaching his judgment the magistrate completely ignored the decision reach by the court in the 1974 case.

In 1978 there was a further court case brought about by Government (Mr. Ralph Marshall MP Public Works & Engineering) laying claim to the entire parcel of property and leaving the Darrell family with nothing (Doc 14C). In that case Mr. Marshall relied on the 1953 sub-division (Doc 14A) in support of his case. The Judge in that case, Mr. Walter Robinson (formerly the attorney on behalf of Sunnyside Park owners (1953) and attorney for the complainant's father in 1963, and who had prepared a deed in 1964 in favour of W. Brown and the complainant, went against those earlier positions and decided in favor of Government in respect of Darrell owned land (Doc 16A 16B & 16C).

He ruled that the house in which the

complainant was residing was his property but the exhibits introduced in the case reflected it as belonging to Benjamin Darrell. Exhibit 10 in that case was a plan prepared by Quinton Stovell, of the Public Works Department, allegedly based on the I.3.1930 J.H. Dale plan, which is an incorrect document. In the same judgment he incorrectly recognized the boundaries surrounding the lot of land on which the house was situated. Benjamin Darrell never existed and could never have owned that land (Doc 16D).

In 1979 the complainant enlisted Robert H Clarke to survey the land which resulted in a further plan showing the portion of land allegedly owned by Benjamin Darrell, Horace Cooper and Government (as per the 1953 subdivision) was actually owned by the complainant and that the Riviera Estate Road cut through a portion of property further to the west on the eastern side of the Tribe Road (Doc 17A).

In 1982 the complainant found two plans at the Department of Planning, one by Wycliffe Stovell (1953) (Doc 14B) and the second was a revised version of that prepared by Bermuda Caribbean Engineering Consultants Ltd. (BCEC) in 1982 (Doc 18A) which confirms Government's ownership to the property which they should have produced in 1974. These plans were in conflict with all the deeds and plans, which were accepted by the courts as exhibits in 1978.

In 1983, after years of frustration in trying to resolve his ownership, the complainant bulldozed his personal property (to the West of Lot 33 and to the North of Lot 47 Sunnyside Park) in a further effort to reassert his claim to the land and this brought about a further court case, instituted by Government, where the prosecutor, Mr. Austin Ward (Now C.J.) attempted to have Mr. Darrell locked up in Casemates for trespassing on the land. The complainant's lawyer, Mrs. Lois Browne Evans (Now A.G.) Challenged Mr. Ward over this issue on his way out of court and Mr. Ward never returned to pursue the case, leaving the matter still pending - To date (Doc 19A)!

In 1987 the complainant took further action by using rubble to block the Riviera Estate Road directly outside his residence, which was his land, as supported by earlier deeds (Doc 1A, 1B, 2A & 2B). This led to a further court case brought by Government. Government failed to produce documented proof of their ownership of the Riviera Estate Road (Doc 14B) and ignored the deeds referred to on page 26 of the judgment (Doc 20A). - A letter to the complainant from the SG (Mr. Pearce) dated 6/4/2000 (Doc 20B) supports the complainant's claim to the house as accepted by the court in 1979 judgement by Walter Robinson. Judge Hull failed to acknowledge the 1945 deed (Doc 6A) that confirmed the Tribe Road as shown on the Robert H Clarke plan (Doc 6B).

Judge Hull also delivered a judgement on the qualifications of the Government Surveyor, Mr. S. Johnson who had prepared a plan of the area for Government (Doc 20C) which was based on the 1953 Sunnyside Park sub-division, but was incorrectly revised by Mr. Stovell in 1970 Doc 14B), and further revised and relied upon by (BCEC) in 1982 (Doc 18A) showing Governments' ownership to the DeRosa Estate as adjacent to lots 36/37 of Sunnyside Park and the land adjacent to lots 47 & 48 as belonging to the Colonial Government. When this plan is compared with the George Arnold Williams deed of 1943 (Doc 8A) it shows that the DeRosa estate was adjacent to lots 33/35 of Sunnyside Park and that the property adjacent to lots 47 and 48 was the property of Emilius Darrell and not the Colonial Government. On the Stovell plan (Doc 14B) the DeRosa estate had been moved into what is now Scenic Heights.

Mr. Johnson's plan further complicated the whole issue by showing Horace Cooper's ownership to a part of the property, which he accepts was previously shown as the Colonial Governments. Horace Cooper only ever owned Lots 1 to 47 of what became Sunnyside Park. The plan also indicated that ownership of property to the north of a portion of lot 48, and to the north of the entire lot 55 of Sunnyside Park was also owned by Horace Cooper and gives the land to the North of his property as being land owned by the complainant. This plan is in conflict with all deeds and Government plans but well suited Government's position in the cases they brought against the complainant.

In 1988 the complainant started to become ill. - Back in 1962 the complainant owned his own house, which he rented. He was a mason and stonecutter by trade and in the years that followed built many houses. During the years from 1962 until he fell ill he had used the proceeds from his work to support his battle for his property but when he became ill this source of revenue ceased. He continued to receive financial support from both banks and both financial and moral support from some members of his family and friends. Everyone, including the banks had accepted his contention that the courts had reached their decision by reliance on misleading evidence presented by the Bermuda Government.

In 1989 the BNTB (Kathy Lightbourn - Loan Officer) viewed the various documents and agreed to provide Mr. Darrell with a loan to fight his claim to the 60' by 20' strip of property, a part of which had been swallowed up by the Riviera Estate Road. Over the next two years the complainant's loan obligation grew to \$120,000.00, which he had used to meet various personal debts and legal obligations.

In 1990/91, as collateral for that money, his brother (James Darrell) pledged his Hamilton Parish property.

The complainant discovered that he couldn't move at that time against the property consumed by the Riviera Estate Road and so he used the Robert H. Clarke plan (1979) which had been copied from Mr. Quinton Stovell's 1970 plan. This was to provide him with a stronger position by incorporating other parts of the Emilius Darrell property into the Deed of Confirmation based on the accepted voluntary conveyance of the 6th March 1987 (Doc 10A)

In September 1991, the complaint contends that BNTB's lawyer, Simon Farmer (Appleby Spurling & Kempe), did two favors for his friend David Somers, Bermuda-Caribbean

Engineering Consultants Ltd. With the knowledge and support of Kathy Lightbourn.

a) In the mortgage deed, which Farmer prepared, he failed to reflect the complainant's western boundary extending to 100 feet, which would encompass the Riviera Estate Road. He showed the boundary to be only 80' which complied with the plan prepared by Somers but contradicted AS & K's very own letter of 1955 (Doc 21A) as read in conjunction with the Southampton Parish Vestry Record (Doc 21B) both of which clearly show the property extending 100 feet to the west.

b) As a second favor he failed to reflect the true position of the south boundary (Doc 21C) to Mr. Darrell's property as also shown in the Deed of Confirmation previously prepared by him (Doc 11A).

Note: Doc 21C reflects the ownership of a triangular section of property which was fenced off by the complainant and his father in 1954 and is specified in the conveyance relating to W.G. Brown & John Darrell (Doc 16B). At the same time they erected fences surrounding the entire lot of Darrell owned properties to the south of the Railway, as well as its border along the eastern side of the Tribe Road. Although Government threatened legal action (Docs 16E & 16F) no action was ever taken as they had no deeds to support their threats and most of that fence still remains today and some of the posts remain on the portion of property Government now claims to own. In 1977 the complainant and Mr. George Arnold Williams (the owner of the land on which Sunnyside Park was later built, Lots 1 - 47) discovered that the triangular section referred to above, plus the remaining triangular section of property, both of which lay to the north of what is now Lot 54, were consolidated to create Lot 55. This had been done by Wycliffe Stovell but alerted the complainant to the fact that his father owned much more property than he had originally thought. He found that the land which now forms lots 48 to 54 of Sunnyside Park were also owned by his father. Mr. Williams refused to do anything with lot 55 and in 1982 BCEC were instrumental in the 'Lot' being conveyed to someone else to the detriment of Mr. Darrell. It was as a consequence of this activity, he believes, that Mr. Somers and Farmer had to structure the mortgage pertaining to his property in such a way as to disguise that situation.

The complainant's health and financial situation deteriorated further. At one point he had been paying for two U.K. Lawyers and a U.K. Queens Counsel but was eventually unable to get his case heard due to Governments misuse of the Limitation Act.

In 1992 the complainant's brother requested his deeds back to use them for his own purpose and in the BNTB converted the \$120,000 loan to a mortgage taking the property as outlined in the plan produced by Somers as collateral.

In 1995 the complainant was diagnosed as having bone marrow cancer, which created further hardship on himself and his family and further reduced his ability to fight for his property. He was given one week to live but eventually recovered and is now in remission.

Mr. Crisson prepared the plan of the area (Doc 4A) for Mr. Darrell and subsequently wrote to Justin Williams in 1997, who was then the lawyer for BNTB specifying that the bank could not lay claim to the complainant's property as it had never been properly registered in accordance with the Planning Act 1974 in the first place. He tried to arrange a meeting with the banks lawyers and Kathy Lightbourn to press the point but a meeting was never held.

In May 1998, by which time the complainant's efforts to re-claim his land had consistently failed the BNTB brought an action to possess Mr. Darrell's house/property in order to offset the loan and accrued interest. Mr. Austin Ward who found in favor of the bank and awarded them the property judged the case. In reaching this judgment Mr. Ward would not listen to the complainant's case (as witnessed in court by the complainant's nephew) and appears to have contradicted the position he was fighting for in 1983.

As a part of that case the bank filed what appeared to be a micro-fiche generated copy of the 1930 J.H. Dale plan in support of their claim (Doc 22A dated 1/3/30), which was accepted by Mr. Ward. That document is apparently based on the 1924 J.H. Dale plans, which Government used in court in 1978 and 1979 (Doc 22B (dated 10/10/24) and Doc 22C (dated 1/3/30). All three are plans of the same area.

It should be noted that plan (Doc 22C) was re-drawn by Quinton Stovell (Public Works Dept.) in 1970, is the one which was relied on by the court in the 1979 judgement by Walter Robinson and is the one referred to in those proceedings as the multicoloured plan (See Doc 22D). This plan shows the correctly re-drawn boundary to Mr. Lightbourn's property to the west of the property in the name of Percy Dodwell. The complainant has made hand written notations on the bottom left hand corner of Doc 22C to reflect the true boundaries of the F. Darrell property and his father's (not Benjamin Darrell's) property as supported by the 1922 and 1924 deeds. He has also shown where the true eastern boundary to his father's property laid. This plan should be compared to the Crisson plan (Doc 4A) which illustrates the conflict.

In 1983 the complainant's position in respect of the land which was now shown as the complainant's on the BCEC plan of 1991 was Government's yet in reaching his decision in 1998 Mr. Ward accepted the bank's claim on the basis that the land described in that plan was the complainant's. If Mr. Ward had accepted that situation back in 1983 then Mr. Darrell's drawn out battle would have been unnecessary!

The complainant recognizes the fact that the Sunnyside Park sub-Division has to remain intact as the owners have purchased that property. He also recognizes the fact that the Riviera Estate Road has to remain where it is presently positioned even though it cut through his property.

Mr. Crisson prepared a further plan (Doc. 23A) showing how all of those properties should be rezoned, not only to correct the title to land, which

the complainant contends is his, but also to protect present property owners by clarifying ownership of all the surrounding properties. The complainant would also like to see;

- a) Riviera Estate Road re-named Wellington Drive in keeping with the land owned by his father, which was known as Wellington Lands in 1964,
- b) The road giving access to the property owned by Joseph DeRosa, from Sunnyside Park, be re-named as Emilius Drive East and,
- c) The road inside Sunnyside Park giving access to lots 48-54 is renamed Emilius Drive West.

This plan would need further revision to provide protection to lots 55 & 56 of Sunnyside Park in accordance with the PLP Memo.

It is the complainant's contention that the Government and the courts have made incorrect decisions with regard to his claim based on false or misleading plans and documents which the courts have accepted to his detriment. He does not see why he should be forced to take any civil action to substantiate his claim and that the Governor should cause a review of the decisions made by the courts to correct this miscarriage and to properly compensate the complainant for his loss.

It is this position, which the complainant requests be referred to the Governor.

Mr. Darrell last visited me on the 14th April 2001 and provided me with a letter and additional documents (attached) outlining his claim.

He arrives at his claim of \$150 million on the basis that he built, and had to sell, 37 houses in order to finance the lawyers who fought this issue on his behalf. He had built these homes for only a few thousand dollars each from the 50's onwards and would have still owned them today had he not sold them to finance his legal battle. The present day value of those houses, plus interest on \$75 million resulting from a poor judgement by Chief Justice Astwood in 1987, brings the present value to \$150 million.

I have pointed out to him that the above claim could never be justified which he finds hard to accept. He feels that the U.K. Government and/or the Governor have a responsibility to investigate the decision of the Bermuda courts and that Government officials are not living up to the oaths they took.

Mr. Darrell is an old man who has been pursuing his cause for years. He is sincere in his claim. Whilst I cannot find a criminal offence worthy of investigation, there does appear to be some merit in his complaint from a civil point of view. It certainly appears that the Riviera Estate Road was built over his property and Government cannot or will not produce documents substantiating their ownership of the land they claim.

Mr. Darrell is virtually penniless, having spent everything he owned to prove his point. He cannot afford to take out further court actions, which could drag on for years. The only solution I can see is for the Government Planning Department to undertake a full review of his claim, and the plans which he disputes, to determine once and for all whether he was disadvantaged by incorrect judgments in the courts and if he should be compensated in some way by the Government.

Respectfully submitted,

D. Cart  
Detective Inspector  
Commercial Crime Department - Fraud Unit.

DCOP Jackson,

Sir,

In accordance with your instruction I met with Mr. Darrell. During the course of the last week or so we have reviewed and revised the original report and have referenced the relevant documents supporting his contention.

The attached folder of documents provided to me by Mr. Darrell may be forwarded with this report, as they do not lend themselves to being easily copied and Mr. Darrell has another set for his own use.

D. Cart,  
5/6/01.



Michael Dunkley: 'Housing situation has worsened under PLP'

## Dunkley: Govt. has failed on housing

Continued from Page 1

because many of the contracts were verbal, it is very difficult to try to ascertain what should have been and what it was."

Mr. Dunkley said: "Before this Government took over, there was a complex bidding and tendering process in place. The bids were opened up by a couple of officers and projects were awarded on price, reliability and ability to do the job."

"After what the Minister said about verbal contracts, you have to ask, 'Who gave permission for the established process to change?' Was it the general manager or the board and was the Minister asleep at the wheel?"

Mr. Dunkley said Sen. Burch's assertion that 60 per cent of the BHC's problems were long-standing and the rest more recent, required further explanation.

"As a member of the United Bermuda Party, I'm not saying things could not have been run better when we were in charge," said Mr. Dunkley. "We were not perfect."

"But the Minister is using smoke and mirrors here. We are well aware of who is to blame for this huge business of 'Bermuda's Enron'."

"In November, 1998, when the PLP took over, the Housing Corporation's general manager was Ed Cowen and Tudor Smith was a property officer. These were replaced by people brought in by the PLP."

"If you go back to November,



Sen. David Burch: 'There were many verbal contracts'

1998, we were being caned by the PLP for what they said was our lack of initiative in dealing with the lack of affordable housing.

"Four years on and the situation is worse - we've gone backwards. By the Minister's own admission, there are now 173 people on the emergency housing list and another 400-plus who are looking for housing but cannot find it."

"This Government's handling of housing has been an abject, abysmal failure, a fiasco from day one."

"It's fine for the Minister to come in with a no-nonsense approach, but his timetable for sorting this out has got to be short. They have already wasted 80 per cent of a five-year term in which the Government seem to have been taking care of themselves rather than the people in need of help."

Mr. Dunkley suggested that the disused former Club Med accommodation in St. George's could be converted quickly into housing.

And he asked why the 12 new units built by the corporation off South Shore Road in Warwick were still empty.

"The public is paying thousands of dollars a week on security for those places so they don't get vandalised, while the Government decides who they want to put into them," said Mr. Dunkley.

The BHC scandal broke in March following revelations by this newspaper of huge payments to contractors, including \$810,940 paid to painter Paul Young in a seven-month period last year.

Since then, Auditor General Larry Dennis has carried out a full investigation into the BHC. Mr. Dennis' findings sparked a police probe which continues. This week Police Commissioner Jonathan Smith promised the results of the investigation would not be "swept under the carpet."

Raymonde Dill was sacked as general manager in August by the BHC board and one of the property officers, Terrence Smith, was also dismissed. Finance manager Robert Clifford remains suspended.



The Office of the Director of Public Prosecutions

2<sup>nd</sup> Floor, Global House  
43 Church Street  
Hamilton HM 12  
Bermuda

Tel: (441) 296-1277 Fax: (441) 296-8464

No 8

706 D

**MEMORANDUM**

Our Ref: ALB/mir

(please quote in all replies)

**To:** Khamisi M. Tokunbo, Director  
**From:** Anthony L. Blackman, Crown Counsel  
**Date:** 8<sup>th</sup> August, 2001  
**Re:** Allegation of Fraud by Complainant, Mr. John Nathaniel Darrell

In furtherance of your request for advice on the captioned, a précis of the facts is in order. The facts fall within a compass in my submission.

The virtual complainant Mr. John Nathaniel Darrell resides at Sleepy Hollow Drive, Hamilton Parish, Bermuda. The virtual complainant's great grandfather Daniel Davis Darrell owned four (4) portions of real estate in Southampton parish. On his death in 1888 the complainant's grandfather Emilius Darrell inherited the aforementioned four (4) properties. In 1947 Emilius died and he left the property he owned (i.e. the property he inherited from Daniel Darrell) for George Wellington Darrell - the complainant's father. There is unquestionable proof of this as notices for Land Tax payments were made up to 1971. It should be noted however, that the description of the property on the Land Tax request forms was the "Estate of Emilius" because one E.T. Richards who was the lawyer of the complainant's father, did not convey the property into the name of the complainant's father in 1950. In my submission this act commenced the legal problems which followed.

Ownership of the properties belonging to the complainant's father is further provided by a 1956 deed, which makes reference to the estate of Emilius Darrell.

The Last Will and Testament of George Wellington Darrell (the complainant's father) dated 29<sup>th</sup> January 1987 and duly admitted to probate on the 27<sup>th</sup>

September 1999, showed a devise of all Real Estate which was inherited from his father Emelius Darrell to his son John Nathaniel Darrell. On the 6<sup>th</sup> March 1987 a voluntary conveyance was executed between George Wellington Darrell and the complainant. The conveyance confirmed that there is no Benjamin Darrell ownership and no Horace Cooper as recorded in a 1924 deed and Government plans. A deed of confirmation dated 11<sup>th</sup> September 1991 prepared by Appleby Spurling & Kempe indicated that the complainant's father owned 75% of the property formerly owned by the complainant's grandfather. The virtual complainant alleges that a 20 foot piece of property at the Northern end which increased to 60 feet in width at the Southern end was misused to form the Riviera Estate Road to the West of his property. He further alleges that another section to the South was also misused to form Lots 48-54 of Sunnyside Park.

A plan submitted by Robert H. Clarke which appears to have been traced from a plan of 1932 prepared by Jim Dale shows that Benjamin Darrell (who does not exist) owns property 20 feet further to the East. This was not recognised in earlier plans. What this plan did in effect was to move the property over to the East, which facilitated the Riviera Estate Road to the West. Another legal problem now created by this plan. The original 1932 plan prepared by Mr. Dale has never been produced. It is believed that this plan will show that Emilius Darrell is the owner of property to the North boundary of Lot 47 Sunny Side Park and to West boundary of Lots 40 to 47 of the Sunnyside Park.

In 1953 a plan of Sunnyside Park prepared by Wycliffe Stovell shows land owned by Mr. Darrell as being that of the Colonial Government. It also shows that land to the West of Lots 40 to 47 of Sunnyside Park is owned by George Arnold Williams. This is not correct. A further legal problem is now created.

<sup>4</sup>In 1974 the Bermuda Government instituted Court proceedings to assert their claim to the virtual complainant's land. An area map was produced by the Government but no supporting deeds. The case went against the complainant. The effect was incorrect recognition of Sunnyside Park Lots 48-54, and

incorrect recognition of the Riviera Estate Road. This decision apparently forms the basis of the virtual complainant's concern as it exists today.

In 1977 the complainant knocked down some fencing which was erected by the Government and had separated his land. A Court case ensued and the then Magistrate Mr Nadarajah ruled in favour of the complainant. The Magistrate ruled that the Government did not produce the appropriate documents to support ownership of the land. This ruling was contrary to that of 1974.

In 1978 another Court case was instituted against the complainant. A claim was made to the entire parcel of property. Success for the Government would have signalled goodbye to the complainant's property. It is to be noted that the Judge who determined the case Mr. Walter Robinson, was the Attorney for Sunnyside Park owners in 1953 and the Attorney for the complainant's father in 1963. He in the role of Attorney in 1964 prepared a deed in favour of the complainant. However, in adjudicating the case, he decided in favour of the Government. The act of determination by the Judge in my submission was a clear violation of the principles of Natural Justice and obvious bias. It is also worthy to note that the Judge ruled that the house in which the complainant resided (according to the plan of 1930 by J.H. Dole) belonged to the non-existent Benjamin Darrell. Further legal confusion.

In 1979 Robert H. Clarke surveyed the land. His survey showed that the portion of land allegedly owned by Benjamin Darrell, Horace Cooper and the Government was actually owned by the complainant. It further showed that the Riviera Estate Road had in fact been cut through a portion of the complainant's property.

In 1982, the complainant found two plans at the Department of Planning. Both plans confirmed Government's ownership to the property. These plans were in conflict with all the deeds and plans which were in existence. More legal confusion.

In 1983 the complainant bulldozed his personal property. Another court case followed.

In 1987 the complainant blocked the Riviera Estate Road directly outside his residence. Another court case followed. Judge Hull heard the matter and ruled in favour of the Government. His ruling was buttressed on the 1953 Sunnyside Park sub-division which was prepared by Wyliff Stovell.

During the period 1988 to present the complainant's health has deteriorated. His finances has also dwindled. He still wants to fight the Government. He is still of the opinion that he has been cheated out of his land. He now alleges fraud.

*Issue whether or not there is evidence of the criminal offence of fraud and if so by whom.*

### Discussion

To defraud is to deprive by deceit. It denotes impropriety and the obtaining of property by unlawful means. The mental element of Mens Rea must be satisfied.

Having read the documents submitted, there is nothing in my opinion to substantiate fraudulent conduct by any party. What is obvious to me is professional negligence and a blatant breach of the Rules of Natural Justice.

Professional Negligence in my opinion occurred from 1950 when E.T.Richards who was the Attorney for the complainant's father, did not convey the property to the father of the complainant. Further, evidence can be seen in the following:-

- A plan of 1932 submitted by Robert Clarke which showed one Benjamin Darrell (who did not exist) as owning property.
- The 1953 plan of Sunnyside Park prepared by Wycliffe Stovell which showed the land owned by the Darrells as being owned by the Colonial Government and the land to the West of Lots 40 to 47 of Sunnyside Park to be owned by George Arnold Williams.

- The two plans produced in 1982 which were in conflict with all plans and surveys produced up to that point, including those relied on by the Court in 1974.
- In my submission a clear breach of Natural Justice occurred in 1978 when Mr. Water Robinson, the presiding Judge, a former attorney for Sunnyside Park owners and the attorney for the complainant's father in 1963, did not remove himself from the trial. He eventually ruled against the virtual complainant.

### CONCLUSION:

There is evidence of shoddy work by the professional surveyors and some attorneys. There is no doubt in my mind that the virtual complainant has been unfairly dispossessed of his land. From the documents submitted, I am of the opinion that the Riviera Estate Road does in fact pass through the complainant's property. The documents produced and indeed the legal representation which the complainant received in the early proceedings must also be questioned. It so happened that the Crown was better able to prove its case and it did so based on the documentary evidence that was available.

I am of the opinion that there has been no direct or fraudulent conduct on the part of the Crown. The problem was inconsistent and misleading documents (plans). This is indeed a civil matter. Considering the amount of litigation that has already taken place and the financial status of the complainant, I am afraid that unless he receives some gratuitous payment/compensation, his efforts to keep what appears to be his (the property) were all in vain, indeed a sad situation when one considers the quest by the Darrells to own their share of "the littlerock" and the offending individuals have all passed.

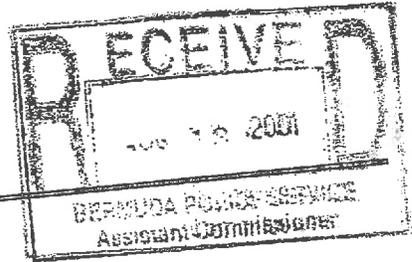
Respectfully submitted,  
*Anthony L. Blackman*  
Anthony L. Blackman  
Crown Counsel



# The Office of The Director of Public Prosecutions

Global House, 43 Church Street,  
Hamilton HM 12, Bermuda

Telephone: (441) 296-1277  
Fax: (441) 296-8464



Your Ref:

Our Ref:

KMT/mir

13th August, 2001

Commissioner of Police  
Attention: Carlton E. Adams  
Assistant Commissioner

## Re: Allegation of Fraud

I refer to your memorandum of 4<sup>th</sup> July, 2001 enclosing a file on the investigation into allegations of fraud made by Mr. John Darrell.

I am now returning your file together with an opinion prepared by Crown Counsel Anthony L. Blackman. You will see that Mr. Blackman has concluded that "there is nothing to substantiate fraudulent conduct by any party", including the Crown. No prosecutions are therefore recommended.

Because of the significant conclusion that the complainant has been unfairly dispossessed of land I am of the view that the Government ought to seriously look at this case. For the first time, it has been seriously investigated and examined from a criminal law angle. I think it deserves the same attention from a civil and planning law angle. Mr. Darrell deserves as much.

Accordingly, I am copying this memorandum together with Mr. Blackman's opinion to the Attorney General and the Permanent Secretary responsible for the Planning Department for their consideration. It may be that they will call upon you for your file and Inspector Cart's detailed report, which was most helpful.

/2

Please extend my thanks to Inspector Cart for his work.



Khamisi M. Tokunbo  
Director of Public Prosecutions

Encl.

cc. Attorney General

Permanent Secretary, Ministry of the Environment,  
Development and Opportunity

# SUPPORTING DOCUMENTS

- Early Letters from John Darrell
  - Government and George W. Darrell Caught Up Into the Bad Dealings of David Tucker in 1948, 1985
  - The Estate of Emelius Darrell, 1986, in reference to the court case of March, 1983
  - To Hell with the Queen, 1987, with copies of tax paid to the Vestry as late as 1971
- Debt
  - Bank of Bermuda, 1992
- Various Receipts

14 Fairvale Lane  
Warwick 7-14

4th August, 1986

To: The Attorney General  
Saul Froomkin, Esq., QC, JP

From: John N. Darrell

THE ESTATE OF EMELIUS DARRELL

Sir,

Ref. the Court Case of March, 1983.

I, John Darrell have honoured the decision of the Judge when a request was made to produce the reason that I should be committed to Casemates.

It has been three (3) years and approximately 8 months since this ruling was made. I would now like this decision to be carried out.

Government could not produce their deeds in the 1977 Court where they charged me \$594.00 and because the plea was "Not Guilty" the charge was dropped to \$55.00.

In 1978 they were forced to arrange a 'fixed' Court when the Defence was withheld in order for Government to receive a judgement on the property in question.

In looking at Judge Robinson's position in this Court case, he should have withdrawn himself from the case because of his previous involvement with this particular property on two other occasions, i.e. when he was investigating this property on behalf of my father, George W. Darrell and also when he worked on behalf of W.G. Brown and signed a document in favour of W.G. Brown and myself, and in 1978, intended to give my portion of the property to Government.

Government's problem is the plan which was submitted to this Court fitted a part of the DeRosa Estate and lays no claim to the Estate of Emelius Darrell.

The history of the property has been altered and the Vestry Records contradicts Government's ownership of the said property.

By acknowledging that the Estate of Emelius Darrell had not been sold up until the year 1971, it could not have been sold on the previous dates submitted by Government.

At this time my stand is to show that I have honoured the decision of the Court and have no problem meeting Government in Court, and it is only Government who cannot enter into an honest Court.

I would also like to bring to your attention that we have never had the rights of an honest attorney. The documents which have been used have been drawn up by others who have acknowledged the Estate of Emelius Darrell.

I have been in the property dispute for 24 years and have used the proceeds from 32 houses to cover costs and had no hesitation in putting my name to \$150,000 in 1985.

My concern now is to see if I will have to invest house No. 33 and 34 to finish this fraudulent act by Government.

Yours faithfully,

John N. Darrell

(Resubmit 3)

14 Fairvale Lane  
Warwick 7-15  
Bermuda

23rd October, 1985

The Hon. Quinton L. Edness, JP, MP  
Minister of Works and Housing

GOVERNMENT AND GEORGE W. DARRELL CAUGHT UP  
INTO THE BAD DEALINGS OF DAVID TUCKER IN 1948

In 1978 Government arranged a fixed Court where they used 100% fraud intending to lay claim to the Estate of Emelius Darrell (See Case No. 124 - Civil Jurisdiction, 1978). Attorney Charles Vaucrosson had no intentions of representing the Darrell's in this case. He misused their funds to safeguard Government's judgement from start to finish.

He intentionally with-held the Tribe Road which was to the west of the Estate of Emelius Darrell and 20 feet of property to the northwest of the said Estate.

In looking at Government's plans which were presented in this case, the Tribe Road and 20 feet of property failed to appear.

He intentionally with-held the Hon. George Arnold Williams (recently deceased) from the Court because the second portion of property was placed in the name of George Arnold Williams in the interest of Mr. Wycliffe Stovell. Mr. Stovell was the Surveyor for Mr. George Arnold Williams, who worked on behalf of the Vestry Clerk. He was the one who placed Government into the DeRosa Estate and into the Estate of Emelius Darrell in 1948 and later in 1953.

The main issue in this case is the Tribe Road and the 20 feet of property to the north-west of the Estate of Emelius Darrell and a very large portion of property at the south-west, bounding the Sunnyside Park. Government would have to show deeds and plans for this property.

The Vestry Clerk has sold this property which Government is supposed to own. This same portion of property which was placed in the name of George Arnold Williams, Government has compromised in favour of W.G. Brown.

The Vestry Clerk clearly acknowledged the Estate of Emelius Darrell from 1947 to 1971, to be in the care of George Darrell. A second portion of property was acknowledged

to be in the name of George Wellington Darrell from 1948 to 1971. This property has never been sold. W.G. Brown tried a transaction in 1968 but this was refused by the Department of Planning and this property remained as the Estate of Emelius Darrell, in care of George Darrell right up until 1971.

I have in my possession, land tax receipts dated 20th August, 1976 and 30th June, 1977 in which George Darrell was charged a direct tax when it should have been an indirect tax to the Estate of Emelius Darrell as was charged previously in 1971.

I now refer to the 1983 case in which Government threatened to send me to prison for bulldozing the Estate of Emelius Darrell. This property was being prepared for stone cutting under Permit No. 23 which was approved by the Department of Planning on the 8th May, 1981 (File No. 8557).

As it was brought to your attention in 1977, Government had received tax for this property and there is no violation of any law since the Prosecutor, Robin McMillan, Crown Consul rest the case on the strength of the documents. I John N. Darrell, do carry an interest in seeing which property these documents fit.

I would like to once again refer to the case of 1978 where Judge Robinson, knowing his involvement in this property dispute - The Estate of Emelius Darrell - should have withdrawn himself, having given consultation on this property - receipt for same dated 15th April, 1963 - when he was investigating the boundaries - his letter dated 17th June, 1963 - when he stated he was 'continuing the searches relative to the boundaries'.

In 1964 he signed a forged document in favour of W.G. Brown and John Nathaniel Darrell.

This property did not come directly to myself. I acknowledge working with my father and this property was always acknowledged to be his property.

W.G. Brown started, in 1962, investigating the property for George W. Darrell. He bypassed George Darrell and back-dated to 1940 and all that George Wellington Darrell received from the transaction was having the property named after him, i.e. "Wellington Lands".

I again refer to the 1983 case; the reason being to stand in honour of the Queen, whom Government intentionally misused in this cover-up of 1962, for the Vestry Clerk, Mr. Powell,

Government's compromise in 1970 with W.G. Brown; Government's bribe to myself, John Nathaniel Darrell in 1977. I was charged \$594.00 and because they could not bring the Deeds to the Court they offered a reduction of this amount to \$55.00.

Government has intentionally misused the name of the Queen by perpetrating a fraud in knowing that their position is a coverup, a compromise and the compromise is a double-cross.

Government on finding four (4) people deceased, misused their names, i.e. J.H. Dale, who died in 1948; his name being used in a plan drawn after 1964. Claudia Darrell did not sell the Estate of Emelius Darrell to anyone, because the Estate of Emelius Darrell had not been sold up to 1971 and she died in 1949. Mr. Percy A. Dodwell may possibly have sold Government a portion of property. It could have been on the west side of the Riviera Estate, on the north side of the railway, and it could have been on the south side of the railway. The last of the four mentioned above, Mr. Powell, sold Government more property than he had bought.

My interest in this case is justice only. If the Estate of Emelius Darrell was not sold, then George Wellington Darrell's property has not been sold. I am asking in the interest of justice that these four deceased persons be withdrawn from this case.

The Hon. George Arnold Williams, did not have anything to do with the second portion of property that was stolen from 1953, when the theft was brought to light. In 1962 he did not stand by Mr. Stovell and in 1978 he gave the second portion back to George Wellington Darrell. He stood firm on this issue.

We have not been afforded our legal rights of an honest attorney. The Hon. George A. Williams' name was misused. He was caught at a disadvantage, i.e. old age, and had given up on everything as far as property was concerned.

All that I, John Darrell was able to get acknowledged was Permit No. 23, under File NO. 8557 which was approved before the sale of this second portion of property.

There are three portions of property. The first being sold by the Vestry Clerk, consisting of Government's Tribe and 20' northwest and a much larger portion at the southwest. The second portion is the smallest portion and it is in the name of the Hon. George Arnold Williams. The third portion, Government laid claim to from 1962, backed off in 1962, came back in 1970 and could not show deeds in 1977 and this consist of the third portion of the Estate of Emelius Darrell and George Wellington Darrell, which

is acknowledged by Government Vestry by receiving tax for this property up until 1977.

My interest at this time is to have the March, 1953 case brought forward so that the people who have been misused in this property dispute may have their names cleared. The actual dispute in the Estate of Emelius Darrell and George Wellington Darrell will be brought to Court at a later date when I am able to obtain the rights of an honest attorney.

If there is one person in authority or one honest lawyer prepared to stand in honour of the Queen and the four deceased persons, please contact the within signed.

John N. Darrell



cc:

Appleby Spurling & Kempe

Brown & Wade

Conyers Dill & Pearman

Cox & Wilkinson

Hallett Whitney & Patton

Richard A. Hector Chambers

Mello & Jones

Trevor Moniz

Richards, Francis & Francis

Shirley D. Simmons Associates

O.A. Smith

Vaucrosson's

The Hon. Ralph Marshall

14 Fairvale Lane  
Warwick WK 09

25th May, 1987

H.E. The Governor  
The Viscount Dunrossil

TO HELL WITH THE QUEEN

This was the stand the Government has taken through the Courts in 1974, 1977 and 1978.

This stand was taken in a cover-up position for three property thieves who were misusing Government in a cover-up of the theft of the Estate of Emelius Darrell.

I say "misuse" because they double-crossed Government through a Plan of 1932 drawn by J.H. Dale, failing to recognize two portions of property which are the Tribe Road and the Joyines property.

I would like to say that in the theft of the Estate of Emelius Darrell, there were too many hands and everyone has protected themselves.

Mr. Wycliffe Stovell had misled the Department of Planning in making it appear that the Government owns the property of the Emelius Darrell Estate and also the DeRoza Estate. According to Mr. Stovell, the DeRoza Estate has been moved over into Scenic Heights. This is false.

The Government in making a compromise in favour of W.G. Brown laid claim to the property to the far east of the Estate of Emelius Darrell which is the DeRoza Estate by a mistake of Mr. Wycliffe Stovell.

In the Supreme Court, Civil Jurisdiction, 1978, Case No. 124, before the Hon. Mr. Justice Robinson, Government presented a false plan, misusing the name of J.H. Dale to lay claim to this portion of property that was mentioned above.

After Government laid claim to the DeRoza Estate they recognised ownership of the property to the west of the DeRoza Estate; they made a statement that they had no interest in the property to the west which is the Estate of Emelius Darrell.

Mr. Robin McMillan put pressure on Mr. Vaucrosson for a Defence and after seeing that Mr. Vaucrosson had no intentions of offering a Defence, he asked if I, John Darrell would agree to an interview on the property in question of which I was in favour. He also asked the Hon. Justice Robinson for an interview; this was not accepted.

In having this interview on the Estate of Emelius Darrell, attention would have been drawn to the problems Government has encountered in laying a claim to this Estate.

In order for Government to lay claim to the Estate of Emelius Darrell, they would have to also lay claim to the stone quarry on the Cooper property which is in the back of the pink house, and Francis Darrell's property which continues from the top of the hill to the south of the Cooper property. In 1985 the tribe road existed on the west side of the pink house.

I would also like to bring to your attention other problems at the time of an interview.

In 1962, the problems of the Darrells were E.T. Richards, Gayous Powell and Benjamin Rego, with the sale of Government Tribe and a large portion of the Estate of Emelius Darrell.

In 1962 the only problem Government had was that E.T. Richards and Gayous Powell were Government.

Finding W.G. Brown on the scene in 1962, they backed off and came back with the compromise mentioned above in 1970 and laid no claim to the Estate of Emelius Darrell.

This was the only claim that Government had from 1970 - 1978. Government had no case in Court, only because the Darrells have lost their rights of an honest attorney and received these judgements on the DeRoza Estate under false pretenses.

There is no doubt that Government was placed into the Estate of Emelius Darrell in 1948 by Wycliffe Stovell and David Tucker and this was not accepted by Government Vestry.

The Vestry further contradicts E.T. Richards recognizing Government's ownership to this property in 1950.

Lois Browne in drawing a conveyance in 1956 acknowledged the Estate of Emelius Darrell which is accepted by the Vestry right up until 1971. The last tax was received by the Vestry Clerk, Mr. Charles Lee on 2nd November, 1971, who is still employed by our Government in the Housing Corporation.

Mr. Lee has not done any favours for the Darrells in putting our names on these receipts. The Vestry Clerk acknowledges the ownership of these two properties by the Darrells from 1947 to 1971.

My power of Attorney that was recognized by Judge Robinson gave me the right to see every document and every plan that exists concerning these properties. I have been denied the right to see any document and this caused a problem in the Court case of 1978 as mentioned within this correspondence.

At this time, I would like to bring to your attention that E.T. Richards has misused our Government and our Government in turn has misused Mr. E.T. Richards by making him Premier of the Islands of Bermuda.

After doing a good job of stabilizing the Island, they came to the conclusion that he was not good enough to remain. They allowed one member of the Bar Association, Mr. Madeiros, to use a case against him that ended his premiership.

Our Government eased him out on health reasons, when the true reason was similar to the problems faced by the Darrells.

I would like to mention people who have been asked to help in this case. I refer to correspondence dated 23rd October, 1985, and 14th May, 1982.

I would also like to ask the Bar Association to oblige us with one member to stand in honour of Her Majesty the Queen and also ask that the National Liberal Party (NLP) would bring to the news media on a daily basis what stand Government has taken on this case that has been brought against them.

I am asking for the Attorney General to withdraw the Crown from this act of fraud and to withdraw the names of the four people who have died, whose names were misused under false pretenses.

Since our Government has had four (4) years and five (5) months, we should be able to be in Court in five (5) days to settle this fraudulent act which Government has perpetrated.

Our Queen has been placed in the position of being a "nobody" in the Islands of Bermuda. I, the undersigned have fought through the Levy Tax, the Land Valuation Tax and in making two stands in 1985 and 1986. Because of the pressure that was applied on me, I was convicted of two speeding charges and made my last public stand.

In 1983 I spoke personally with the Premier and asked him to make a stand to clear the Queen's name. To this date, nothing has been done. After his second mandate he made a visit to the site and admitted that there was a problem, having seen plans and receipts in relation to the property in dispute. Mr. I. Pearman and Mr. G. Simons, Warwick MPs also visited the site along with the Premier and stood amazed at how such a situation could exist. I have two witnesses that this meeting did take place.

The Hon, Jack Sharpe visited the site in 1983 and was also amazed when he saw Judge Robinson's position in this case.

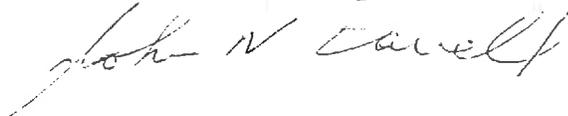
In relation to the 1978 case with Judge Robinson, the Conveyance drawn by Conyers Dill & Pearman show incorrect measurements and this is where the Vestry was misused and L.W. Herbert was forced to burden himself because at the time there were no Vestry records to give the true measurements of George Wellington Darrell's property in 1948 to 1971.

I shall also be approaching the Human Rights Commission to seek the rights to an honest lawyer to represent the Queen.

I have seen that Mr. C.V. "Jim" Woolridge is an upstanding man, as are other members of the Party, I would like for these persons to give their support against this act of fraud.

This will be my last stand in the Islands of Bermuda and the next step will be taken with Prime Minister, Mrs Margaret Thatcher after the 29th of May, 1987.

Yours faithfully,



John N. Darrell

## Copies to:

Premier J.W. Swan,  
 Mr. I. Pearman, MP  
 Mr. G. Simons, MP  
 Mr. Gilbert Darrell, MP  
 Mrs. Lois Browne-Evans, MP  
 Mr. John Sharpe, MP  
 Mr. C.V. "Jim" Woolridge, MP  
 Mr. Charles Vaucrosson, Barrister  
 Mr. E.T. Richards, Barrister  
 Mr. Walter Robinson, Barrister  
 The Human Rights Commission

65 Court Street.  
 Hamilton 5-24.  
 Bermuda

Telephone 2-0020, 2-0021

6th May 1987 ~~XX~~

Mr. John N. Darrell

Fairvale, Warwick Parish

# BROWNE & WADE

Barristers-at-Law

TO PROFESSIONAL SERVICES

To drafting a Voluntary Conveyance  
 to obtaining plans from Surveyor and  
 Land Tax clearance; to researching  
 of deed, to filing Head Deed with  
 Registrar

\$375.00

SOUTHAMPTON PARISH

THIS BILL IS PAYABLE ON DEMAND

To CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton, Bermuda  
Phone 8-0127

SOUTHAMPTON PARISH

THIS BILL IS PAYABLE ON DEMAND

To CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton, Bermuda  
Phone 8-0127

Estate of Emelius D. Darrell,  
c/o Mr. George Darrell,  
Southampton E.

M. r. George Wellington Darrell,  
Riviera Estate, Southampton E.

To PARISH ASSESSMENT for 1971 on \$ ..... at 25c on  
the \$100 for the following parochial purposes:

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expenses
5. Parish Road Lights

To PARISH ASSESSMENT for 1971 on \$ ..... at  
the \$100 for the following parochial purposes:

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expenses
5. Parish Road Lights

SECOND NOTICE \$ 15:00

As provided by the Parish Vestries Act.

Received Payment:

*Charles J. Lee*  
Overseer-of-Poor

Date

2-11-71

PAID

SECOND NOTICE \$ 2:40

As provided by the Parish Vestries Act.

Received Payment:

*Charles J. Lee*  
Overseer-of-Poor

Date

2-12-71

PAID

This Bill is Payable on Demand.

No. 40

Mr. *Emelius Daniel Darrell*

To Southampton Parish, Dr.

To Parish Assessment for 1947 on

at 3/6 on the £100 for the following Parochial Purposes:

1. Relief of the Poor.
2. District Nurse.
3. Collection of Garbage.
4. Annual Miscellaneous Expenses.
5. Parish Road Lights.

*George M. Darrell*  
Received Payment.

Total £

14-0  
3-6  
17-6

*W. J. Burns*

Overseer of the Poor.

Date

*October 24<sup>th</sup>* 1947.

As provided by The Parish Vestries Act, 1929.

Southampton East,  
Bermuda.



# The Bank of Bermuda Limited

Head Office  
6 Front Street, P.O.Box HM 1020, Hamilton HM DX, Bermuda  
Telephone (809) 295-4000

February 25th, 1992

*In reply please quote*

Mr. John N. Darrell  
12 Radnor Estate Road  
Hamilton Parish CR 01

Dear Mr. Darrell,

As you are aware you have substantial personal and joint indebtedness to the Bank, all of which is in arrears.

I have now been instructed to officially demand settlement of these debts, together with all interest, fees and charges by 3 p.m. on Thursday, March 26th, 1992. A schedule of the amounts owing to February 24th, 1992 is attached. Interest, fees and service charges etc. will continue to accrue on these balances to the date of settlement. Failure to do so will result in initiation of proceedings to realise the security we hold for your indebtedness, namely the sale of your property at Radnor Estate, Hamilton Parish. After receipt of proceeds of sale of the property any balances then remaining will be subject to collection through our lawyers, Cox & Wilkinson.

You are also reminded of your indirect obligation for the loan of \$75,000 granted to your brother, James W. Darrell together with all interest, fees, charges etc. As of February 24th, 1992 the total owing on this loan stood at \$89,416.71. From our recent conversation, it is my understanding that you are making arrangements with your brother, which should result in repayment of this loan.

Unfortunately, I have to advise you that payment is expected by the above date and further negotiation of this matter is not possible.

Kindly acknowledge receipt by signing the enclosed copy letter.

Yours faithfully,

Simon M. Stones  
Assistant Manager, Credit

SMS/ams

Attachment

DEBT POSITION - FEBRUARY 24TH, 1992

John N. Darrell

Loan No. 4301-193086-04

Principal	\$531,500.00
Interest	\$ 77,305.32
Admin. Fee	\$ 21,941.57
Late Charge	\$ 195.00

BD\$630,941.89

Allen A. Thomas; John N. Darrell/

John B. Darrell

Loan No. 4301-845552.01

Principal	\$130,000.00
Interest	\$ 19,610.87
Admin. Fee	\$ 5,576.13
Late Charge	\$ 195.00

BD\$155,382.00

John N. Darrell

Current Account No. 1001-340910

Principal	\$ 4,815.13
Interest/Admin. Fee	\$ 16.63

BD\$ 4,831.76

Registration/Stamp Duty on  
Memorandum of Deposit

\$ 400.00

Insurance on Radnor Estate  
Property to June 4th, 1992

\$ 1,692.75

BD\$ 2,092.75

BD\$793,248.40

John N. Darrell

Visa Card No. 4921-2792-7267-3029

Balance: US\$3,292.56 at 1.0043

BD\$ 3,306.72

BD\$796,555.12

Exhibit 4B

No. 473

This Bill is Payable on Demand.

~~Est.~~ Emelius Darrell

# To Southampton Parish, Dr.

To Parish Assessment for 1950 on £ 400-0-0

at 4/- on the £100 for the following Parochial Purposes:

Total £ 16-0

1. Relief of the Poor;
2. District Nurse.
3. Collection of Garbage.
4. Annual Miscellaneous Expenses.
5. Parish Road Lights.

Received Payment.

R. C. Burrows

Overseer of the Poor

Date Sept 15 1950

As provided by The Parish Vestries Act, 1929.

B. P. 1627.50

Final Notice

Payable to MR. REGINALD C. C. BURROWS  
Overseer of the Poor  
Southampton East  
Bermuda

August, 1953

Darrell

Pounds

Pence



RICHARDS

No. 3160

'A'

3rd February 1953

Received from George Darrell Esq  
 the sum of One Pound  
 twelve Shillings Pence  
 for Prof. Services

E. T. RICHARDS

£

E. T. RICHARDS

PER



no 8A

No. 55

This Bill is Payable on Demand.

Mr. Estate *Emilius Daniel Darrell*

### To Southampton Parish, Dr.

To Parish Assessment for 1948 on

£ 400 - 0 - 0

at 4/- on the £100 for the following Parochial Purposes:

Total £ 16 - 0

1. Relief of the Poor.
2. District Nurse.
3. Collection of Garbage.
4. Roads Lights.
5. Annual Miscellaneous Expenses.

Received Payment.

*R.C. Burrows*  
Overseer of the Poor.

Date *Sept 29* 1948.

As provided by The Parish Vestries Act, 1929.

P. 9881-48

Payable to MR. REGINALD C. BURROWS  
Overseer of the Poor,  
Southampton East,  
Bermuda

No. 72

This Bill is Payable on Demand.

Mr. *George Wellington Darrell*

### To Southampton Parish, Dr.

To Parish Assessment for 1948 on

£ 100 - 0 - 0

at 4/- on the £100 for the following Parochial Purposes:

Total £ 4 - 0

1. Relief of the Poor.
2. District Nurse.
3. Collection of Garbage.
4. Roads Lights.
5. Annual Miscellaneous Expenses.

Received Payment.

*R.C. Burrows*  
Overseer of the Poor.

Date *Sept 29* 1948.

As provided by The Parish Vestries Act, 1929.

B. P. 9881-48

Payable to MR. REGINALD C. BURROWS  
Overseer of the Poor,  
Southampton East,  
Bermuda

**THIS BILL IS PAYABLE ON DEMAND**  
**To SOUTHAMPTON PARISH DR.**

CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton  
Bermuda



M. George Wellington Darrell,  
Southampton East.

To PARISH ASSESSMENT for 1967 on £ 200,0.0. at 5/- on  
the £100 for the following parochial purposes:—

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expense
5. Parish Road Lights

£ : 10 : 0

As provided by the Parish Vestries Act.

Received payment:

-----  
Overseer-of-Poor

Date -----

**THIS BILL IS PAYABLE ON DEMAND**  
**To SOUTHAMPTON PARISH DR.**

CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton  
Bermuda

M. Estate of Emelius Daniel Darrell,  
c/o Mr. George W. Darrell,  
Southampton E.

To PARISH ASSESSMENT for 1967 on £ 2,000.0.0. at 5/- on  
the £100 for the following parochial purposes:—

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expense
5. Parish Road Lights

£ 5 : 0 : 0

As provided by the Parish Vestries Act.

Received payment:

-----  
Overseer-of-Poor

Date -----

**SOUTHAMPTON PARISH**  
**THIS BILL IS PAYABLE ON DEMAND**

To CHARLES J. LEE  
 Overseer-of-Poor  
 P.O. Box 16, Hamilton, Bermuda  
 Phone 8-0127

Estate of Emelius D. Darrell,  
 /omr. George Darrell,  
 Southampton E.



**SOUTHAMPTON PARISH**  
**THIS BILL IS PAYABLE ON DEMAND**

To CHARLES J. LEE  
 Overseer-of-Poor  
 P.O. Box 16, Hamilton, Bermuda  
 Phone 8-0127

*Reschelit 1A*

M. r. George Wellington Darrell,  
 Riviera Estate, Southampton E.

PARISH ASSESSMENT for 1971 on \$..... at 25c on  
 the \$100 for the following parochial purposes:

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expenses
5. Parish Road Lights

To PARISH ASSESSMENT for 1971 on \$..... at 25  
 the \$100 for the following parochial purposes:

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expenses
5. Parish Road Lights

**SECOND NOTICE** \$ 15:00

As provided by the Parish Vestries Act.  
 Received Payment:

*Charles J. Lee*  
 Overseer-of-Poor

Date 2-10-71

**PAID**

**SECOND NOTICE** \$ 2:40

As provided by the Parish Vestries Act.  
 Received Payment:

*Charles J. Lee*  
 Overseer-of-Poor

Date 2-12-71

**PAID**

No. 40

This Bill is Payable on Demand.

Mr. *Emilius Daniel Darrell*

To Southampton Parish, Dr.

£ 400-0-0

To Parish Assessment for 1947 on  
 at 3/6 on the £100 for the following Parochial Purposes:

1. Relief of the Poor.
2. District Nurse.
3. Collection of Garbage.
4. Annual Miscellaneous Expenses.
5. Parish Road Lights.

Total £ 14-0  
*George W. Darrell*  
 Received Payment. 3-6  
17-6

*W. J. Burns*  
 Overseer of the Poor.

Date October 25 1947.

As provided by The Parish Vestries Act, 1929.

Bermuda

THIS BILL IS PAYABLE ON DEMAND  
To SOUTHAMPTON PARISH DR.

CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton  
Bermuda

Mr. George Wellington Darrell,  
Southampton East.

To PARISH ASSESSMENT for 1967 on £200,000 at 5/ on  
the £100 for the following parochial purposes:—

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expense
5. Parish Road Lights

£ 10 : 0

As provided by the Parish Vestries Act.

Received payment:

Overseer-of-Poor

Date

THIS BILL IS PAYABLE ON DEMAND  
To SOUTHAMPTON PARISH DR.

CHARLES J. LEE  
Overseer-of-Poor  
P.O. Box 16, Hamilton  
Bermuda

M. Estate of Emelius Daniel Darrell,  
c/o Mr. George W. Darrell,  
Southampton E.

To PARISH ASSESSMENT for 1967 on £2,000,000 at 5/ on  
the £100 for the following parochial purposes:—

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expense
5. Parish Road Lights

£ 5 : 0 : 0

As provided by the Parish Vestries Act.

Received payment:

Overseer-of-Poor

Date

474

4c

THIS BILL IS PAYABLE ON DEMAND.

To SOUTHAMPTON PARISH Dr.

Payable to  
REGINALD C. BURROWS  
Overseer of Poor,  
Southampton East,  
Bermuda.

*# Est. Emelius Darrell*

To PARISH ASSESSMENTS for 1954 on *400-0-0* at 5/- on  
the £100 for the following parochial purposes:

- 1. Relief of Poor
- 2. District Nurse
- 3. Collection of Garbage
- 4. Annual Miscellaneous Expense
- 5. Parish Road Lights

*1:0:0*

As provided by the Parish Vestries Act, 1949.

Received payment  
*R C Burrows*  
Overseer of Poor

Date *Oct 1/54*

# SUPPORTING DOCUMENTS

- Related Court Documents/Summons
  - John N. Darrell and the Minister of Works and Engineering, 1978
  - John N. Darrell and the Minister of Works and Engineering, 1992
- Applyby, Spurling, and Kempe to George Wellington Darrell
- Evidence in Support of John Darrell's Court Cases
  - Civil Rights UK, request that case be withdrawn
  - Civil Rights UK, letter to the queen

970 18

IN THE SUPREME COURT OF BERMUDA

1992 : NO.

B E T W E E N :

JOHN NATHANIEL DARRELL

Plaintiff

-and-

THE MINISTER OF WORKS AND ENGINEERING  
(DR. THE HONOURABLE CLARENCE R. FERREIRA)

Defendant

L.S.

---

SPECIALLY ENDORSED WRIT OF SUMMONS

---

ELIZABETH II, By the Grace of God of  
the United Kingdom of Great Britain  
and Northern Ireland and of Our  
Other Realms and Territories, Queen,  
Head of the Commonwealth, Defender  
of the Faith.

TO: THE MINISTER OF WORKS AND  
ENGINEERING

of 56 Church Street  
Hamilton HM 12

WE COMMAND YOU that within fourteen days after the service of this  
Writ on you, inclusive of the day of such service, you do cause an  
appearance to be entered for you in an action at the suit of JOHN  
NATHANIEL DARRELL and take notice that in default of your so doing  
the Plaintiff may proceed therein and judgment may be given in your  
absence.

WITNESS the Honourable

of Our said court, the                    day  
of                    in the year of our Lord One thousand nine  
hundred and ninety-two.

N.B.- This Writ is to be served within twelve calendar months from  
the date thereof, or, if renewed, within six calendar months from  
the date of the last renewal, including the day of such date, and  
not afterwards.

The Defendant may appear hereto by entering an appearance, either  
personally or by attorney, at the Office of the Registrar of the  
Supreme Court at Old Town Hall, Hamilton.

IN THE SUPREME COURT OF BERMUDA

CIVIL JURISDICTION

1992 : NO.

B E T W E E N :

JOHN MATEMIEL DARRELL

Plaintiff

-and-

THE MINISTER OF WORKS AND ENGINEERING  
(DR. THE HONOURABLE CLARENCE R. TERCEIRA)

Defendant

---

STATEMENT OF CLAIM

---

1. The Plaintiff is the son of GEORGE WELLINGTON DARRELL, who in turn was the son of EMELIUS DARRELL, who in turn was the son of DANIEL DAVIS DARRELL.
2. The Plaintiff's grandfather, EMELIUS DARRELL died on 8th August, 1947.
3. A plan attached to the deed of 1912 describes the land on the 1939 deed showing EMELIUS DARRELL'S ownership of the three parcels of land as one.
4. The Defendant obtained portions of two parcels of the aforementioned lands.
5. Further the Defendant obtained the entirety of FOSTER MALLORY COOPER'S lands.
6. The Defendant's acquisition of the aforementioned parcels of land was affected by fraud.

PARTICULARS

7. Deeds of 1922 and 1924 fraudulently show the ownership of the said lands by the Defendant.
8. The J.H. DALE Plan of 1932 shows that the aforementioned deeds of 1922 and 1924 are fraudulent. It refutes the 1930 plan and

Defendant acquired lands that were never sold by EMELIUS DARRELL.

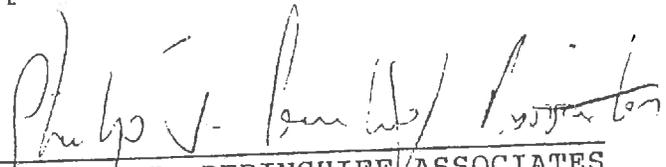
9. The 1939 conveyance from MS. JOAN O'FLEHERTY to MR. GAYOUS POWELL, drawn by Messrs. Conyers, Dill and Pearman refutes the Railway Company's ownership and the Defendant's subsequent ownership of lands properly belonging to EMELIUS DARRELL.
10. The 1943 conveyance from GEORGE ARNOLD WILLIAMS to HERMAN DAVIS drawn by DAVID TUCKER, Attorney, as well as a 1943 plan by WYCLIFF STOVELL confirm the west boundary to be that of the estate of EMELIUS DARRELL.
11. The Southampton Vestry, the highest authority in land ownership confirmed the estate of EMELIUS DARRELL and the portion of property of GEORGE WELLINGTON DARRELL which at this time was still the property of GEORGE WELLINGTON DARRELL.
12. Due to fraud on the part of the Government and the Southampton Vestry, the Department of Planning was misled by a 1953 plan.
13. In 1962 the Government posed its' first resistance to the ownership of the portion of property which it alleges to have received from the Railway Company.
14. The 1959 deed a conveyance from GAYOUS POWELL acknowledges the Government's ownership to the Railway Company portion of property, but goes on to contradict the 1953 plan and the 1922 conveyance to CLAUDIA DARRELL and from CLAUDIA DARRELL to PERCY A. DOUGWELL; it also contradicts the deed of 1924. This same 1959 deed further contradicts the assertion of the Southampton Vestry that EMELIUS DARRELL owned only 75' x 100' of lands - but rather very much more.
15. The aforementioned instances of fraud show that Government never owned in law or in equity the Railway portion of property which it alleged to own in 1939. The same property in this conveyance is that of EMELIUS DARRELL.
16. By reason of the above instances of fraud, the Plaintiff has suffered loss.

PARTICULARS OF LOSS

Loss of lands	\$ _____
Attorney's Fees	\$ _____

THE PLAINTIFF'S claim is for:-

- (1) Damages
- (2) Alternatively restitution of lands
- (3) The aforementioned interest pursuant to statute
- (4) Declaratory Relief

  
 PHILIP J. PERINCHIEF/ASSOCIATES  
 Attorneys for the Plaintiff

This Writ was issued by Messrs. Philip J. Perinchief Associates of Osgoode Hall, Second Floor, Melbourne House, 11 Parliament Street, Hamilton. Attorneys for the Plaintiff, whose address for service is the same. The Plaintiff resides at No. 23 Radnor Estate, Hamilton Parish CR 01.

IN THE SUPREME COURT OF BERMUDA

1992 : No.

B E T W E E N :

JOHN NATHANIEL DARRELL

Plaintiff

-and-

THE MINISTER OF WORKS AND ENGINEERING  
 (DR. THE HONOURABLE CLARENCE R. TERCEIRA)

Defendant

\_\_\_\_\_

SPECIALLY ENDORSED WRIT OF SUMMONS

\_\_\_\_\_



PHILIP J. PERINCHIEF ASSOCIATES  
 Barristers & Attorneys  
 Osgoode Hall, Second Floor  
 Melbourne House, 11 Parliament Street  
 Hamilton HM 12

Attorneys for the Plaintiff

PJP/DAW/srd

This Writ was served by me at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 1992 on the Defendant.

Indorsed the \_\_\_\_\_ day of \_\_\_\_\_ 1992

I,

IN THE SUPREME COURT OF BERMUDA

CIVIL JURISDICTION

1992 : NO.

B E T W E E N :

JOHN NATHANIEL DARRELL  
Plaintiff

-and-

THE MINISTER OF WORKS AND ENGINEERING  
(DR. THE HONOURABLE CLARENCE R. TERCEIRA)  
Defendant

---

STATEMENT OF CLAIM

---



PHILIP J. PERINCHIEF ASSOCIATES  
Barristers & Attorneys  
Osgoode Hall  
Second Floor  
Melbourne House  
11 Parliament Street  
Hamilton HM 12

Attorneys for the Plaintiff

"CAM 1"

2

NO 4A

# In the Supreme Court of Bermuda

CIVIL JURISDICTION 1978 No. 124

THE MINISTER OF PUBLIC WORKS Plaintiff

and

JOHN DARRELL

Defendant

Mr. Robin McMillan for the Plaintiff  
Mr. Vaucrosson for the Defendant

Before: The Honourable Mr. Justice Robinson

## J U D G M E N T

1. In this action the Minister of Public Works (hereinafter called the Plaintiff) seeks against the Defendant, John Darrell

(1) a declaration that the Plaintiff has absolute title and complete beneficial interest in land at Southampton Parish in these Islands; and

(2) an injunction restraining the Defendant by himself or his servants or agents or howsoever otherwise from entering upon the said land in any way at all.

2. The land in question is a portion of a tract of land in Southampton Parish aforesaid upon which the Heron Bay School and its playgrounds are sited.

3. The Plaintiff alleges that the Defendant has on divers dates entered upon the land asserting title thereto in his father George Wellington Darrell; and that on 26th October 1977 the Defendant entered the land and damaged fencing which the Plaintiff had had

erected by tearing it down, and that the Defendant persists in trespassing upon the land despite being requested not to do so.

4. The Plaintiff's case is that the land upon which the Defendant persists in trespassing belongs to the Plaintiff in his capacity as Minister of Public Works on behalf of the Bermuda Government and in support of his case the Plaintiff has produced a considerable number of deeds and a vesting statute, showing the transfers at one time or another of separate parts of the whole tract of land behind Heron Bay School and ultimately devolution to the Bermuda Government, the latest of which (Exhibit 16) was executed in 1952.

22

5. The Plaintiff has also put in evidence certified copies of Orders of this Court dated respectively the 16th May 1974 and the 22nd July 1978 showing that the Defendant's father George Darrell has been restrained by this Court from entering upon the Government of Bermuda's land south of the Heron Bay School as shown on plan 4/9/63 attached to one of the Orders which comprises all the land shown on "Exhibit 2A" edged in various colours.

6. Since the above mentioned Orders are operative against George Darrell and the Defendant is the lawful Attorney of George Darrell, his father, as appears from a Power of Attorney by Deed Poll dated 22nd February 1977 (which the Defendant has exhibited), those Orders are sufficient in themselves to dispose of the Defendant's allegations of title in his father and the Defence he has pleaded; for as the Attorney of his father he can be in no better or different position with respect to the title to any land than or from his father under the Agency arising by virtue of the said Deed Poll.

7. The Plaintiff presumably has been obliged to take this action because while the Orders cover the position where the Defendant purports to act in right of his father, George Darrell, they do not affect the Defendant where he purports to act in his own right in asserting any entitlement to enter upon the land in question, and that being so, some difficulty may arise in the enforcing of those Orders in deciding when the Defendant might be acting in his own right as distinct from acting in right of his father.

8. By his Defence the Defendant has alleged that the Plaintiff is not the owner and occupier of the land in question, which he claims as belonging to his father, and says that the Plaintiff was not entitled to fence the said land; he admits pulling down the fences saying he did so under the authority of his father's title to the land.

9. No documents have been produced by the Defendant to substantiate his claim either showing <sup>title in</sup> his father or grandfather through whom the Defendant seeks to assert a right to be on the land; in fact the Defendant says neither his father nor himself can show any title deeds even for the house property whose title is not in this dispute in this case.

10. The Defendant has produced three Certificates of Birth which are dates of birth of himself, his father and his grandfather, but those Certificates are not proof of the title in any of them of any land and are useless for any such purpose.

23

11. Any information which the Defendant has had at all as to the whereabouts of any deeds that would establish title in himself or his father, is shown to be second-hand and unreliable; said the Defendant "I have no deeds because they were placed in an office, and we never got them back. I was not there, I was told about it."

12. However the Defendant also gave evidence that over a period of some years his family lived in a house nearby which is still owned by his father, and that on a portion of the land north of what was the boundary line of the property formerly of the Bermuda Railway Company Limited, his father and his grandfather had cultivated a garden, the cultivated area being between the said Railway Company's property and the southern-most cliff-face of a cutting made by the Department of Public Works for the purposes of providing additional playgrounds for the infants at the Heron Bay School, which cutting is shown as the more southerly on the plans "Exhibit 2A".

13. From the evidence as to such cultivation given by the Defendant it is not certain for how long or at what times the same took place nor whether it was continuous, with or without permission of anybody, though the Defendant testified that his family had done many things on the land; that there had been during the 1940's an American Camp on the land; and that he had grazed goats and cows on the land until about 1957 when he was married.

14. From these acts, uncertain as to time and duration and as to the terms upon which they were enabled, the Defendant purports to set up a title in his father or himself.

15. There may be in some circumstances a presumption of seisin from evidence of actual possession of a house or a field or farm or as in this case, a cultivated garden or grazing land, but I have not been able to find an authority for extending the application of any such presumption to the larger tract of land reaching up to the hilltop (next north of the Sunnyside Park area) of the land of the Government, which the Defendant also claims, particularly in the absence of any evidence of a sufficiently continuous occupation as would justify holding that there was sufficient possession to displace the Plaintiff's right to the land which is the subject of this action.

16. To my mind in order for the Defendant to successfully defend this action he must show such open notorious continuous exclusive possession or occupation of such parts of the land as would constructively

24

-4-

apply to all or any parts of such land as are claimed by him and operate to extinguish the title of the Plaintiff or the true owner, and give the Defendant a statutory title under and by virtue of the relevant statute of limitation, in this case the Crown Claims

(Limitation) Act 1872, wherein the limitation period is 60 years.

17. The onus of proving such continuous possession and occupation

lies squarely on the Defendant who alleges it and in my judgment

the quality of whatever use there may have been of part of the land

in question by or on behalf of the Defendant's father or himself has

not been proved in this case so as to establish any claim of right

on the part of the Defendant sufficient to justify holding that the

Plaintiff's entitlement to the land in question has been displaced.

18. There is no substance in the Defence nor in the claims made

by the Defendant and therefore judgment will be entered for the

Plaintiff with costs.

19. I also order

(a) a declaration in terms of sub-paragraph 1 of paragraph 6 of the Amended Statement of Claim; and

(b) an injunction restraining the Defendant by himself or his servants or agents or howsoever otherwise from entering upon the Government land shown in Exhibit 2A in any way at all.

  
WALTER N.H. ROBINSON  
PUISNE JUDGE

12/4/79



No 6 A

)

*No 12 A*  
*No 10 A*  
APPLEBY, SPURLING & KEMPE

BARRISTERS AT LAW

A. D. SPURLING  
W. R. KEMPE  
R. H. MOTYER  
E. W. P. VESEY

CABLE ADDRESS  
APPLEBY, BERMUDA

REID HOUSE,  
HAMILTON,  
BERMUDA.

5th August, 1955.

*No 9 C*  
*No 9 D*  
*No 9 E*  
*No 9 F*  
Mr. George Wellington Darrell,  
Southampton East.

Dear Sir,

Since you last spoke to our Mr. Motyer we have had an interview with Mr. George A. Williams and also with Mr. Gayous Powell concerning the tract of land to which you claim to be entitled in the vicinity of Camp Hill.

Mr. Powell was speaking to us both as the Parish Vestry Clerk of Southampton and also as a land owner in the vicinity of your property. He tells us that the Parish Vestry records show that a piece of land measuring approximately 100 ft by 70ft was in the possession of William Green Darrell in 1864, in 1881 it was in the possession of Daniel Davis Darrell and in 1939 it was entered in the vestry books as being in the possession of Emelius Daniel Darrell and thereafter in your own possession. Within this long period of time (nearly one hundred years) there is no record of any other land in the vicinity belonging to your predecessors in title.

Mr. George A. Williams confirmed these same facts to us at the time of his interview.

We have today had a consultation with Mr. Peter Smith of Messrs. Hallett, Whitney & Patton, Mr. Williams' attorney, who has shown us Mr. Williams' title deeds to a tract of land somewhat larger than five acres situated to the South of your small lot. Mr. Williams' deeds show a clear title back to the year 1928 and recite a title

*E J Richard is No 10 A Solicitor*

going back to the latter part of the 19th Century. On examining Mr. Williams' title deeds we are satisfied beyond any doubt that these deeds are in perfectly good order and that there is no question that, at least against yourself, Mr. Williams has a good title to his tract of land.

In these circumstances and in the absence of any concrete evidence from yourself as to your title to any additional land, we cannot see that any useful purpose could be solved by continuing a dispute with either Mr. Williams or Mr. Powell, especially since we feel that such a dispute would involve you in considerable expense and would be bound to fail. If you wish to maintain your claim to this larger tract of land, you may of course do so, but we have every reason to believe that both Mr. Powell and Mr. Williams would regard such action by you as being a trespass and would undoubtedly commence proceedings against you.

If you wish to pursue the matter any further, we strongly suggest that you place the matter in the hands of another attorney before taking any further action.

Since we feel that we cannot usefully help you further, we enclose our bill for professional services. We have in our possession various documents handed to us by yourself and will be happy to return these to you on settlement of our account.

Yours faithfully,

*Appleby, Spurling & Kemp*

RHM:mes  
Enc.



# CIVIL RIGHTS (U.K.)

JUSTICE HOUSE · 400-402 BRIXTON ROAD · LONDON SW9 7AW  
TELEPHONE: DAYTIME 01-978 8545 · EVENINGS & WEEKENDS 01-769 5776

*That, in further amplification of Your Petitioner's most respectful submissions, Your Majesty should mandate Your Majesty's Prime Minister, The Rt Hon Margaret Thatcher MP, to instruct the Government of Bermuda in your Name that the entire case of the Crown v Darrell Case No 224 of 78 should be withdrawn on the Grounds that:*

*The Bermudan High Court misled itself into the factual findings that the Bermudan Government had lawfully acquired the Estate of Emilius Darrell and George Wellington Darrell's property. when the Vestry Receipts of 1971 proved that no such lawful acquisition was possible before 1971 and that such finding of fact is wholly erroneous in fact and in law.*

*That the Attorney-General was wrong to contend and the High Court perverse to ignore the fact that Mr Walter N.H. Robinson, Attorney at Law as he then was, acted for the Estate of George Wellington Darrell on the basis that such property was lawfully owned by the Darrell family and then, in 1978, sitting as Mr Justice Robinson, gave a judgment upon the very same property which was in direct and perverse contradiction of the professional acts he committed in 1964.*

*That Your Majesty's Prime Minister Mrs Thatcher's visit to Bermuda on the 23th April is consistent and wholly the product of the Rule of Law within Your Majesty's Realm and Colonies and that your Majesty should so instruct the Bermuda Government as an act of constitutional celebration of the Rule of Law and to the proposition that All are Equal before the Law.*



# CIVIL RIGHTS (U.K.)

JUSTICE HOUSE · 400-402 BRIXTON ROAD · LONDON SW9 7AW  
TELEPHONE: DAYTIME 01-978 8545 · EVENINGS & WEEKENDS 01-769 5776

38

No 14

27th February, 1990

Her Majesty Queen Elizabeth II  
Buckingham Palace, London, SW 1

Dear Your Majesty,

First of all, our most respectful appreciation of ther Most Gracious Message you were pleased to honour us with upon the occasion of our Annual Dinner at the House of Commons, London, on the 27th January, 1990; your Royal Message was read out to our assembled guests and received with fervent expressions of loyalty and high and dutiful appreciation.

We venture to write to you most respectfully because we have been much troubled of late by complaints of what appears, certainly at first glance, to be serious and invidious erosion of Civil Rights in Your Majesty's Right Royal Colony of Bermuda in the matter of the conduct of Your Majesty's Judiciary in the matter of one John Nathaniel DARRELL v Your Majesty's Attorney-General, acting on behalf of Your Majesty's Government of the said Colony of Bermuda.

It is reported thus: That one of Your Majesty's Judges of the High Court of Bermuda, The Hon Mr Justice HULL, presided over the case of the Attgrney-General of Bermuda v John Nathaniel DARRELL in August, 1989, and, whatever LEGAL arguments may or may not be, advanced in good time in the Bermudan Court of Appeal or even Your Majesty's Privy Council, it is now February, 1990, and there is still no sound or sign of the delivery of the Judgment of the said Mr Justice HULL; Justice Delayed is Justice Denied, we would Most Respectfully Represent to Your Majesty, and we hope Your Majesty would not deem it unreasonable of us to ask that such Judgment should be delivered NOW without further delay to Your Majesty's Most Loyal Subject, John Nathaniel DARRELL.



# CIVIL RIGHTS (U.K.)

JUSTICE HOUSE · 400-402 BRIXTON ROAD · LONDON SW9 7AW  
TELEPHONE: DAYTIME 01-978 8545 · EVENINGS & WEEKENDS 01-769 5776

The other aspect of our deep concern is that Civil Rights (U.K.) is most anxious to be present in the High Court of Bermuda at the time and day of the delivery of said Judgment by The Hon Mr Justice HULL and we shall most certainly need some prior intimation of the occasion but it would certainly seem that such prior notice is to be denied us; thirdly, the Bermudan Court of Appeal, having first promised to deliver judgment in a related matter regarding the VERY SAME PARTIES in March, 1990, has now stated that such Judgment is to be delayed until JULY, 1990!!! Judgment Delayed is Justice Denied..... and We, Your Majesty's Most Humble and Loyal Subjects here at Civil Rights (U.K.) are most anxious and apprehensive as to the reasons for this most extraordinary and seemingly well-orchestrated delay by Your Majesty's Judiciary in what William Shakespeare called "the vexed Bermoothes".....it would appear that "the Bermoothes is still very vexed indeed with litigants of the ilk of John Nathaniel Darrell!!

It would also appear most timely to us to refer Your Majesty to what we found upon visiting Bermuda last year, the very Colony in which Your Majesty's Governor was once shot some years ago and where very many black people believe that the wrong men were convicted. There is absolutely no doubt that there is, active, alive and seething just below the cosmetic surface of Bermudan politics, a potentially wild, resentful, seething rage by very many black families that they have had their land stolen most blatantly by the WHITES and that the legal profession and Your MAJESTY'S Judiciary in Bermuda are distinguished only by their connivance and condonation of such large-scale LAND-STEALING and Your Most Loyal BLACK Subjects believe, rightly or wrongly, that Your Majesty's Judiciary will pile delay upon delay in the Black Bermudan's Quest for Justice since this accords

PATRON: Stuart Holland M.P. PRESIDENT: James Fairweather CHAIRMAN/DIRECTOR Rudy Narayan, Barrister at Law  
IT IS CERTAIN THAT ALL M.P.s WILL ASSIST US WITH GENUINE CASES CONCERNING THEIR OWN CONSTITUENTS



# CIVIL RIGHTS (U.K.)

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JUSTICE HOUSE · 400-402 BRIXTON ROAD · LONDON SW9 7AW  
TELEPHONE: DAYTIME 01-978 8545 · EVENINGS & WEEKENDS 01-769 5776

*with the Unspoken and Unwritten and Silent but Wellknown Conspiracy to preserve the White Man's Larceny of Black Peoples Land in Bermuda.*

*To this extent, therefore, I would respectfully invite Your Majesty's Right Royal Consideratiann to the reasons, real or Imaginary, as to why the Bermudan Judiciary is seemingly deliberately delaying Judgment in a case which could affect the jurisprudential Fortunes of Your Majesty's Black Subjects.*

*Your Majesty's Humble and Obedient and Loyal Subjct,*

A handwritten signature in cursive script, appearing to read 'Rudy Narayan'.

*Rudy Narayan Directgr-Counsel Civil Rights (U.K.)*

# SUPPORTING DOCUMENTS

- Evidence in Support of John Darrell's Court Cases
  - Letter from Walter Robinson
  - George Arnold Williams dealings with Walter Robinson
  - Various Receipts, highlighting:
    - Transaction between George Darrell and E.T. Richards
  - Misuse of the name Benjamin Darrell
  - The "Cake" Judgement

TELEPHONE NO. 2-3811

011A  
WALTER N. H. ROBINSON  
- Barrister-at-Law

LES: "INTERPLEAD"  
ASCRIBER TO KIMES DIRECTORY

Temple Bar Building  
Church Street,  
Hamilton,  
Bermuda

31/6/63

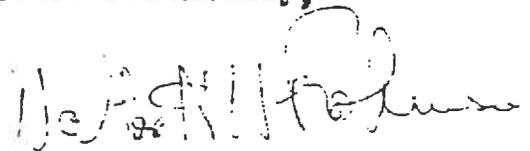
17th June 1963.

Mr. George Darrell,  
Nr. Riviera Estates,  
Southampton East.

Dear Sir,

I have not completed my searches relative to the boundaries of your property at Southampton, and am continuing to investigate the same. In the meantime, I should be pleased if you would pay me a retaining fee of £10. 10. 0. for this matter as per the enclosed bill. Should this matter go to the Supreme Court, the retainer will be taken into account in fixing fees at that time.

Yours faithfully,



WNHR/ars  
Enclosure.

No 5 A

Indent 4

No 12

# This Indenture

no 4

made the eleventh day of March One thousand nine hundred

and fifty-three Between GEORGE ARNOLD WILLIAMS of the City of Hamilton in the Islands of Bermuda Estate Agent of the First Part GERALD ALEXANDER SIMONS of Pembroke Parish in the Islands aforesaid Carpenter of the Second Part and WALTER NATHANIEL HARVEY ROBINSON of the City of Hamilton in the Islands aforesaid Barrister-at-Law of the Third Part WHEREAS by an Indenture dated the Twenty-fifth day of January One thousand nine hundred and twenty-eight and made between Horace Alfred Cooper of the first part the Rector and Church Vestry of Devonshire Parish in the said Islands of the second part Ormond Ralph Loblein of the third part and Henry Martin Godet of the fourth part for the consideration therein mentioned the said Horace Alfred Cooper did grant and release and the said Rector and Church Vestry did grant release and confirm the hereditaments hereinafter described (together with other hereditaments) unto the said Ormond Ralph Loblein to such uses as the said Ormond Ralph Loblein by any deed or deeds should from time to time appoint and in default of any such appointment and so far as any such appointment (if incomplete) should not extend to the uses therein declared concerning the same (to bar dower) with ultimate remainder to the use of the said Ormond Ralph Loblein his heirs and assigns forever AND WHEREAS on the Twelfth day of January One thousand nine hundred and thirty-four the Bank of N. T. Butterfield and Son Limited obtained Judgment in the Supreme Court of Bermuda against the said Ormond Ralph Loblein in the sum of Fifteen thousand pounds together with costs of suit amounting to Four pounds four shillings AND WHEREAS the said Ormond Ralph Loblein duly made and executed his last Will and Testament dated the Eleventh day of January One thousand nine hundred and thirty-five and thereby appointed William Sterling Furvis and Arthur John Gorham executors thereof and disposed of his real and personal estate in the manner therein specifically mentioned AND WHEREAS the said Ormond Ralph Loblein died on the Seventh day of April One thousand nine hundred and thirty-five without having altered or revoked his said Will AND WHEREAS the said William Sterling Furvis and Arthur John Gorham renounced all their right and title to the probate of the said Will whereupon Letters of Ad-

belonging to the said deceased were insufficient to pay any just debts due and owing by the said deceased empowered and the said Olive Grace Loblein as such administratrix as aforesaid to sell and dispose of all or such part of the houses and other hereditaments and real estates of the said deceased to be sufficient to satisfy the just debts due and owing from the said deceased AND WHEREAS by an Indenture dated the Second day of One thousand nine hundred and thirty-eight and made between Olive Grace Loblein of the first part the said Bank of Newfield and Son Limited (being satisfied that its said judgment was otherwise sufficiently secured and agreeing to join in the Indenture in the manner therein expressed) of the second part Edward James Simons of the third part the said Olive Grace Loblein as such administratrix as aforesaid under and in exercise of the power for that purpose vested in her by the said order of the court she did grant and release and the said Bank did release unto the said Edward James Simons the hereditaments therein mentioned (of which hereditaments hereinafter described formed a portion) to have and to the use of the said Edward James Simons his heirs and assigns forever AND WHEREAS by an Indenture made the Eleventh day of One thousand nine hundred and thirty-eight and made between Edward James Simons and Sarah Jane Simons his wife of the one part the said George Arnold Williams of the second part and Claude Williams of the third part for the consideration therein mentioned the said Edward James Simons did grant and release and the said Sarah Jane Simons with the concurrence of her husband and for the purpose of releasing her right or possibility of dower did release the hereditaments hereinafter described together with other hereditaments unto the said George Arnold Williams and his heirs to such effect that the said George Arnold Williams by any deed or deeds should at any time to time appoint and in default of and until such appointment and so far as any such appointment should not extend to the said George Arnold Williams and his assigns during his lifetime without impeachment of waste and after the determination of the said estate by any means in his lifetime to the use of the said Claude Williams his executors and administrators during the life of the said George Arnold Williams in trust for the said George Arnold Williams and his assigns with remainder to the use of the said George Arnold Williams

his heirs and assigns forever AND WHEREAS the said George Arnold Williams hath agreed with the said Gerald Alexander Simmons for the absolute sale to him of the hereditaments hereinafter described and intended hereby to be conveyed and the inheritance thereof in fee simple in possession free from incumbrances at the price of Seven hundred pounds AND WHEREAS the said Gerald Alexander Simmons is desirous that the said hereditaments be limited to the uses and in the manner hereinafter expressed for which purpose the said Walter Nathaniel Harvey Robinson hath agreed to join in these presents NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of Seven hundred pounds paid by the said Gerald Alexander Simmons to the said George Arnold Williams on or before the execution of these presents (the receipt whereof he doth hereby acknowledge) he the said George Arnold Williams in exercise and execution of the power for this purpose given him by the lastly hereinbefore recited Indenture and of all other powers (if any) in anywise him enabling in this behalf doth hereby APPOINT that the hereditaments and premises hereinafter described shall henceforth go remain and be to the uses hereinafter declared concerning the same AND THIS INDENTURE ALSO WITNESSETH that in further pursuance of the said agreement and for the consideration hereinbefore expressed the said George Arnold Williams doth hereby GRANT AND RELEASE unto the said Gerald Alexander Simmons and his heirs ALL THAT certain parcel of land situate in Southampton Parish in the Islands of Bermuda delineated on the plan annexed hereto and thereon coloured pink and comprising two lots numbered on the said plan as Lots 50 (Fifty) and 51 (Fifty-one) and bounded NORTHERLY by lot Numbered 49 (Forty-nine) to be conveyed to Thomas Hillsbury Masters and there measuring Sixty feet (60') or thereabouts EASTERLY in part by lot Numbered 43 (Forty-three) land of Malcolm Smith in part by lots Numbered 42 (Forty-two) and 41 (Forty-one) land of William Dennis and in part by Lot Numbered 40 (Forty) land of Everett Shiells and measuring along the Easterly boundary Two hundred and eight feet (208') or thereabouts SOUTHERLY by a roadway Sixteen feet in width coloured yellow on the said plan separating the parcel of land now being described from land formerly of the Estate of Eldon Steede Raynor and measuring Thirty-five feet (35') or thereabouts SOUTH-

in width also coloured yellow on the said plan separating the parcel of land now being described partl. from lot Numbered 52 (Fifty-two) to be conveyed to Mycliffe Stovell and partly from other land of the said George Arnold Williams and measuring along such Westerly boundary One hundred and eighty-three feet (183') or thereabouts OR HOWEVER OTHERWISE the said parcel of land may be bounded may measure or ought to be described TOGETHER WITH all buildings fixtures fences ways rights of way (and especially the right of way hereinafter described) liberties privileges easements advantages and appurtenances whatsoever to the said parcel of land belonging or in anywise appertaining or usually held or occupied therewith or reputed to belong or be appurtenant thereto AND ESPECIALLY TOGETHER WITH full free and unrestricted right and liberty of way and passage for the said Gerald Alexander Simmons his appointees heirs and assigns owners for the time being of the parcel of land hereditaments and premises hereby appointed granted and released or expressed so to be his and their tenants and servants and all other persons lawfully going to or from the said parcel of land at all times hereafter at his and their will and pleasure to go come pass and repass with or without horses cattle and other animals carts carriages and vehicles of all descriptions OVER AND ALONG the said roadway Fourteen feet in width forming the Westerly boundary of the parcel of land above described leading in a Southerly direction and there connecting with the said roadway Sixteen feet in width forming the Southerly boundary of the said parcel of land AND ALSO OVER AND ALONG the last mentioned roadway leading in an Easterly direction and there connecting with another roadway Sixteen feet in width AND ALSO OVER AND ALONG the last mentioned roadway leading in a Southerly direction and there connecting with another roadway Sixteen feet in width AND ALSO OVER AND ALONG the last mentioned roadway leading in an Easterly direction and there connecting with a roadway Ten feet in width AND ALSO OVER AND ALONG the last mentioned roadway leading in a Southerly direction to the Public Road (all of which roadways are coloured yellow on the said plan) AND ALL THE ESTATE right title interest claim and demand whatsoever of the said George Arnold Williams in to and upon the said parcel of land hereditaments and premises and every part thereof TO HAVE AND TO HOLD the hereditaments and premises hereby appointed granted and released or expressed so to be unto the said Gerald

TO SUCH USES as the said Gerald Alexander Simmons by any deed or deeds shall from time to time appoint AND in default of and until such appointment and so far as any such appointment shall not extend TO THE USE of the said Gerald Alexander Simmons and his assigns during his life without impeachment of waste AND AFTER the determination of that estate by any means in his lifetime TO THE USE of the said Walter Nathaniel Harvey Robinson his executors and administrators during the life of the said Gerald Alexander Simmons IN TRUST for the said Gerald Alexander Simmons and his assigns AND AFTER the determination of the estate so limited to the said Walter Nathaniel Harvey Robinson his executors and administrators as aforesaid TO THE USE of the said Gerald Alexander Simmons his heirs and assigns forever AND the said George Arnold Williams doth hereby for himself his heirs executors and administrators covenant with the said Gerald Alexander Simmons his appointees heirs and assigns THAT notwithstanding any act deed or thing by the said George Arnold Williams done or executed or knowingly suffered to the contrary he the said George Arnold Williams now hath good right to appoint grant and release the hereditaments and premises hereby appointed granted and released or expressed so to be to the use of the said Gerald Alexander Simmons his appointees heirs and assigns in manner aforesaid AND THAT the said Gerald Alexander Simmons his appointees heirs and assigns shall and may at all times hereafter peaceably and quietly possess and enjoy the said hereditaments and premises and receive the rents and profits thereof without any lawful eviction interruption claim or demand whatsoever from or by the said George Arnold Williams or any person or persons lawfully or equitably claiming from under or in trust for him AND THAT free from all incumbrances whatsoever made or suffered by the said George Arnold Williams or any person or persons lawfully or equitably claiming as aforesaid AND FURTHER THAT he the said George Arnold Williams his heirs and assigns and all persons having or lawfully or equitably claiming any estate or interest in the said hereditaments and premises or any part thereof from under or in trust for him shall and will from time to time and at all times hereafter at the request and cost of the said Gerald Alexander Simmons his appointees heirs or assigns do and execute or cause to be done or executed all such acts deeds and things for



as shall or may be reasonably required IN WITNESS WHEREOF the part to these presents have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered by )  
the above named George Arnold )  
Williams in the presence of:- )

*George Arnold*

*Joan Isis*  
*Witness*

WITNESSES:

Signed Sealed and Delivered by )  
the above named Gerald Alexander )  
Simmons in the presence of:- )

*Gerald Alexander Simmons*

*Joan Isis*  
*Witness*

WITNESSES:

Signed Sealed and Delivered by )  
the above named Walter Nathaniel )  
Harvey Robinson in the presence )  
of:- )

*Walter H. Robinson*

*Joan Isis*  
*Witness*

WITNESSES:

£700. 0. 0.

Received on the day of the date of the within written Indenture from the within mentioned Gerald Alexander Simmons the sum of Seven hundred pounds therein mentioned to be paid to me the sum of One Pound Eight shillings in Postage and Revenue Stamps having been previously affixed hereto for Stamp Duty.

Signed by the above named George )  
Arnold Williams in the presence )  
of:- )

*George Arnold*

*Joan Isis*  
*Witness*

WITNESSES:

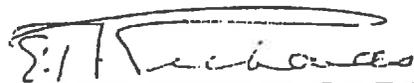
From = *Arnold*



M E M O R A N D U M

By an Indenture dated the 31st day of January One thousand nine hundred and sixty-four and made between the within-named Gerald Alexander Simmons of the first part Lloyd Reginald Raynor of the second part and Edward Trenton Richards of the third the lot of land comprising Lot No. 50 was appointed granted and released unto the said Lloyd Reginald Raynor and his heirs to the uses therein declared (to bar dower).

Dated this 4th day of April, 1964.



---

Attorney for the Parties

DATED: ~~11th~~ March, 1953.

GEORGE ARNOLD WILLIAMS

TO

GERALD ALEXANDER SIMMONS

CONVEYANCE ( TO USES )

Of a certain lot of land situate in  
Southampton Parish in the Islands of  
Bermuda.

474

4C

THIS BILL IS PAYABLE ON DEMAND.

To SOUTHAMPTON PARISH Dr.

Payable to  
REGINALD C. BURROWS  
Overseer-of-Poor,  
Southampton East,  
Bermuda.

# Est. Cornelius Darrell

To PARISH ASSESSMENTS for 1954 on £ 400 - 0 - 0 at 5/- on  
the £100 for the following parochial purposes:

1. Relief of Poor
2. District Nurse
3. Collection of Garbage
4. Annual Miscellaneous Expense
5. Parish Road Lights

1:0:0

As provided by the Parish Vestries Act, 1929.

Received payment:

R. C. Burrows

Overseer of Poor

Date

Oct 1954

5 7 2000-54

16A

This Bill is Payable on Demand.

*William Darrell*

To Southampton Parish, Dr.

Assessment for 1949 on *£ 100-0-0*  
the £100 for the following Parochial Purposes:

Total *£ 100-0-0*

the Poor.  
Nurse.  
Collection of Garbage.  
Miscellaneous Expenses.  
Parish Road Lights.

Received Payment.

*R. C. Burrows*  
Overseer of the Poor

Date *October 18th* 1949.

Parish Vestries Act, 1929.

Payable to MR. REGINALD C. C. BURROWS  
Overseer of the Poor  
Southampton East  
Bermuda

No. *473*

*Est. Emelius Darrell*

This Bill is Payable on Demand.

To Southampton Parish, Dr.

To Parish Assessment for 1950 on *£ 400-0-0*  
at 4/- on the £100 for the following Parochial Purposes:

Total *£ 16-0-0*

1. Relief of the Poor.
2. District Nurse.
3. Collection of Garbage.
4. Annual Miscellaneous Expenses.
5. Parish Road Lights.

Received Payment.

*R. C. Burrows*  
Overseer of the Poor

Date *Sept 16* 1950

As provided by The Parish Vestries Act, 1929.

B. P. 1627-50

*Final Notice*

No. *A 7280*

*31<sup>st</sup> August, 1953*

Received from *George Darrell*

the sum of *Four* Pounds

*Four* Shillings *—* Pence

for Professional Services.

E. T. RICHARDS

E. T. RICHARDS



'A'

No. *3160*

*3<sup>rd</sup> February 1954*

Received from *George Darrell Esq.*

the sum of *One* Pound

*twelve* Shillings *—* Pence

for Prof Services

E. T. RICHARDS

E. T. RICHARDS



Authorized Signature  
*A. Smith*

£ 1 / s. / u.  
*10*

90017

John N Darrell  
29 Riviera Estate  
Southampton SN 03  
BERMUDA

September 19, 1997

BY FAX ONLY: 001 441 236 6901

Mail Box Warwick  
FAD: Mr John N Darrell

Dear Sir

Misuse of Name: Benjamin Darrell

As you may be aware, the Governing Body of Bermuda, namely the UBP, have been misusing the authority of the Government to underhand innocent people with regard to the Estate of Emelius Darrell. For example, since 1888, the property known as 29 Riviera Road, belonged to Emelius Darrell, which has now been passed on to third and fourth generations of the Darrell Family. At present John Darrell is the owner of the said property.

During 1974 to 1994, several court proceedings have taken place: *The Crown -v- George Darrell*; *The Crown -v- John Darrell* respectively. Out of the various Court actions, *The Crown -v- John Darrell*, many deeds and plans were brought into the Court proceedings. To Mr John Darrell's surprise, some of these documents contained false and fraudulent information in that names of deceased persons, as past and present owners of the said Estate, by the Government.

Further, in 1989 (14 August) during yet another Court hearing, a plan, prepared by the Ministry of Works & Engineering Plan, showed conflicts with all the title deeds and documents. These are totally fabricated by the Government and still remains untrue.

With all due respect, we suggest, that in such cases like these, namely the misuse of deceased persons' names by the Government, be brought to your attention. As a result of this, persons have been forced to purchase property under false pretence by the Government, in its wrongful misconduct and undue influence in making such persons believe that their purchases were legally carried out.

This has caused Mr Darrell a great deal of trauma, undue stress and extremely poor health. May we therefore request that Mr John Darrell receives compensation in the sum of \$75 million by way of settlement to include all accrued interest from 1987 to date; not only for himself, but for his creditors, in particular, Standard Hardware.

We trust that the above is self-explanatory and request for your urgent attention in dealing with this matter.

Yours faithfully

London Contact for and on behalf of John N Darrell



**Mr. John Nathaniel Darrell**  
**79 Sleepy Hollow Drive**  
**HAMILTON Parish CR 02**

June 5<sup>th</sup> 2004

Butterfield Bank  
Head Office  
65 Front Street  
Hamilton, HM 19.

**Re: The "Cake" judgment.**

Dear Sir, Madam:

Please see letter of May 30<sup>th</sup> addressed to His Excellency The Governor Sir John Vereker first page that describes fifty-six (56) years of violating Bermuda Laws and showing no respect toward King George VI nor Her Majesty Queen Elizabeth II's 52 year reign. (Imp. This reference pertains to Emelius Darrell's Estate only).

Please see Doc. 7B attached. This Document shows that in June 1950, Mr. E. T. Richards supported Mr. Wycliff Stovell's Plan of 1948. The Tax receipt attached shows that this event was not recorded by the Southampton Vestry therefore the property remains the Estate of Emelius Darrell.

Mr. Wycliff Stovell's Plan of 1955 and Mr. W. G. Brown's Plan of 1964 supports the Bank's Deed-of-Confirmation one-hundred percent against the Bermuda Government.

Since 1992 a serious double standard has existed at both Banking Institutions. You will find one such experience described in my letter of May

Page 2.

21<sup>st</sup> 2001 addressed to Mr. George Jackson Assistant Commissioner of the Bermuda Police Services. See orange tag Title "G" page 2 item 6 which shows that both Banks financed me on 70ft. by 100ft. of property established in a letter from Appleby, Spurling & Kemp and both Banks saw the Mortgage Deed which showed that the actual footage was 75ft. by 100ft. and the Tribe Road on the West boundary. That said, let us now see what really took place.

The Bank's lawyer and I worked together from the J. H. Dale Plan, the 1939 Deed, the 1943 Deed and the 1956 Deed to produce the Deed-of-Confirmation. This Deed-of-Confirmation brought an end to all wrong doing to the Emelius Darrell's Estate and affected persons involved in as far back as 1962.

In 1992 the major players were still alive and Ms. Cathy Lightbourne requested to put a mortgage on Emelius Darrell's property for collateral to cover my debt to Butterfield Bank. Please see orange tag Title "G" item 7 which describes the rules laid by the Department of Planning on how Mortgaging of property is carried out. However, the Bank's Lawyer Justin Williams Authority was over and above Bermudian Law because he has a friend "Chief Justice" Austin Ward who gave him a favorable judgment on a 'cake'. Chief Justice Mr. Ward claimed that he heard both sides of the 'cake' case, but, he lied in the judgment in favor of the Bank that I have been made to understand is against the Bank's own Legal Policies. Let me state clearly that the Bank's Legal stand against such illegal Actions was seen in the daily Royal Gazette June 4<sup>th</sup> 2003. Please find attached the judgment of Mr. Ward and the lady who was found guilty of a lot lesser crime.

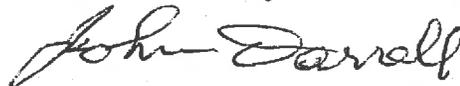
We are more than happy to work with both Banks and have enclosed separate deposit requests. See letter of May 7<sup>th</sup> 2004 addressed to Russell G. Wade "Permanent Secretary" Works and Engineering page 7 showing compensation from the Bermuda Government that will be deposited in equal parts to both banks.

Page 3.

Monday morning June 7<sup>th</sup> I will call on you to discuss the matters above.

In conclusion, we share with you the following list of parties involved. Mr. Philip Perinchief's Writ with Judge Hull's Judgment is scheduled for interview Tuesday June 8<sup>th</sup>; Attorney Arthur Hodgson, legal representative to Lots 55 & 56 Sunny Side Park (Soon to be Emelius Drive West) will also be on Tuesday June 8<sup>th</sup>. Mr. W. Bourne scheduled for Tuesday June 8<sup>th</sup> will deal with the Forged Deeds in 1955. Mr. Neville Darrell will advise his party and bring these matters above to the attention of the general public Tuesday June 8<sup>th</sup>. On Wednesday Mr. W. Bourne will show the Chief Justice how King George V Deed was forged in 1955 as shown in my letter to Her Majesty Queen Elizabeth II January 18<sup>th</sup> 2000. *Also, on Wednesday, Mr. Bourne will set out a pleading for a part Compensation of \$7,000,000 to me.* Wednesday June 9<sup>th</sup> Mr. Philip Perinchief's Writ along with page 23 & 26 of Judge Hull's Judgment will show that a Judgment was given on the Darrell's property. We are hopeful that this long, hard and painful ordeal will be brought to a close.

Most sincerely,



John N. Darrell

Cc: The Bank of Bermuda Ltd. "HSBC"  
Butterfield Bank  
Attorney General's Office for the "Chief Justice"  
Mr. Neville Darrell  
Attorney Arthur Hodgson  
The Media

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Photo by Tamell Simons

**Jailed:** A tearful Deirdre Anne Graves is led from court by Police officers after being sentenced to one year in prison yesterday.

## Ex-bank executive jailed for stealing over \$300,000

By René Hill  
and Catherine Hay

Former bank employee Deirdre Anne Graves sobbed as she was given a one-year sentence for stealing more than \$300,000 from the Bank of Butterfield.

Her lawyer Alan Dunch had argued that his client should be given up to 1,000 hours of community service or a suspended sentence.

He also said that if she was sentenced it should be a 'short-sharp-shock' as recommended under the Alternatives to Incarceration programme.

But Crown counsel Charmaine Smith told the Supreme Court that the mother of two should be incarcerated immediately because when Graves committed her crimes she was in a position of trust.

Justice Norma Wade-Miller said she had taken the arguments made by both counsels into consideration and also those of a psychiatrist, but decided that the best course of action would be an immediate

term of imprisonment.

Graves, 48, of St. Anne's Road, Southampton, was a former vice president and head of the bank's treasury department when she stole a total of \$325,200.10 between June 15, 1999 and February 27, 2001.

Graves had removed money from floating accounts and gave it to friends and family members before their loan applications were processed.

In the May arraignments session, she had pleaded guilty to 11 indictable charges of fraud, which included amounts which ranged from \$11,000 to more than \$50,000.

Graves, who was convicted by her own admission, had fully cooperated with the authorities once she was exposed.

When asked if she had anything to say, Graves cried as she read a statement to the court.

She said when she committed the crimes she was depressed and was getting over her second marriage.

She also said she had financial difficulties and had stress-

related pressures from her job.

"I know what I did was wrong," she said before apologising to the court, the Police, the bank, her family and friends for the embarrassment.

"I fully co-operated with the bank and the Police during their investigation.

"I believe that I have made good progress."

Mr. Dunch said that because the bank had been paid back in full and because Graves had assisted with the investigation the bank was not "really a victim". Mrs. Smith, however, argued the bank was a victim because of her position and the amount of money that was stolen.

The court heard how Graves directed her subordinates to place money into her account and into those of her relatives and friends.

Graves said her actions were only temporary loans and "the money was and would be paid back" once that person received the loan that they had applied for.

# SUPPORTING DOCUMENTS

- Letter from Crissons
- Maps
  - Produced by Public Works
  - By Robert Clarke, traced from J.H. Dale
  - By C.H.B. Crissons

C. H. B. CRISSON, B.A.Sc., P.Eng. (Bermuda and Ontario)

CIVIL ENGINEER AND SURVEYOR

Member:

Canadian Society for Civil Engineering  
Canadian Institute of Geomatics  
American Society of Civil Engineers  
Bermuda Association of Professional Engineers  
Association of Professional Engineers of Ontario

June 24, 1996

17  
6 DUNDONALD ST. WEST  
P.O. BOX HM 640  
HAMILTON HM CX  
BERMUDA  
TEL. (809) 295-0826  
FAX (809) 295-3221

E.T.Richards receipt 3 February 1950 L 1 12s for Professional Services from George Darrell ( relating to a boundary wall being moved and to conveying land of estate of Emelius Darrell to him?)

Conveyance by E.T.Richards of 15 June 1950 Astwood to Lowe of lots 46 & 47 of Sunnyside Park. recites title and indicates Lot 47 bounded North by Colonial Govt for 100'. refers to plan not available on indenture dated 11 July 1938 Simons to G.A.Williams & Claud Williams.Williams therefore bought land in 1938, had it subdivided presumably by WMS in 1943 and sold 46 & 47 in 1950. This ownership by Government is in conflict with Stovells plan of 1943 1/4b which shows it to be Estate of Emelius Darrell. Southampton Parish tax bill Sept 10, 1950 bills Estate of Emelius Darrell for taxes on L 400

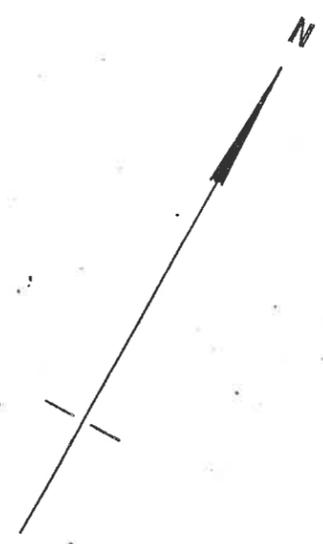
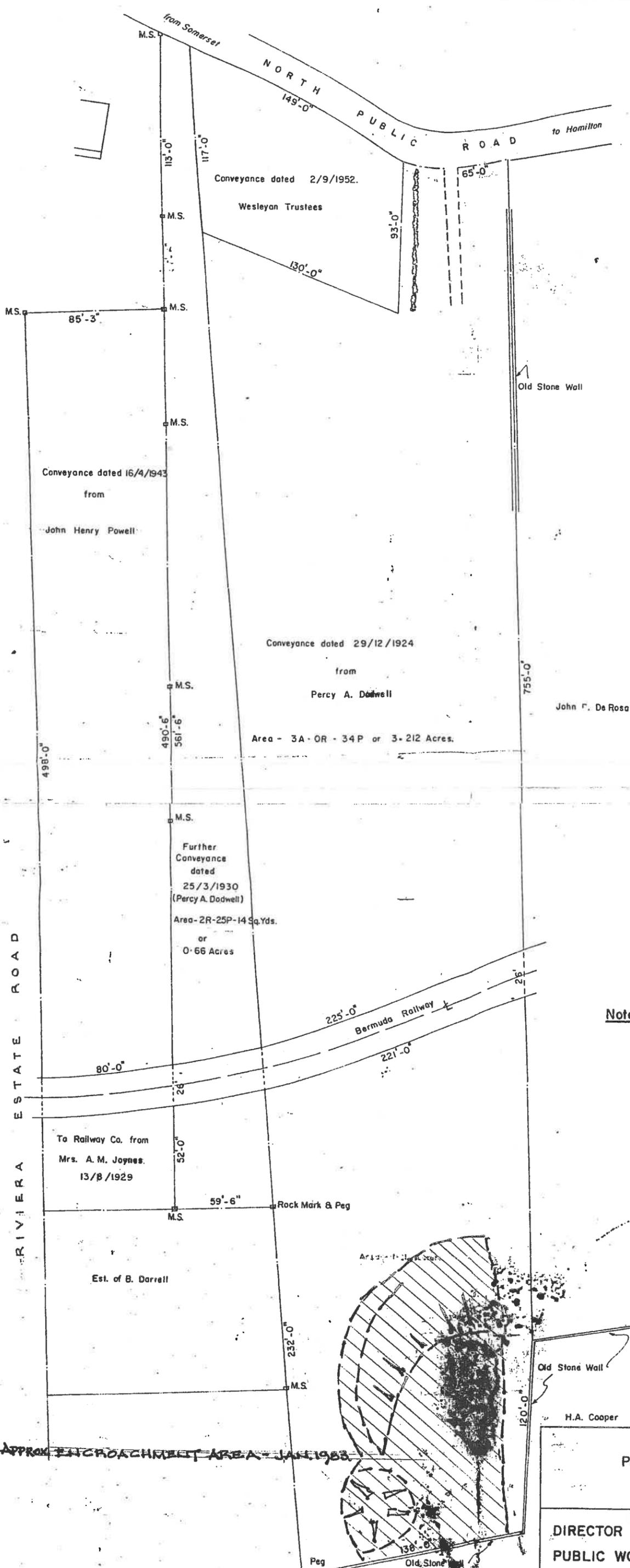
It is alleged that Claudia Darrell, deceased in 1949, was conveyed 6 1/4 acres in 1922, and conveyed same to Dodwell 3 days later. It is impossible to find space for this acreage between the Main road, Desrosa property, Sunnyside Park and the land of the William Lightbourne property continued past the Darrell cottage. Further the Clark plan 1/2b indicates Darrell property to east of cottage.

Stovells plans of the whole of the Sunnyside Park Subdivision shows Colonial Government ownership of land north of lots 47, 48 and 55 and east of lot 33. They also show Government owning the south portion of the DeRosa holdings. This certainly misdescribes the well established DeRosa boundaries and ignores the Estate of Emelius Darrell as shown on the Jarvis plan 1/4b.

Stovells plan of 1955 shows a diagonal line from lot 48 through Lot 55. which is on the line of a fence which Mr Darrell and his father apparently accepted as being on their property.

By a conveyance of 5th January 1956 a portion of the Jarvis property was sold to Rabaine being described on the west still by land of the heirs or assigns of Emelius Darrell. Lawyer Lois Browne

QA 1



No 16 B

**Note:** Traced from plan, surveyed and drawn by J.H. of Public Works Department, dated 1/3/30.

AREA HATCHED IN RED DENOTES APPROXIMATE EXTENT OF ENCROACHMENT

APPROXIMATE ENCROACHMENT AREA - JAN 1983

PLAN OF LAND - SOUTHAMPTON PARISH  
HERON BAY SCHOOL

DIRECTOR OF PUBLIC WORKS	Scale	50' = 1"	Dwg. No. 4/9/6
	Survey	P.W.D.	Public Works
	Drawn	Q.S.	Hamilton
	Date	2/3/70	Bermuda

SCALE 100 FT TO 1 IN.

I.W.L. #1

129

Point A

Doc 6B

ANGELS STEPS PROPERTY

ROAD TO ADDRESS

MIDDLE PUBLIC ROAD TO HAMILTON

T. H. PARKER

WALL

375.00'

CHERRY COTTAGE

FORMERLY ROSE ANN BEAN

130.00'

100.00'

W.C.

M.S.

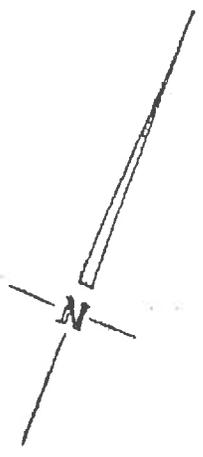
M.W.

H

M.S.

100.00'

NOTE:- THERE IS NO REFERENCE IN THE TITLE DEED TO A TRIBE ROAD OR RIGHT OF WAY THROUGH THIS PROPERTY



BANK

ROSE ANN BEAN

LAND OF ESTATE OF

M.S. 182.00'

100.00' 75.00' 100.00'

RENN. DARRELL

J.F. DARRELL

L.A. COOPER

HOW E.S. DARRELL (PILOT OF MOUNTAINS)

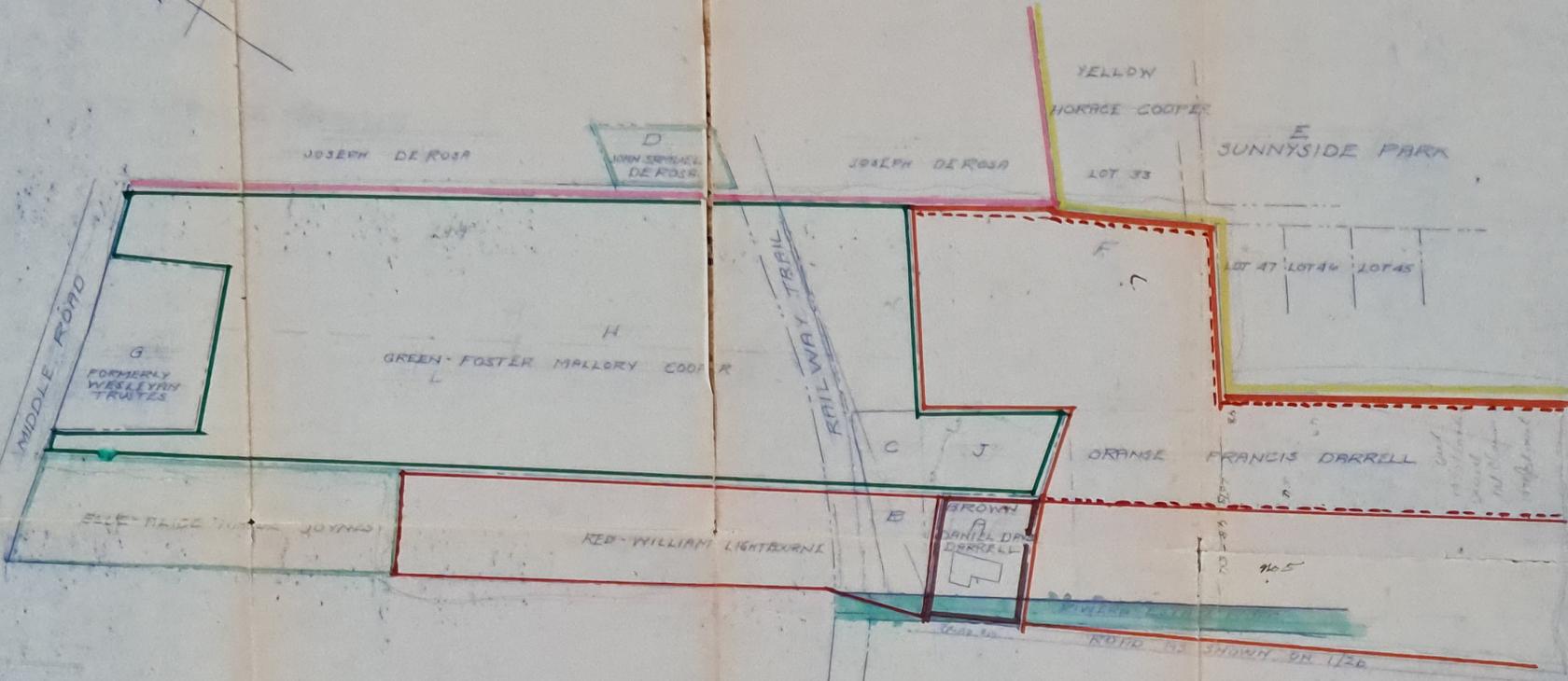
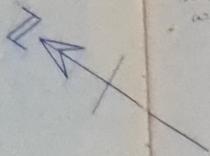
JANE SMITH

NOTE: THIS PLAN BY J.W. DAVIS (MAY 19, 1932)

ROBERT H. CLARKE ENGR. & SURVEYOR

FE 111111B

Plan 1921 dated  
No 1 21-05-00  
with plan date



NOTES

- 1) BASED ON THE PLAN A/1/190 DATED 28 JUNE 1909
- 2) MIDDLE ROAD SEALED FROM DM
- 3) G FROM 2/17A

ROOT OF TITLE PLAN  
SCALE 1-500

C.H. CRISSON  
CIVIL ENGINEER  
HAMILTON, BERMUDA  
30/11/1985

# SUPPORTING DOCUMENTS

- Continued Lack of Resolve, Letters, to and from John Darrell
  - John Darrell to His Excellency the Governor, Sir John Vereker
  - Darrell Family Clears the Road Article
  - C. Eugene Cox, J.P., M.P. to John Darrell
  - John Darrell to The Royal Gazette
  - John Darrell to His Excellency the Governor, Sir John Vereker
  - John Darrell to Paula Cox, J.P., M.P
  - John Darrell to Ms. Heather Jacobs-Matthews, Tax Commissioner
  - John Darrell to the Progressive Labour Party
  - John Darrell to Works and Engineering

/

**Mr. JOHN N. DARRELL**  
**79 Sleepy Hollow Drive**  
**HAMILTON Parish CR 02**

September 10<sup>th</sup> 2004

His Excellency the Governor, Sir. John Vereker  
Government House  
11 Langton Hill  
PEMBROKE, HM 13

Re: Inexcusable Incompetence among the Authorities in Bermuda

Dear Sir:

I refer you to a letter attached from the Deputy Governor's Office dated June 8<sup>th</sup> 2004 DGO 999/001/04 addressed to me John N. Darrell. The relevant Bermudian Authorities he suggested we address our concerns with can be found in a letter addressed to His Excellency the Governor Sir John Vereker June 30<sup>th</sup> 2004.

The 2<sup>nd</sup> paragraph of the letter shows that a system of protection was set up so those lawyers would not act against each other. The relevant Bermudian Authority as I have observed over the years is drawn from certain sectors of our community. They operate like a private exclusive club that is racially unbalanced, gender biased and economically prejudice.

This group serves in many important key positions in both Government and the private sector. They are extremely powerful, have made important legal decisions illegal and many Bermudians have been under the influence of the great relevant Bermudian Authority fraternity. Over the years they built a reputation of operating with malice or forethought to dispossess the Bermudian and leave him/her to fight for basic "Rights" in their own homeland.

Paragraph 4 of the same letter reference the Sovereign years (attached), which is the true position I am privileged to choose because it is right. However, the relevant Authorities as recommended have supported 56 years of willfully violating Bermuda laws and showing no respect toward King George VI nor Her Majesty Queen Elizabeth II's 52 years of responsible Governance.

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Page 2.

We refer you to a letter addressed to Senator, the Honorable Larry D. Mussendem J.P.; Attorney General & Minister of Justice, dated September 7<sup>th</sup> 2004. This document expresses 4 key points: -(i) The Legal supports for the PLP's memo; (ii) Compensation is the only legal way out of the issues as they relate to the Darrell's Estate and other properties, notwithstanding, failing compensation leads us back to a continuation of willful violating Bermuda Laws; (iii) Mr. Johnson's Plan is in conflict with each faulty Document that is being used to embezzle the Darrell's property; and (iv) Judge Hull gave a judgment and one can find the Robert H. Clark Plan Document 6B on page 23. Document 2A is the 1939 Deed found on Page 26. (These two Documents are the same Documents that supports the PLP memo and the Crisson Plan, both are in compliance with the 52 years of Her Majesty Queen Elizabeth II's Rule).

Page 3 of the same letter shows that I invested the proceeds of the sale of 32 houses up to 1975, (many of them were my personal homes) *seeking justice* and to finance the lawyers who were hired to fight the issues on my behalf. The houses were built from the 60's onwards and I would still own them today if the Government and a Real Estate firm did not team with the experts in Authority to defeat my claims. JD

Today, I find myself a senior citizen with multiple illnesses, homeless, penniless and in need of Government assistance. I have been and continue to uphold Bermuda Laws and am sincere in my claims. To properly compensate me partially for the obvious losses, I request \$3,000,000 to purchase homes for myself and my family, which involves children, grand children, and monies to live on. Further, I request \$7,000,000 to pay off all creditors and persons that have assisted me for the past 42 years of fighting the issues as recorded in Michael Scott's letter of August 16<sup>th</sup> 2004.

A letter from the Foreign & Commonwealth Office addressed to me dated March 9<sup>th</sup> 2000 and authored by Caroline Rowett supports the stand I took with the Governor May 22<sup>nd</sup> 2002. In her letter she informed me that the British Monarchy is represented by an appointed Governor and Her Majesty the Queen's private secretary acknowledge him as the Governor General. He is responsible for External Affairs; Defense; Internal Security and the Police. *It is a terrible mistake on the part of the appointed Governor to join in and support the 56 years of violating the very laws he took an Oath to protect.*

Friday, June 23, 1989

# Darrell family clears the road

A leading English civil rights activist yesterday claimed up to 30 Bermudian families may have been cheated out of millions of dollars of real estate during the past three decades.

London Barrister, Mr. Rudy Narayan, further alleged those responsible for cheating Bermudians held respected positions within the local community.

Mr. Narayan has been hired by Mr. John Darrell — the man involved in a 27 year land dispute with the Bermuda Government.

Mr. Darrell and his family yesterday claimed a major victory in their marathon battle when they "officially" opened Tribe Road No. Four in Warwick.

Mr. Darrell said two generations of his family had argued Government boundaries were incorrect and the road belonged to them.

"It has only been within the last seven days the Government has moved boundary markers back to show we were right all along," he said.

During the ceremony, Mr. Darrell's mother, Mrs. Bernice Darrell, cut a ribbon held across the road by Mr. Darrell's two sons, Nathan and John.

The Darrell family said the road would be open to all.

Mr. Darrell said the ceremony, which was watched by about six other Bermudian families who also claim to be victims of unfair land deals, was to mark the beginning of another phase of his fight.

The road represented just a portion of his battle to regain land he claimed belonged to him, he said.

He will appear in the Civil Court on August 14 to continue the fight, he said.

In the lead-up to the case, Mr. Narayan along with several other international civil libertarians, will meet with other Bermudians who claim unfair treatment at the hands of Government and property developers.

"When Mr. Darrell blocked this road many years ago he was threatened with prosecution. Now, 27 years later, he has been proved to be in the right," Mr. Narayan said.

"How many other land boundaries are wrong? And how many other Bermudians are going to have their land returned to them?"

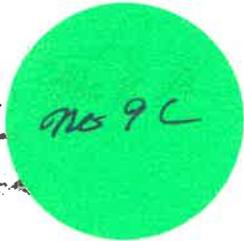
Mr. Narayan said a meeting of all other families who believed they had a rightful claim to land would take place next Thursday at the Darrell's residence.

He said he would issue a press statement after the meeting detailing what occurred and what further action might be taken.

Mr. Darrell said he was forced to sell a house he had given to his son to finance Mr. Narayan's trip to Bermuda.

He believed the cost and effort were worth it, because so many Bermudians had complained of unfair treatment regarding land deals.

"People have come up to me in the street and asked how I could help them," he said.



**PLP**  
**The Bermuda Progressive Labour Party**  
P.O. Box 1367, Hamilton HM FX,  
Bermuda Tel: (441) 292-2264

# Memo

**To:** John N. Darrell Esq.  
**From:** C. Eugene Cox J.P., M.P.  
**CC:** Copy to Cox File  
**Date:** 7 October, 1997  
**Re:** Emelius Darrell & Wellington Lands

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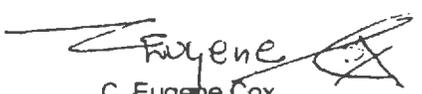
The following text and the two Appendices attached, together constitute a summary of the meeting held on Tuesday September 30, 1997 between some members of the Opposition Party and Mr. John N. Darrell.

**Problem:** Mr John N. Darrell informed the group of his concerns, with respect to, the above mentioned properties and his attempts to reclaim ownership, where appropriate.

**Areas of concern:** Appendix "A" is an attempt by the undersigned to represent Mr. John N. Darrell's concern and all information shown has been submitted by Mr. Darrell or has been extracted from the many documents he has in his possession, regarding the above.

**Objectives To Be Achieved:** Appendix "B" list six salient points that Mr. John N. Darrell proposes to pursue in order to get what he considers to be a reasonable and just settlement.

Signed by

  
C. Eugene Cox

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MACKRELL, TURNER GARRETT  
Solicitors  
London Contact

DRAFT ONLY

JOHN N. DARRELL,

Plaintiff,

Vs.

Defendant

) PROBLEM:  
)  
) PLEADING TITLE: EMELIUS DARRELL AND  
) WELLINGTON LANDS  
)  
)  
)  
)  
)

Dated this 7<sup>th</sup> day of October, 1997

London Contact

MACKRELL, TURNER  
GARRETT  
Solicitors

Summary of Pleading: Mr. John N. Darrell submits that he intends to show how the heirs to the "Emelius Darrell and Wellington Lands" has been defrauded of rightful ownership of the aforementioned properties. Further, he believes that the findings of C.H.B. Crisson Esq., P.Eng., forcefully illustrates the claim as documented by the Crisson Plan #3099/1, dated February 6, 1995 and presented in the attached letters, dated September 25, 1996 (ref. #3293) another dated August 4, 1997 and one dated September 3<sup>rd</sup>, 1996.

APPENDIX "A"

1 Objectives to be achieved:

DRAFT ONLY

- 2 1. All existing property sub-divisions to be regularized, and  
3 appropriate lots duly conveyed to all present-day owners.
- 4 2. All property where proof of ownership has been established by  
5 a member or members of the Darrell family to be regularized,  
6 legally corrected and thereafter known as the Darrell  
7 Property.
- 8 3. The road bordering Sunny Side Park i.e. on the eastern side  
9 of the Darrell Property to be renamed "Emelius Drive East".  
10 And the road servicing Lots 48-56 to be renamed "Emelius  
11 Drive West".
- 12 4. Compensation claimed for the period-(1962-1987), in the  
13 amount of \$75,000,000 (Seventy-five Million Bermuda Dollars),  
14 to be paid, to Mr. John N. Darrell because of the alleged  
15 July 7<sup>th</sup>., 1962 wrongful cover-up against George Wellington  
16 Darrell. Additional costs incurred as a result of legal fees  
17 etc., other relevant costs, and costs for suffering and  
18 anxiety experienced over a period of many years, which may  
19 have contributed to a serious health decline.
- 20 5. Phase 2: compensation to include homes built on the now  
21 vacant property for the Darrell family, their heirs and  
22 successors, who have been deprived of these benefits these  
23 many years.
- 24 6. The "Riviera Estate Road" to be renamed "29 Wellington  
25 Drive".

13

no 2 A

**Mr. John Nathaniel Darrell**  
**71 Sleepy Hollow Drive**  
**HAMILTON Parish CR 02**

May 10<sup>th</sup> 2005

The Royal Gazette; ZBM/ZFB; VSB  
2 Par-la-Ville Rd.  
Hamilton 08  
Bermuda.

Re: 56 years of violating Bermuda Laws

Dear Sir(s), Madam:

This letter is designed to show that Bermuda Laws were violated by legal professionals. The House of Parliament and Her Majesty's Judiciary must be brought to the attention of the British's Commonwealth office.

December 7<sup>th</sup> 1987 was a day to remember (with significant help from the news media) as it relates to the many positive stands I have made over the years. To highlight the West Boundary of my property (which is important to my property ownership), I used a mortgage Deed of 1885 that continues to be Registered through November 1987 in the Registrar General's Office, Hamilton Bermuda and Pursuant to the Laws of these Islands.

In the name of Daniel Davis Darrell, this stand was to remove all faulty Deeds, Plans, Area Maps and faulty Judgments and a partial payment made to me at the time would have ended all wrongdoings on this estate.

Instead, they used the Caribbean Engineer's Plan that was forged for the third time and Mr. Johnson's Plan was the fourth Plan that was forged and used in the 1989 court that conflict with many of the points that follows: (i) It conflicts with all Deeds, Plans and Area Maps; (ii) It conflicts with all Government offices; and (iii) It has no respect for the Law as can be seen in Judge Hull's Judgment pg. 23 which is the Robert H. Clark Plan. This Plan shows that Emelius Darrell is the sole owner of

Page 2.

the Forrester Mallory Cooper's property and show the East part of Frances Darrell's property. On page 26 of this same judgment, Mr. Gayous Powell 1939 Deed will show the whole West boundary of Emelius Darrell's property.

The Robert H. Clark Plan also identify the legal Tribe Road of 1885 (marked dark Green on the same Plan) was acknowledged by the J.H. Dale Plan of 1932. The revised Tribe Road of 1913 is marked in a light green on the above Plan. On pg. 26 one will find the 1939 Deed with Mr. Crisson's Plan Document 4a confirming Emelius Darrell's ownership to three parcels of property.

The following Deeds and Plans are protected by the Parish Vestry of Southampton: - The J. H. Dale Plan of 1932; Mr. Gayous Powell's original Deed of 1939; the 1943 Deed with Mr. Wycliff Stovell's Plan attached and the 1956 Deed with Mr. Wycliff Stovell's Plan of 1943 attached.

All Parish Vestries in Bermuda is protected by the Vestry Act of 1929 and was supported by King George V in 1929 until 1936. Than, King George VI supported the Vestry Act up to 1952. Her Majesty Queen Elizabeth supported this same Act up to today. The wrongdoers have had no success for all the wrongs committed in Bermuda since 1948 and continues with no success up to this day.

The problem we have in Bermuda is clearly described in a letter dated September 10<sup>th</sup> 2004 addressed to His Excellency the Governor Sir John Vereker. Reference: "Inexcusable, Incompetence among the Authorities". This Document explains in detail some of the issues that are woefully wrong in Bermuda.

Please allow us to direct your attention to the letter dated June 30<sup>th</sup> 2004 and addressed to His Excellency the Governor Sir John Vereker. This document shows that Mr. Wycliff Stovell was the lead person to put the Darrell Estate into concealment in 1948 and in 1953 he was responsible for sub-dividing the property into Lots 48-54. In 1954 my father fenced in part of the property and this action caused a problem with Mr. Wycliff Stovell who set out a clever new Plan that supported my father's fencing-in of the Darrell Estate property and other properties owned by him.

Page 3.

A letter addressed to Premier Alexander Scott, dated October 1<sup>st</sup> 2003, Ref: - "A new Bermuda: dated 22<sup>nd</sup> May 2002, Sovereign Years of Her Majesty the Queen". Her majesty the Queen also addressed the notion that 'Forty years in the same job is an achievement for anyone' but, this is not true in the "This old Bermuda".

Mr. Rudy Narayan's letter dated February 27<sup>th</sup> 1990 addressed to Her Majesty Queen Elizabeth II said, *"There is absolutely no doubt that there is, active, alive and seething just below the cosmetic surface of Bermudian politics, a potentially wild, resentful, seething rage by many black families that they have had their land stolen most blatantly by the whites and that the legal profession and your Majesty's Judiciary in Bermuda are Distinguished only by their Connivance and Condemnation of such large scale LAND-STEALING....."* This statement was made to crystallize the state of affairs as it relates to: - (i) The Darrell's Estate; (ii) Spring Benny Road and (iii) Tucker's Town. (There are other estates involved as well).

Sir James Astwood's reply to Mr. Narayan's letter was made the same day Mr. Narayan's letter was received by his office. Obviously, Sir James Astwood did not see Mr. Narayan's claims as serious and dismissed them without proper research. His response lacked effort, commitment to the crown and cannot be looked upon as seriously credible.

Detective Inspector Mr. David Cart's report reflected on the Court Case 1974 where the Legal profession and Her Majesty's Judiciary did condone stealing the Darrell's property. In 1977, there were two Court Cases. In 1978, Mr. Nadarajah was the Magistrate who pointed out that the Government had failed to produce the appropriate Documents to support ownership of the land.

We point out at this time that the Bermuda Government was never a party to the ownership of the Darrell's property. However, the Government was a part of a body of people that called themselves 'the system'. The system opposed Bermuda laws in their dealings and some of their members were distinguished members of the House of Parliament. Eventually 'the system' members had a crazy notion to nickname the House of Parliament "City Hall".

Page 4.

The legal profession representing "The System" and "City Hall" entered into the Supreme Court with "Faulty Deeds" and "Faulty Plans" in front of Her Majesty's Judiciary Judge, Mr. Walter N. H. Robinson who himself was a part of "City Hall". The System and City Hall fell in trouble when they decided to use the law to protect their violations of the law i.e. the Criminal Code Act 1907 page 181 that deals with obtaining property by false pretense. Additionally, a serious violation of the "Promissory Oath Act 1969 Forms A.B.&C" was used against the Authority of Her Majesty Queen Elizabeth II.

All of the above parties were dishonest by entering into Judge Robinson's Court under the Authority of Elizabeth II by the grace of God of the United Kingdom to steal the Estate of Emelius Darrell by deceit.

Claudia Darrell was deceased in 1949; Percy Andrew Dodwell was deceased in 1953. Now, a Deed was forged in 1955 and these deceased persons could not make a sale to King George V because he was deceased in 1936. Combined, any Document made on behalf of any of the above deceased persons is false because all parties were dead before 1955. What is happening here??

Firstly, there is a double standard at work because King George V is the Authority of the law and this Deed places his name into an attempt to steal land. And, this 1955 Deed with Mr. Crisson's Plan of 1995 Document 4a does not support the 3 acres and 34 purchases. But, the Deed was designed to protect the Estate of Emelius Darrell. We will deal with this issue in more detail further on into this letter.

I direct your attention to Mr. David Cart "Detective Inspector" report of June 5<sup>th</sup> 2001. On page 3 second paragraph from the bottom shows in 1982 I found 2 Plans in the Dept. Of Planning which is in conflict with all Government Deeds and Plans and he failed to state area maps. In the same year I received the 1943 Deed and Mr. Wycliff Stovell's Plan attached and the 1956 Deed was set up by Lois M. Browne, Barrister and Attorney-at-law with Mr. Wycliff Stovell's 1943 Plan attached. These 2 Deeds and Plans confirm my father's legal rights to give me this property on the West side of Lot 33 in the Sunnyside Park and this property is on the North side of Lot 47.

Page 5.

The last paragraph of this report on the same page shows Mr. Cart setting up a wonderful story in support of my bulldozing my personal property. He recited my true position of the property and showed that the lawyer representing me at the time was Mrs. Lois Brown-Evans. Mrs. Brown-Evans was supplied with the 1943 Deeds along with Mr. Stovell's Plan and the 1956 Deed with Mr. Stovell's Plan. *These Documents challenge all violations that have taken place on the Darrell's property.*

My attorney Mrs. Brown-Evans made threats toward Mr. Ward and said if he entered back into the Court, it would be an open and shot case ruled in her favor. Failing to enter into that Court with an honest judge was the method used to protect the system, City Hall and the faulty Deeds, Plans and area maps.

In 1983, Mr. Ward only had a copy of the multi-colorful Plan that Mr. Stovell fitted to the DeRosa Estate. Mrs. Brown-Evans and Mr. Ward failed to enter into the Court and act within the law with the 1943 Deed, Mr. Stovell's 1943 Plan; the 1956 Deed and Mr. Stovell's 1943 Plan.

With the above two Deeds and Mr. Stovell's Plan of 1943 confirms my honest belief that in 1962 and 1977, my father did inherit this property and I did not have to use my cash money to stand against the Government's cover-up, but more, I certainly did not have to invest 32 houses which I built. Some of these houses were my personal homes.

Further studies have shown that Emelius Darrell was one of the founding fathers of the Brown School that later became Heron Bay School. Notwithstanding, contained within the four portions of property of the Estate of Emelius Darrell is:- (i) Heron Bay school; (ii) Darrell's home with the Tribe Road on the West Boundary as shown on the Crisson Plan Document 4a.; (iii) the Sunnyside Park Lots 48-56 and (iv) the encroachment of an Estate Road was placed over the Bermuda Government's Tribe Road. From the North side 20ft. of property was taken to accommodate this illegal Estate Road. From this point and to the South Boundary the amount of property to the end of the South Boundary measured about 60ft.. This line was not straight and in some areas there were different measurements and in some cases larger.

Page 6.

Historically, and in 1885 William Lightbourne's property, Daniel David Darrell's property and Frances Darrell's property, all on the East side of the Tribe Road became Emelius Darrell's property. In 1932, J. H. Dale joined these 4 portions of property as one and he named it the Estate of Emelius Darrell.

In the 1983 Court with the honest Judge, he would have seen the legal rights to this property by Emelius Darrell c/o of George Darrell and protected by a power-of-Attorney giving the Authority to John N. Darrell to act on behalf of George Darrell my father. Crown Counsel Anthony L. Blackman said in his report that there is unquestionable proof of the Darrell's ownership to the property because of the Land Tax payments made up to 1971. At this point in 1983, I John N. Darrell was entitled to be paid for the loses for the time and investments I was forced to make on behalf of my father.

This same Court was a subject of a dispute in civil action 1978 no. 124. In respect of the Minister of Public Works, using faulty Deeds and Plans to unfairly dispossess my father out of his land. They used the forged multi-colored full Plan of 1970. Also, they misused the name of J. H. Dale who was deceased in 1948 and backdated this Plan to 1930. Further, they backdated Claudia Darrell's Deed down to 1922 and showed that Claudia Darrell made a sale to Percy Andrew Dodwell.

In 1932, J. H. Dale Plan was legally under the Authority of King George V and supported by the Vestry Act of 1929. It shows no support for any faulty Deeds or Plans to be backdated to a date that never took place. The 1939 Deed can be found on page 26 of Judge Hull's judgment and this legal Deed confirms there are no Claudia Darrell or Percy Andrew Dodwell and no support for any J. H. Dale Plans in favor of the Bermuda Government.

1983 scored 35 years of violating Bermuda Laws and if this would have been bought to the attention of the Commonwealth Office by the above honest Judge this entire situation would have been bought to an end.

Although the following has been said before, U. K. Prime Minister Tony Blair said it again recently, "People who support criminal acts are just as guilty as those people who committed them."

Page 7.

On page one of Mr. Cart's report subject, 'Alleged fraud', he (Mr. Cart) gave me a letter without the benefit of any documentation or input on my part. Later and after several meetings with him, I made him aware of a Deed that included a sale from Claudia Darrell to Percy Andrew Dodwell to match with the multi-colorful Plan. At the same meeting, all he had written was the date and time he started which was 9:30 A.M.. When he finished at 12:30 P.M., all he had was a headache because the Documents would not/could not/did not match.

The first paragraph of this same above Document highlights my letter sent to Her Majesty the Queen to deal with the criminal offenses that is happening in my beloved Bermuda. It is common practice that the Queen's private secretary will pass on any Documents sent to her office back to the Governor General of Bermuda so that this approach to Her Majesty may be known, and consideration given to the points raised in the Documents sent to her.

***The Governor General sent the Documents down to the Attorney General's Chambers and this Chamber failed to act. The Attorney General's Chambers failed in 1974 and continues to fail the Darrell's family up to this day in 2005. Further, this office supports illegal practice of many Government offices e.g. the Works & Engineers Dept. has in it's files faulty Deeds, Plans, Area Maps and faulty Judgments on the Darrell's Estate. The Dept. of Planning has faulty Plans on the Darrell's Estate. The Land Valuation Office has no legal grounds to collect Taxes on the Darrell's Estate or anybody else Estate and does not comply with the Vestry Act of 1929 which is legal. Finally, the Tax Commissioner's Office is collecting Taxes illegally because the collection is based on the illegal Land Valuation Tax Act of 1967.***

There is serious concealment of Documents taking place in the Registrar General's Office, moreover and worse still, there is concealment of Documents and Tax receipts in the Bermuda Archives.

Mr. Cart's report does not show that I sent my allegations of fraud to the Commonwealth Office and they directed me to the DPP's Office and this Office sent me to Mr. George Jackson's Office who is now Deputy Commissioner of the Bermuda Police Department. I direct your attention to Judge Hull's Court in 1989

Page 8.

when the DPP's office protected Mr. S. Johnson's Plan into this Court. This Plan was in serious violation of the Criminal Code Act of 1907 with Mr. Wycliff Stovell's Plan forged in 1970 hosting twenty-four 24 felonies. These felonies amount to 164 years imprisonment. LS JD

The Bermuda Caribbean Engineers Consultants Plan further hosts twenty-six 26 felonies. These felonies amount to 182 years imprisonment. And, the DPP's Office supported these violations of the Promissory Oath Act of 1969.

The second date to remember is June 22<sup>nd</sup> 1989. With the support of the news media, a picture of the Darrell's family and friends celebrating the opening of the Estate Road appeared in the Royal Gazette, June 23<sup>rd</sup> 1989. The newspaper set out a wonderful story and highlighted Rudy Narayan. Mr. Narayan spoke about those responsible for cheating Bermudians held respected positions within the community.

While in Court August 14<sup>th</sup> 1989, I discovered that my lawyers were not representing me and when I took the stand, I used the 1939 Deed for my defense. I brought to the attention of the Hon. Judge Hull the 1939 Deed was directly in conflict with all Government Deeds and Plans that laid claim to the Darrell's property. no SD

The Hon. Judge Hull looked into my file, pulled the Robert H. Clark Plan, acknowledged it than included it on page 23 of his Judgment. Also, he pulled the 1939 Deed, the 1959 Deed, Mr. Rego's Deed and Mr. Michael Scott's Deed and included these Deeds on page 26 of the same Judgment. *All the above Deeds and Plans support the West Boundary of the Darrell's property.*

The Hon. Judge Hull was a Judge that the Commonwealth Office would have been mightily pleased with and honored his honesty. The good Judge had to give a Judgment in the Plaintiff's favor however; all they had was the qualification of Mr. Johnson who was the surveyor who failed to use his qualifications in his Plan and could not use it in the Court.

The Hon. Judge Hull gave the Attorney General a Judgment on the qualifications of Mr. Johnson. Mr. Johnson thereafter left Bermuda with the Judgment

Page 9.

attached to his qualifications. Mr. Johnson left the Attorney General, the system and City Hall with 42 years violating Bermuda Laws in the 1989 time period.

A letter dated March 4<sup>th</sup> 2005 addressed to Mrs. Heather Jacobs-Mathews, Tax Commissioner and her Assistant Tax Commissioner. See page 3 paragraph 2 stating that on the eighth day of December, a Writ was filed to support Mr. Johnson to embezzle the Darrell's property. This attempt was unsuccessful.

A letter dated February 4<sup>th</sup> 2000 addressed to Minister Paula A. Cox recites Documents that supports the Darrell family celebration of the North West Boundary that Mr. Johnson re-inserted the boundary because it had been removed. My power-of-attorney #10a gave me the Authority to act within Bermuda law in 1977 and Mr. Stovell's 1943 sub-division #10b. was discovered to be tempered with. This infraction was exposed and replaced by his own 1955 Plan that is attached to #10b. Also, attached is the W. G. Brown Plan of 1964. W. G. Brown legally set up a Plan that was to re-name the property Wellington lands in favor of himself, his company and John Darrell. Notwithstanding, he illegally put in the wrong names that was not accepted by the Vestry committee. My power-of-attorney protected Mr. W. G. Brown's Plan under the Authority of John Darrell only.

The Robert H. Clark Plan is under the Authority of John N. Darrell and three roads is set out in this Plan. Further, this Plan joins in with the PLP's memo in 1997 which names the three roads as (i) Emelius Drive East serves the South part of the De Rosa Estate ; (ii) Emelius Drive West serves lots 48-56 and supports lots 1-47; and (iii) The name Riviera Estate Road was a name erroneously given by the Bermuda Government however, this road was illegally built on the Darrell's property and it's rightful name is to be Wellington Drive.

The Robert H. Clark Plan contained a false North West boundary. The Darrell family celebrated the replacement of the North West boundary that was legally and physically put in by Mr. Johnson. However, Mr. Johnson put the Robert H. Clark Plan's North West boundary in his Plan (which was in error) and he completely ignored the North East boundary that separates Daniel David Darrell's property from Mr. William Lightbourne's property. Mr. Johnson was aware of the history of the 1939 Deed and the 1959 Deed and the two Deeds left his Plan a shell. These two

Page 10.

Deeds are recorded in a letter dated May 21<sup>st</sup> 2001 addressed to Mr. George Jackson Assistant Commissioner of Police. It is also contained in the same reference letter to Minister Paula Cox. Mr. Johnson became aware of the many mistakes deliberately put in error and discovered that he could not reverse any of them. This situation remains the same as recorded in the legal 1939 Deed and Mr. Wycliff Stovell's Plan of 1943.

A memorandum dated August 8<sup>th</sup> 2001, in the Office of the Director of Public Prosecutions was proud to show a Deed-of-confirmation dated September 11<sup>th</sup> 1991 prepared by Appleby, Spurling and Kemp. This Deed-of-confirmation highlights that 75% of the 4 portions of property continues to be owned by Emelius Darrell. The PLP memo claims 23% of the property which is Sunny side Park lots 48-56; the Estate road that will be named Wellington Drive and Mr. Crisson's Plan claims a small portion of property on the West side of the Estate road completes the 4 properties.

This Deed-of-Confirmation joins in with the PLP's memo and Mr. Crisson's Plan of 1999 Document 33a. supports the 4 portions of property inherited by my father and passed on to myself John N. Darrell and probated in favor of John N. Darrell August 1991. These Documents joined together and supports the 40 years at the same job is an achievement for anyone as stated by Her Majesty Queen Elizabeth II. *What do we need? Land owners in Bermuda needs the British Commonwealth Office to correct the Bermuda Government Offices that are in violation of the Criminal Code Act of 1907. Thereafter, this same office needs to legalize the same Bermuda Government Offices so that the resident Land Owners could receive property that was left in favor of the rightful and legal inheritor.*

King George V Deed was forged in 1955 and set up off the Appleby, Spurling & Kemp letter of the same year. This Document joined in with the 1939 Deed; 1943 Deed and Plans; 1956 Deed & Plan and the Robert H. Clark Plan that was also forged after February 1950. These Deeds and Plans support the entire Estate of Emelius Darrell. There is no support for The Bermuda Government's ownership from the main Road which includes the Brown School that is now called the Heron Bay school to the South Boundary as shown in Mr. Wycliff Stovell's Plan and to Tribe Road on the West side of the property.

Page 11.

(For your information, the following false Documents have Judgments connected to them:- (i) King George V Deed with the 1979 Judgment; and (ii) the Robert H. Clark Plan with Judge Hull's Judgment attached).

The above 2 Documents show no support for the Authorities failing Bermuda Law. The House of Parliament joined in with violating Bermuda Laws and were forced to remove the Vestry committee because this committee was rigid and unbending to any violation of any Bermuda Law. The Vestry Committee standards protected the Promissory Oath Act of 1969 Form A,B,&C. An example of the Vestry Committee's respect for Law, one can study the issues surrounding the illegal Sunnyside Park and the illegal Riviera Estate Road, all of which started in 1948 and in 1972 when the House of Parliament abolished this committee, the illegalities have remained illegal under this Vestry Act of 1929.

The Bermuda House of Parliament continued to violate Bermuda Laws up to this date 2005. This affected the Governor(s) of Bermuda in opening Parliament since 1972 up until and including 2004. The failure of the Oath Act 1969 makes the Governor(s) a phony Governor General. Failing the Criminal Code Act of 1907 the Governor(s) failed to be serious Commander-in-Chief(s) and this is an ugly deception for all Bermudian residents. The Bermuda Governor, Commander-in-Chief must make known to the British Commonwealth Office that these atrocities did take place and this Office will see that an end will be put to this tragedy.

The News Media's research in Bermuda and the Commonwealth Office will publish the factual and true information that has been freely given in this Document.

This brief is designed to show that the Darrell's Estate does not have any problem with ownership within Bermuda Law. Notwithstanding, under the Authority of Queen Elizabeth II by the grace of God of United Kingdom of Great Britain, I, John N. Darrell have all the Rights and Privileges of Land ownership under the Vestry Act of 1929.

Page 12.

I have the right to request and I require that the Governor instruct Attorney Generals Chambers Mr. Wilhelm Bourne to prepare \$50,000 each from 4 Government Offices who are in violation of the Law that has affected my property over these many years to be received on Tuesday May 17<sup>th</sup> 2005. These funds will help off-set the immediate charges I have incurred and these amounts include paying Mr. Crisson for his true and factual Plans of the Darrell's Estate.

We also ask that the Office of the Governor instruct Mr. Wilhelm Bourne to arrange a meeting with myself so that we can prepare the filings of the PLP's memo; accept Mr. Crisson's Plan in principal; the Honorable Judge can see the reason to set aside all violations of Laws that have taken place and finally, review a 1955 Deed which protects the Estate of Emelius Darrell that has been unknown until recently. This 1955 Deed does not support the 1<sup>st</sup> Mortgage nor the 2<sup>nd</sup> Mortgage illegally set up by the Bank of Butterfield, the Bank of Bermuda "HSBC" and the illegal resident be given notice to vacate the Darrell's Estate.

Respectfully yours,

John N. Darrell.

Cc: The Governor, Commander-in-Chief.  
Mr. Wilhelm Bourne, Deputy Attorney General.

no 2 B

**Mr. John Nathaniel Darrell**  
**79 Sleepy Hollow Drive**  
**HAMILTON Parish CR 02**

**May 30<sup>th</sup> 2004**

His Excellency the Governor Sir John Vereker  
Government House  
11 Langton Hill  
PEMBROKE, HM 13

**Re: Issues at the Very Heart of the Ancestral Dispute**

Land stealing in Bermuda can be traced as far back as the Tucker's Town Land dealings, which moved west. In 1948 the pressure was put on lawyers to act lawful. One lawyer, Mr. David Tucker was urged to leave Bermuda. Mr. Tucker's absence thereafter made it easy for lawyers left behind to pin any lawlessness on Mr. Tucker.

A system of protection was set-up so that lawyers would not act against each other. It was common for residents to believe that this system and City Hall could do anything within the law or outside the law without having to face any consequences. Fifty years of this layman's experience has proven that wrongdoing has negative consequences.

See May 8<sup>th</sup> 2004 letter addressed to His Excellency the Governor Sir John Vereker, Re: "Sovereign years" attached. This brief demonstrates that fifty-six (56) years of violating Bermuda Laws and showing no respect towards King George VI nor Her Majesty Queen Elizabeth II fifty-two (52) years of responsible Governance.

After Emelius Darrell died in 1947, his property looked like a wild ripened Bermuda cherry in season to the already established Bermudian Authorities. One Wycliff Stovell did not stand alone in *concealing* the 1943

Sub-division of the Darrell's Estate. To *conceal* evidence of Emelius Darrell's property, he inserted Government's ownership to the North of Lot 47 in Sunny Side Park. On the West of Lot 40 – 47, he inserted George Arnold Williams's name to this particular portion of Emelius Darrell's property. **(This was the first time Mr. Williams and the Bermuda Government is shown to own the Darrell's Estate.)** Mr. Gayous Powell's lawyer was supposed to join in with this theft, instead, he embezzled a second portion of Emelius Darrell's property in favor of Mr. George Arnold Williams. Thereafter, he put the Tribe Road that separates the Darrell property from Mr. Powell's property into *concealment*. Further Mr. Powell's lawyer embezzled the Tribe Road that went through Mr. Powell's property to the East boundary of the Pitt's property all found in Doc. 6A attached. Doc. 6B is the J. H. Dale Plan that confirms the true Tribe Road that separates the two properties confirming the Tribe Road on the East boundary of the Pitt's property.

These three (3) Documents makes it impossible for this property to be stolen as evidence by the Southampton Vestry that is protected under the Vestry Act of 1929.

Mr. E. T. Richards, Barrister & Attorney-at-Law in February 1950 was happy to receive my Father's Deeds and the J. H. Dale Plan. This course of events made his job extremely easy. In June 1950, he inserted the Bermuda Government's name into the Darrell's Estate and further inserted George Arnold Williams name on the West Side of Lot 40 – 47. Bermuda Law did not support these unlawful acts. September 10<sup>th</sup> 1950, the Vestry Committee collected Taxes on the Estate of Emelius Darrell. But, the Vestry Committee Land Tax for the Darrell's property shows that property title had to remain in the owner's name. Once again, an attempt to steal the Darrell's Estate was unsuccessful. Later, a serious criminal Act was committed by Mr. Wycliff Stovell when he sub-divided the Darrell's property into Lots 48 – 54.

Further, we look at Mr. Walter N. H. Robinson, Barrister and

Attorney-at-Law who misused the 1938 Deed which caused him to use innocent deceased people's names including the Bank of Butterfield to embezzle the Darrell's property. Is the Bank aware of the lawlessness that was being committed in their name, we think not? However, in 1954 the Vestry continued to collect Land Taxes on the Estate of Emelius Darrell. This same year my father and I fenced in the property. In 1955 a plan was set up by Mr. Wycliff Stovell accepting the portion that my father and I fenced in.

Mr. Wycliff Stovell and Mr. E. T. Richards discovered that the in-season ripened Bermuda Cherry was the forbidden fruit according to Bermuda Law which states that the fruit was obtained by false pretense. To confirm that the 1938 Deed was misused, please look at the 1943 Deed and Mr. Wycliff Stovell's sub-division. (This joins in with the 1956 Deed as recorded on the front page of Mr. Blackman's report, and this report is supported by the Vestry in 1956 and confirms the legal rights of the Estate of Emelius Darrell).

The Bank of Butterfield's lawyer used these two Deeds and the 1939 Deed with the Robert H. Clark Plan and set up a Deed-of-Confirmation. The second page of Mr. Blackman's report confirmed that this Deed laid claim to 75% ownership by my grandfather Emelius Darrell. We join this Deed with W. G. Brown's plan of 1964. I received Mr. Wycliff Stovell Plan of 1955 in 1977, this conclude 100% of property owned by my grandfather.

At this time we see that there is no problem with the legal rights that have been passed down by a WILL from George W. Darrell (my father) to me John N. Darrell. This Document was probated legally and it gives me all rights and privileges of ownership and the acceptance of the PLP memo. This memo sets out to protect Emelius Drive East, than, it goes on to protect Lots 48 – 56 that will be legally zoned Emelius Drive West.

The Riviera Estate and the Sunny Side Park were individually and collectively terrible mistakes made by the System and City Hall. These

mistakes were set up to protect the wrongs of Mr. E. T. Richards and Mr. Wycliff Stovell. Many of the Deeds of the 110 properties have been falsely constructed to obtain property by false pretense. Innocent people made honest purchases of property but these purchases were made outside the Law. Mr. Gayous Powell's lawyer and other lawyers deliberately falsified the Deeds and Plans and Government joined in with faulty area maps. These are the wrongs that we have been pointing out consistently since 1982.

We would also like to bring to your attention that since 1982, the Caribbean Engineers Plans carry twenty-six (26) *felonies* and the Department of Planning accepted the attachment of this plan to the 1943 sub-division. Further, they misused the Bermuda Government (who is aware) to *conceal* the De Rosa Estate, then this same De Rose Estate was moved (on paper) over to Scenic Heights. *If the Bank insist on supporting the Riveira Estate, they too are liable and guilty of the same 26 felonies stated above.* Because the Mortgage Deed joins in with the Public Works Plan, it marries the Bank to the faulty area map of 1974. This area map is connected to the judgment of 1974 that is in conflict with the 1939 Deed, the J. H. Dale Plan, the 1943 Deed and the 1956 Deed. These Documents highlight the Butterfield Bank's Deed-of-Confirmation.

The above events led us to a **New Bermuda**, and we must point out that the Law was put to the test by the system. Finally, the Law won and remains in place. We highlight the forty- (40) year's reign of Her Majesty Queen Elizabeth II.

- Forty years is an achievement for anyone, it means we must go back and remove all the wrongs that was done. On the 9<sup>th</sup> June we plan to move out the major wrongs. Beginning June 3<sup>rd</sup> we will work with the banks then approach Attorney Arthur Hodgson to legalize Lots 55 & 56. On Friday, we will work with Mr. William Bourne to deal with King George V Deed and the Robert H. Clark Plan. Then, I will work with Attorney Philip Perinchief's Writ and Judge Hull's Judgment together to confirm that they receive a Judgment on the Estate of Emelius Darrell as one property. The DPP's office, Mr. Madeiros and Judge Francis took out a summons

Page 5.

- against me on the Estate of Emelius Darrell. We want to know what Law was used to sue me on Wellington Land. This issue must be solved.
- After Wednesday June 9<sup>th</sup> we want to set aside many of the major violations of Bermuda Laws so that we can work within the Law of responsible Governance and recognize the end of Her Majesty the Queen's fifty-two (52) years of hardship in Bermuda.
- We request a modest amount of \$7,000,000 to pay off creditors and many others that have assisted us over 40 years.

In closing, our Governor has made it known that his office through a lady representative said, "We do not want to be involved with these problems". We see this as a major violation to the Oath the Governor took to be the representative to the monarchy in London and Commander-in-Chief in Bermuda.

Respectfully yours,



John N. Darrell

Cc: News Media  
Mr. Neville Darrell  
Attorney General Chambers  
Attorney Arthur Hodgson  
Attorney Philip Perinchief  
DPP's Office  
The Bank of Bermuda "HSBC"  
Butterfield Bank

**Mr. John N. Darrell**  
**79 Sleepy Hollow Drive**  
**HAMILTON PARISH CR 02**

February 4<sup>th</sup> 2005

The Honorable Minister Paula A. Cox; JP; MP  
Minister of Finance  
Church Street  
Hamilton HM. 19

Dear Minister Cox:

I refer you to a letter #1, dated November 26<sup>th</sup> 2004 addressed to the Bermuda Government titled "The Progressive Labor Party Government challenges the U.K.". See letter #2 addressed to Mr. Russell G. Wade "Permanent Secretary" Works & Engineering, dated May 7<sup>th</sup> 2004, page 6 last paragraph shows that Mr. Ward, a prosecutor could not/would not/did not meet with an honest judge. The reasons will be mentioned later in this letter. The following brief will show what took place from 1948 to this present day.

The Land Valuation Office collected taxes on a rental unit so that they would appear unaware of the property Emelius Darrell owned. This Act was necessary to support the attempted theft on the Estate of Emelius Darrell and other properties around Bermuda. The Land Valuation Master list, Bermuda 1972 #3, describes land ownership of the Riviera Estate that set off the Wycliff Stovell's illegal 1953 sub-division #4. Also, the Marshall & Lorton illegal 1959 sub-division #5 joins in with the above described 1953 sub-division. Neither plan was supported by the Parish Vestry committee. The list above reveals the names of innocent people who made land purchases in good faith off the illegal 1959 sub-division.

This Land Valuation Master list also contains George Darrell's ownership to the house on the Darrell's Estate as was recorded in the Appleby, Spurling & Kemp letter #6a. dated August 5<sup>th</sup> 1955. This was a second attempt to embezzle property that is in conflict with both Plans mentioned above. Attached to the A.S. & K letter is a registered

Page 2.

acknowledgement of Emelius Darrell's ownership dated July 19<sup>th</sup> 1939 which was found and confirmed in the Parish Vestry Assessment book January 14<sup>th</sup> 2005. Also, you will note that the same land measurements (in dispute) were recorded in the above A. S. & K letter of 1955.

The now established Land Valuation Office collected taxes illegally in 1973 from Mr. George Darrell, owner of the house at Riviera Estate on Middle Road Southampton. They followed up collecting taxes 1976 and 1977, thereafter my father became a senior citizen and was not required to pay taxes. This created a terrible problem to all Government Deeds, Plans and Area Maps that erroneously shows Benjamin Darrell as owner of the house.

*All Bermuda Government Deeds, Plans and Area Maps must be removed because they are not in compliance with the Criminal Code Act of 1907 #6 page 187 that deals with concealment and on page 181 that deals with obtaining property under false pretense. These are very serious offences that also conflicts with the Promissory Oath Act 1969 #6c. form A, form B, and form C in particular that all Government Officials/Heads of Departments (Governor included) are obligated and swear to comply with.*

**Mr. Cart's report #7 as well as Mr. Blackman's report #8 endorse the Darrell's ownership to 4 portions of property as shown in Mr. Crisson's Plan (Document 33a. as described in Mr. Cart's report pg. 6). This land ownership confirms that the Government must levy a Tax against Mr. John N. Darrell for the "Heron Bay" school located on Wellington Land; the house at 29 Wellington Drive and for houses on Lots 48-56 at Emelius Drive West.**

Mr. Anthony L. Blackman, 'Crown Counsel' did an excellent job on describing my ownership to the Darrell's Estate. In this Document, he committed a mistake on the date the "WILL" #9a. was probated. The incorrect date stated was September 27<sup>th</sup> 1999. The correct date was August 1991. On the second half of the second page he stated that the Robert H. Clark Plan appears to be traced from a Plan of 1932 and prepared by Jim Dale, this is false.

Another falsehood stated was that in 1953, a plan of Sunny side Park prepared by Wycliff Stovell shows that land owned by my father as being that of the Colonial

Page 3.

Government. He also states that land to the west of Lots 40-47 of Sunny side Park is owned by George Arnold Williams. However, he went on to say that this is not correct but failed to recognize that all of the above paragraph is in violation of the Criminal Code Act of 1907 as mentioned above. On page 187 the Criminal Code Act describes that concealing affording evidence of title to land is a violation. Further, the Criminal Code Act also describes on page 181 that obtaining property by false pretense is a violation.

The tax Commissioners Office should not have collected tax on any of the Estates as shown on Mr. Cart's report on pg. 6 first paragraph. Mr. Blackman's conclusion was that shoddy work was performed by surveyors, and some attorneys. It is my opinion that sub-standard work was done by the Dept. of Planning; Public Works Dept.; Land Valuation Dept.; the House of Parliament; the Government; Attorney General's Office; the Judiciary (Judges); My father's lawyers and my lawyers.

*On Friday January 14<sup>th</sup> 2005, I discovered through the Registrar's Office that the Southampton Parish Vestry book supports the false claim mentioned above. This Vestry book also fails to show Emelius Darrell's ownership to 4 portions of property that was supported by the Vestry. After Emelius Darrell's death in 1947, the Vestry records receipts #9b., supports the Darrell's Estate c/o George Wellington Darrell's name and this portion is recorded in the Vestry book. Also recorded on these receipts is the Vestry Act of 1929 as recorded on pg. 2 letter #1, item 4. The Authority of the Parish Vestry Act is #9c.*

My power-of-Attorney #10a. is supported by all of the Authorities mentioned above and it goes on to support my claim as mentioned in letter #1, pg. 1 item 3. Wycliff Stovell's Plan of 1955 is under my care and this Plan protects Lots 48 to the new Lot 54. Please find attached Wycliff Stovell's 1943 Plan that was tempered with November 26<sup>th</sup> 1948 #10b.

Also attached is Mr. Stovell's 1955 Plan and Mr. W. G. Brown's Plan of 1964 as was filed in the Department of Planning in 1968. This Plan was discussed at a meeting of the Central Planning Authority on March 18<sup>th</sup> 1968. (See attached Central Planning

Page 4.

Authority letter of March 25<sup>th</sup> 1968 second paragraph which mentions the Plans to be submitted by the applicant George Wellington Darrell who is the true owner of Wellington Lands as shown in tax receipts #10c. in 1963, 1965 and on to 1971).

Mr. W. G. Brown received a faulty approval of part-ownership of Wellington Lands from the Department of Planning. When the documentation for approval of his illegal subdivision reached the Vestry committee, his ownership of Wellington Lands was not acknowledged, nor was it supported by any of the members of the Vestry committee. (Mr. Brown's actions was a blatant attempt to embezzle land.)

Under the Authority of John N. Darrell, access required to the property site was set out in a Robert H. Clark Plan July 1979 filing no. 79-227. The Riviera Estate road was set out to be Wellington Drive first in a letter to the Bank of Butterfield in 1976 and secondly, in the PLP memo in 1977. See #10d.

A letter from Walter N. H. Robinson dated June 17<sup>th</sup> 1963 addressed to Mr. George Darrell informing him of a bill attached #11a. that he had not completed his searches relevant to the boundaries of his property at Southampton and requested a retaining fee for ten Pounds, ten shillings. Mr. Robinson said in this letter that should the matter go to the Supreme Court, the retainer would be taken into account.

A Deed was forged by Walter N. H. Robinson in 1964 in favor of his friend W. G. Brown and his Company. Further, this Deed was forged in the name of Mr. John N. Darrell because I financed W. G. Brown and Mr. Robinson on behalf of my father's *Rights* to the Deeds of his property. This Deed was registered in the Registrar General's Office Hamilton, Bermuda pursuant to the Laws of these Islands. See #11b. This Deed can *be* found in the Book of Deeds number 106 pgs. 25, 26, 41a & 42. ***This evidence confirms that George Darrell owned all of the land which includes the house at 29 Wellington Land.***

A letter dated May 21<sup>st</sup> 2001 addressed to Mr. George Jackson, Assistant Commissioner, titled "The Governor misled by Judgment". Page 1 item 2, both Deeds do not support Government ownership of the Darrell's Estate nor does it verify any personal

Page 5.

claim to the Darrell's property. This proves that the 1953 sub-division and the Marshall & Lorton Plan of 1959 are both faulty. Subsequently, items in this document will be dealt with later. See #12.

K. C. Nadarajah Court dated June 14<sup>th</sup> 1978 acknowledged that the Government had not established any claim to the Darrell's Estate except that the Attorney General obtained leave to obtain an injunction against George Darrell in the Supreme Court. No further steps were taken toward such an injunction. As a result, the situation remained the same as before 1974. Because the Attorney General did not proceed further, Nadarajah said that the accused (myself) was on strong grounds in claiming the land. #13.

In the Supreme Court of Bermuda, Civil Jurisdiction 1978 no. 124, the Minister of Public Works 'the Plaintiff', the Honorable Ralph Marshall (the main player in the Marshall & Lorton Plan that was not within the law) and the Defendant John Darrell was not represented. Why? Because his lawyer in this case could not/would not/did not represent him by reason of the fact that he had to protect the faulty Deeds and Plans and comply with the system. Mr. Robert McMilliam for the Plaintiff and Mr. Vaucrosson for the Plaintiff also before the Honorable Justice Robinson. See #14a. (The same Mr. Robinson who had failed his promise under the law that he would represent my father George Darrell when he reached Supreme Court).

Note that point 1, items 1&2 is not supported by the Nadarajah's judgment. Point 4 describes that the Government in the support of his case (the Plaintiff) produced a considerable number of Deeds and a vesting statute showing the transfer at one time or another separate parts of the whole tract of land behind the Heron Bay School. Point 4 is false and the Deeds and Plans are not supported by the Minister's Marshall & Lorton's Plan of 1959.

Page 2 item 5 dated May 16<sup>th</sup> 1974 shows that Judge Robinson ignored Nadarajah decision and his judgment. Mr. Robinson shows a date of July 22<sup>nd</sup> 1978 when Nadarajah judgment took place June 1978. In the same item he shows a Plan #4963 attached which is not a Plan. It is an Area Map that is in conflict with all Government Deeds, Plans, other Area Maps and does not support our Government's ownership as shown in the illegal 1953 sub-division. This judgment therefore proves that Mr. Blackman's report beginning middle of the second page is completely untrustworthy.

Page 6.

A letter addressed to Her Majesty Queen Elizabeth II, dated January 18<sup>th</sup> 2000 #14b. reveals that Claudia Darrell deceased August 28<sup>th</sup> 1949 yet her name was used in a large-scale land theft after February 1950. If this actually happened there would not be a Riviera Estate or a Sunny side Park. The Court records of the History Deeds #14c. shows Forster Mallory Cooper owned only 4 ½ acres of land and this acreage can be found in the Crisson Plan Document 4a.. Claudia Darrell's ownership to property is on the West side of the Pitt family's property #14d. and the 1959 Marshall & Lorton Plan supports Government's ownership to this property. i.e. (The West side of the Riviera Estate).

All that is mentioned above is obviously not in compliance with the British Constitution, Bermuda Law nor the Promissory Oath Act 1969 according to J. Harvey, B.Sc. (Econ.) and L. Bather, B.A., Ph.D.. Page 19 of the British Constitution book discusses the theory of the separation of Powers and start out with a famous poem by Rudyard Kipling: My father's Chair:-

*“When your time comes to sit in my chair.,  
Remember your Father's habits and rules.  
Sit on all four legs, fair and square,  
And never be tempted by one-legged stools!”*

Attached is a copy of the British Constitution #15a. for your study. Highlighting the Court records and updating the references, please see a letter dated February 3<sup>rd</sup> 1998 which addresses several Court actions. The first of such action took place in 1989 which the Attorney General and not the Bermuda Government forced Judge Hull to give him a judgment on the property where the house is located. This property was legally owned by the Darrells' and there could not be a judgment imposed on private property.

In Mr. Will Francis Court, representatives from the Land Valuation Department collected taxes for 29 Riviera Estate Rd.. This judgment was a serious error and I refer you to a letter dated May 30<sup>th</sup> 2004 #15b. addressed to His Excellency the Governor Sir John Vereker. In this Document you will find that there is no such legal address as Riviera Estate Road or Sunny side Park and therefore taxes were collected illegally. *This was and remains to be a serious miscarriage of Justice.*

A letter dated July 23<sup>rd</sup> 2004 and addressed to the News Media #15c. states in the 4<sup>th</sup>

paragraph that there is no support by the Parish Vestry on legally setting up Riviera Estate Road or Sunny side Park locations. From 1948 until 1971 certain individuals were illegally setting up such locations as recorded in both of the above letters.

In 1997 Mr. Will Francis while representing Her Majesty's Court again found himself *sitting on a one-legged stool* and accepted the perjury of Ms. Nakeita Richardson of Standard Hardware and awarded them the judgment on the same money wrongfully given to the Plaintiff in 1994.

A letter dated May 22<sup>nd</sup> 2002 #16a. addressed to His Excellency The Governor Sir John Vereker, highlights the New Bermuda. Under the Oath he had taken, this could have been an honest start for a New Bermuda. In the Old Bermuda he saw in writing that all of the elected officials use their Authority to undermine innocent people by their failure to fairly and justly represent the people and honor the Oath that they had taken. *This position is a perfect description consistent with Kipling's philosophy of "sitting on a one legged stool".*

Mr. E. T. Richards, Mr. Gayous Powell and Mr. Wycliff Stovell indulged in a double standard to purposefully mislead Government Officials and others to *sit on a one-legged stool* to protect land stealing in Bermuda. Mr. E. T. Richards organized the forgery of the Robert H. Clark Plan after February 1950 and this document failed to show Bermuda Government ownership to the Darrell's property from the main road to Sunny side Park Lot 47. George Arnold Williams name as owner of this property never emerged. This property is known correctly as the Estate of Emelius Darrell #16b. This fact is confirmed by Mr. Gayous Powell's original 1939 Deed #16c.; the 1943 Deed with Mr. Wycliff Stovell's 1943 Plan attached #16d.. *These Documents (16b,c,d) supports the legal Rights of Emelius Darrell within the law. Mr. E. T. Richards, Mr. Gayous Powell and Mr. Wycliff Stovell are supported in these Deeds under the Authority of the law. Also, proof of Emelius Darrell's ownership can be traced by the Vestry receipts from 1947 to 1971 and even further proof of ownership can be proven by tax receipts that refer back to the 1929 Vestry Act which is protected by the British Constitution. See page 369.*

I, John N. Darrell was born in 1938 to sit on my father's chair and sat on four legs fair and square. My early teachings included a Pledge of Allegiance to the British flag, and to the country (Bermuda) for which it stands, one nation under God, Indivisible, with

Page 8.

Liberty and Justice for all #17. In later years I discovered the *Promissory Oath Act of 1969*, revised 1989; Form A; Form B and Form C in particular which states:-

I, [blank] do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her Heirs and successors in the office of [blank] And will do right to all manner of people after the laws and usages of Bermuda without fear or favor, affection or ill will.

Since 1953, my father's Deeds was withheld from him and from this date I had the responsibility of protecting my father's *Rights, and this was the year I sat on my father's chair fair and square to retain his property Deeds forthright*. In 1962, I financed a protection for my father; in 1977, I was informed that my father's property had been wrongfully embezzled. Mr. Wycliff Stovell offered and I accepted a protection Plan which was the 1955 Plan #10b. (already described) for Lot 48 and the new Lot 54 as shown in the Robert H. Clark Plan #10d. (already described)

In 1977 I was given a Deed that wrongfully showed my ownership. This Deed was the Walter N. H. Robinson Deed and when I received the power-of-attorney in 1977, I was in full control of all the property which I inherited later from my father. Since my power-of-Attorney, there have been numerous 'Writs' filed against me because I was in full control of the property. There was no legal Deed or Plans that would give legal rights to this property among the many writs filed.

The Land Valuation Act of 1967 does not comply with Bermuda Laws and does not join in with the Parish Vestry Act of 1929. This Office continues to support wrongdoing as it pertains to the Estate of Emelius Darrell. Evidence of the Land Valuation wrongdoing is found in the Land Valuation Master List where the Riviera Estate is supported by this Office *only*. We refer back to #15b. & #15c. which shows that Wycliff Stovell and E. T. Richards was setting up a property theft. These illegal Acts were not successful, Mr. Gayous Powell did not support the attempted theft and it was brought to an end by my father who fenced in the portion of Land in question.

A second theft that the Land Valuation Office is protecting is George Darrell's

ownership to the house at Riviera Estate. This could be found in the Appleby, Spurling & Kemp letter 1955 #6a. George Darrell's ownership is supported by the King George V's Deed that was forged in 1955 and can be found in letter #14b. addressed to Her Majesty Queen Elizabeth II January 18<sup>th</sup> 2000. ***This Document proves that there could not be a Riviera Estate or a Sunny side Park in Southampton East or any place else in Bermuda.***

We refer back to #15c. second paragraph from the bottom shows that in 1972, the House of Parliament moved out the Vestry Committee and stole the Estate of Emelius Darrell. The Land Valuation Master List Bermuda 1972 supported the theft of the Estate of Emelius Darrell. The Land Valuation Office support towards land stealing does not have any "***Right***" to be a Government entity and further, they could not be allowed to set up any taxes outside of the Vestry Act of 1929.

One of the largest problems we have in the Island of Bermuda is stated clearly in a letter dated May 7<sup>th</sup> 2004 and addressed to Mr. Russell G. Wade #2 above. The problem started with Mr. Wycliff Stovell; Mr. E. T. Richards and 5 of our Bermuda Government Offices not necessary in the following order. (i) The faulty part of the Parish Vestry; (ii) Public Works Department; (iii) Department of Planning; (iv) Land Valuation Office; and (v) Tax Commissioner's Office. Local Law Practitioners led the way to violate Bermuda Law and the House of Parliament joined in 1972. In 1974 the Attorney General's Office joined in with the Judiciary (Judges) and my father's lawyers combined together and further acted against Bermuda laws.

**February 2004 Works & Engineering staff was illegally directed to trespass the John N. Darrell property Lot 1. They leveled out the same rubble the Judge refused Mr. Ward in 1983. Document 33a., the Crisson Plan can be seen clearly that this was Emelius Drive East and the personal property of one John N. Darrell. Also, high officials in this Department were aware of the Civil Jurisdiction 1978 No. 124 Minister of Public Works (Plaintiff) and John N. Darrell (Defendant) Affidavit. (Ref. Attached).**

See exhibit showing that Larry Dixon of the Planning Department had the Plan of 1982 in his Department. (See Mr. Cart's report Doc. 18a.) This 1982 Plan is central to the Government's problems with the Darrell's Estate and the illegalities involved carries 26 felonies. This is another Document clearly in conflict with all Government Deeds and Plans that were exhibited in the Courts in the year 1978 (Court Case No. 124). This shows that the Bermuda Government had no legal right on the property. Plan "QBS 1" shows the

location of rubble, and it must be known that all parties involved is subject to prosecution and carries 35 felonies according to the Criminal Code Act of 1907.

This Plan and the 1974 area map that was used in the Courts joins in with the Bank of Butterfield's Plan attached to their Mortgage Deed. And, my Deed of Confirmation has seven (7) different Plans to set my claim to this property. Four (4) Plans would give me a legal Right and three (3) Plans would join me in with the people *sitting on a one legged stool* which according to the Criminal Code Act of 1907, we would all be guilty and receive 245 years imprisonment for any one (1) Plan. Bermuda Law is crystal clear on this subject and the penalty for violators is swift and unforgiving.

*These actions were a serious case of acting above the Law and moving against an honest Judge's decision that the pile of rubble cannot be touched by anyone except the owner of the said property. Because of the above deliberate law violations I, (i) demand compensation of \$10,000,000 for leveling out my pile of rubble on my property; (ii) \$1,000,000 for barricading for two (2) days and up to sixteen (16) days limit and (iii) \$1,000,000 for every day thereafter.*

Attached to the British Constitution is a letter from my London contacts dated September 19<sup>th</sup> 1997. This letter highlights the Governing body of Bermuda and namely the UBP Government who had been misusing the Authority of the Government to underhand innocent people with regards to the Estate of Emelius Darrell. This misuse of Authority's point of concentration to mislead the Bermudian Public is the Land Valuation Office. This Office was created to protect three land thefts. Mr. Wycliff Stovell's Plan was the first as mentioned above. The second attempted theft took place in 1955 as recorded in the letter addressed to Her Majesty Queen Elizabeth dated January 18<sup>th</sup> 2000 page 6 # 14b. The second page expresses the terrible disregard that was shown towards King George V. This theft attempt brought an end to Mr. Wycliff Stovell's Plan.

The third theft the Land Valuation Office supported was when the House of Parliament brought an end to the Parish Vestry committee and this action brought about another attempt to steal the Estate of Emelius Darrell.

The Land Valuation Office does not support the Public Works Department (Works & Engineering) ownership to Emelius Darrell's Estate and does not support Plans from the Dept. of Planning, but they set up their own Authority with the Land Valuation Act in 1967. This Office has positioned themselves to take the place of an honest Parish Vestry

Page 11.

Committee and has deliberately misled the Tax Commissioner as well as the Assistant Tax Commissioner since 1972.

A letter addressed to His Excellency the Governor Sir John Vereker dated May 8<sup>th</sup> 2004 Re: "Forty years in the same job is an achievement for anyone". This achievement by Her Majesty the Queen was supported and protected by the Vestry Committee up to 1971 and was continued on by the Darrell's family to this day. A letter from the Deputy Governor's Office dated June 8<sup>th</sup> 2004 pointed out that my problem is not a matter which they at Government House can assist me with. However, this is a matter that the Governor has a responsibility to assist me with.

A letter in reply to the Governor's actions or in-action towards my position of objecting to the wrong doing in Bermuda dated September 10<sup>th</sup> 2004. I pointed out to the Governor that the parties he directed me too were difficult and showed no respect toward King George VI 4 years of responsible Governance nor Her Majesty Queen Elizabeth II's 52 years of responsible Governance.

Page 2 last paragraph of the same letter, I highlighted correspondence from the Commonwealth Office that pointed out the Governor's Oath to hold the Office as Governor General. Again, this letter met the same fate as the first attempt to solicit help from the Governor.

The opening of Parliament on Friday October 29<sup>th</sup> 2004, was very impressive from a traditional point of view as was required by the Foreign Commonwealth Office. This Office is also very clear on what the Governor must do to play his part as Governor General. According to the Sovereign years of Her Majesty Queen Elizabeth II, she is the Head of State; the Commonwealth; the Armed Forces and the Church. The British Constitution supports Her Majesty Queen Elizabeth to be the Head of the Judiciary.

The above Authorities could not make a successful stand against Bermuda Law and the Attorney General has failed to put a stop to these defective, unsound Government Offices and has failed miserably to protect the people who are victims of these unjust acts.

The unjust acts has had a profound effect on the Honorable Minister Paula A. Cox who is the head of the Tax Commissioner's Office. This Office has used illegal permission to collect Taxes under the Land Valuation Act of 1967. The residents of our Bermuda home is protected by the legal and well supported by the Vestry Act of 1929 which ties in with the British Constitution that is well known by the British Commonwealth Office.

In closing, our Island home is hanging on the honesty of the Honorable Minister Paula A. Cox; The Governor and the support of the people. It would help all parties if Minister Cox could be Acting Attorney General which would give Bermuda an opportunity to set aside the wrong doings described, than join in with the Governor and the people. Between all parties, set aside the wrong doing and send them to the Commonwealth Office for correction.

Finally, a compensation schedule is as follows:- (i) Friday February 11<sup>th</sup>, a payment of \$200,000 that will be used to help offset back payments to creditors and pay Mr. Crisson so that we can use his Plan to protect property owners; (ii) Monday and Tuesday we will work with Mr. Wilhelm Bourne of the Attorney General's Office along with the Assistant Tax Commissioner to set the proper "Pleadings" of the three attempted thefts that were protected by the Land Valuation Office; (iii) On Thursday, the Chief Justice can see the serious nature of the problems we have encountered, correct the wrongs and receive the balance of the compensation.

Most sincerely,



John N. Darrell

Cc: The news media.

**Mr. John N. Darrell**  
**79 Sleepy Hollow Drive**  
**HAMILTON PARISH CR 02**

March 4<sup>th</sup> 2005

Mrs. Heather Jacobs-Matthews, "Tax Commissioner"  
& Assistant Tax Commissioner  
Church Street  
Hamilton HM. 19

Dear Tax Commissioner & Asst'd. Tax Commissioner:

Be advised of my letter dated February 4<sup>th</sup> 2005, addressed to Minister Paula Cox together with a complete file in receipt delivered to your office.

I was at your office recently to advise you and the Assistant Tax Commissioner on some very serious issues regarding the Tax Commissioner's office. I was disappointed with your decision to appoint an un-informed young lady not familiar with my case to see me.

According to my studies, please see page 9 of the above letter which describes the Bermuda Government Offices and others involved in 56 years of violating Bermuda Laws. This letter will highlight the seriousness of the problems that affects Bermuda.

See Land Valuation Master list, Bermuda 1972 #3 which describes the ownership of Mr. George Darrell's house. This can be found in a letter from Appleby, Spurling & Kemp dated August 5<sup>th</sup> 1955 and addressed to George Wellington Darrell. Further, I have attached a copy of the Certification from the Registry General's Office which describes the true copy of an entry in the Southampton Parish Vestry Assessment Book relating to the property acquired by Mr. Emilius Daniel Darrell transferee from Daniel Davis Darrell, transferor and dated July 19<sup>th</sup> 1939.

Page 2.

We introduce Mr. Crisson's Plan as Document #4a and it does not support the measurement of 70ft. however, it does support the measurement of 75ft. x 100ft. and this Plan is one of a kind established by Mr. Crisson and myself in 1955. This is the Plan that supersedes all other Documents; supports all surrounding boundaries as established in Mr. Cart's report and sets aside the Land Valuation Master List of 1972 to be false.

The Tax Commissioner could not collect any Tax on any property that has been proven to be subjected against the Criminal Code Act of 1907 as set out in my letter dated January 18<sup>th</sup> 2000 and addressed to Her Majesty Queen Elizabeth II #14b.

A letter dated May 21<sup>st</sup> 2001 addressed to Mr. George Jackson "Assistant Commissioner" under item 1, the last 2 lines on the bottom shows the 1932 sub-division; the 1943 sub-division and the 1953 sub-division has been put into concealment which is against the Criminal Code Act of 1907. Legally put, it is Concealing Affording Evidence of Title to Land.

The J. H. Dale Plan in 1932 joined four (4) portions of property together as one (1). The 1939 Deed confirmed that J. H. Dale did join the property together and with Mr. Crisson's Plan Document 4a. or Document 33a. will show that Alice Maud Joynes blue is on the North side of Emilius Darrell. Ownership to the William Lighbourns's property marked red; Daniel David Darrell's property is brown and Frances Darrell's property is the third portion is on orange. (Ownership of the 3 portions of property in the name of Emilius Darrell and the Tax receipts of 1947 confirms Emilius Darrell's ownership by name.)

On page 2 item 4, shows that the Public Works Dept. in 1962 was misusing Mr. Smith's name in supporting property for the Government and I, John Darrell acted with my father against the Public Works ownership to the Lightbourne's property. In 1978, while in the Walter N. H. Robinson court, I discovered that the Government was not in possession of any Deed to lay claim to any property on this site.

In 1987, I took a stand on this same 70ft. by 100ft. as set out in the Appleby, Spurling & Kemp letter. The action date was set for December 7<sup>th</sup> 1987. I made a

Page 3.

request to Premier John Swan to have all faulty Deeds and Plans be looked at and removed. Former Premier John Swan failed to act on my request, thereafter, the 70ft. by 100ft. was protected by rubble and my backhoe. (See picture attached)

On the 8<sup>th</sup> day of December in the year of our Lord, one thousand nine hundred and eighty seven an unfortunate situation emerged. The Attorney General filed a WRIT under the Authority of Elizabeth II by the grace of God of the United Kingdom of great Britain and Northern Ireland and of our other Realms and Territories Queen, Head of the Commonwealth, defender of the Faith. And they tried to use the matter of the Public Works Act 1984 on the Estate of Emilius Darrell which is under the Vestry Act of 1929 and this can only be applied to Government support of the embezzlement of their own Tribe Road.

The Attorney General used this above Authority to attempt to embezzle property. To succeed in embezzling, he had to go up against the Authority of Her Majesty Queen Elizabeth II; King George VI and King George V. A letter dated November 26<sup>th</sup> 2004 addressed to the Bermuda Government, see page 5 item 12 & 13 which states that the Attorney General was not successful.

Item 6 shows that I led both Banks (Butterfield Bank and Bank of Bermuda) to invest in the 70ft. x 100ft. and the Banks joined in with their own lawyers and my surveyor and together they supported the 56 years of violating Bermuda Law. Item 7 shows their peculiar methods of violating Bermuda Law. The last paragraph shows how the Authorities fails to carry out their normal Duties.

In 1989, the Bermuda Government Surveyor surveyed the property and put in the true North boundary of Daniel David Darrell. June 23<sup>rd</sup> 1989, my family and I celebrated this true North boundary with the Royal Gazette and other News media who did an excellent job highlighting this happy occasion. The Judgment in 1974 has an area map attached. This area map confirms the legal North boundary that the Darrell family celebrated. Notwithstanding, the Government failed to lay a claim as shown in Mr. Wycliff Stovell's Plan of 1953. In fact, this area map supports my investigation that our Government is only a part of violating Bermuda Laws as shown in my letter to the news media #15c. Further, this area map does not comply with the property as shown in the Crisson Plan and is not supported by the King George V Deed that was forged in 1955.

Page 4.

Clearly it must be understood that King George V was deceased in 1936 and therefore the Land Valuation Office could not support George Darrell's ownership to the house and the Tax Commissioner could not collect any Tax from any Bermuda property owner through the Land Valuation Office.

In 1991, a lawyer from Apple, Spurling & Kemp and myself conducted a long and exhausting study of the surrounding boundary Deeds that confirmed without any doubt that Emilius Darrell owned the property. This Deed of Confirmation did have a complex issue which was the Estate Road. This Estate Road has it's tie to the Sunnyside Park and because of the issues involved, I did not include 25% of the property I inherited in the Deed of Confirmation.

The records show that the Tribe Road is on the Westside of the Estate of Emilius Darrell. Mr. Crisson's Plan was set up and completed in 1995 showing all of the 4 portions of property that I inherited and was made 1 (one) in 1932.

The Tax receipt found on page 3 of my letter addressed to Minister Paula Cox is a stand alone Document that is supported by the Vestry Act of 1929. It also resolves many problems known throughout the entire Island of Bermuda. First, Emilius Darrell was deceased in 1947 and the Vestry Authority accepted George Wellington Darrell as Beneficiary of the Darrell's estate. From 1947 and onto 1971 this property was c/o of George W. Darrell, but, the property remained in the name of Emilius Darrell.

The issue here is that far too often the property in the name of the deceased remains in the name of the deceased person e.g. Emilius Darrell's Estate remains in the name of Emilius Darrell who deceased in 1947 and continues to be in his name in 2005. In 1972 the House of Parliament removed the Authority of the Vestry Committee and at this point the Valuation Office was created to take the place of the said Vestry Committee. These Government Actions/Policies is the foundation that gave way to several embezzlement schemes. Today, there are seven (7) Bermuda Government offices in violation of the Criminal Code Act of 1907.

The Land Valuation Office was set up to support Land stealing under the Land Valuation Act of 1967. The Land Valuation Act does not comply with the Vestry Act of 1929 and up to 1971 taxes were collected under the Vestry Act of

Page 5.

1929 only. Therefore, they misled the tax commission in 1972 by acting as though they are collecting taxes legally. In 1998 the PLP Government did not make the necessary changes to the Tax Act and they continue to collect Taxes illegally up to today.

The Royal Gazette, Wednesday, February 16<sup>th</sup> 2005 reported a Legal-Notice-of-Intent in a Matter of the Estate of Mr. John Augustus Alexander Virgil of “Spring Benny Road”. This legal notice showed that we, the Residents of Bermuda again experienced (since 1972 or 1973) a less than genuine opening of Parliament because of the illegal acts committed as stated in the legal notice.

The Governor General’s part in this important event was artificial and false and this points to whether the Opening of Parliament is a legal act Authorized by the British Commonwealth Office. Based on the above illegalities the Governor has failed to carry out his role as the Commander-in-chief of the Bermuda Islands.

In the separation of power, Mr. John A. A. Virgil was deceased in 1972 and at the time of his death, his property was under the Authority of the first power which is the Vestry Act of 1929. This Authority supported the Parish Vestry in Bermuda up until 1971. The Vestry was wrongfully removed without Authority from the Commonwealth Office in 1972.

In 1992 the Sovereign years was acknowledged and highlights Her Majesty Queen Elizabeth II’s 40 years in the same job is an achievement for anyone. The duration of the Queen’s Authority is the centre-piece of the legal rights for all property owners in Bermuda which *includes* and *does not exclude*, the Virgils, which is in favor of the Ming family (Spring Benny Rd., Sandys); the Wilson’s (Sinky Bay, Southampton); the Lightbourne’s (South Shore, Paget); Tobacco Bay, St. Georges and the Darrell’s Estate which is in favor of John N. Darrell now under the name of Emilius Drive East, Emilius Drive West, Wellington Land and 29 Wellington Drive (Southampton East) to name a few.

The Promissory Oaths Act 1969, Revised 1989 Updated #1 issued Dec. 1992 supports all legal acts under power number one. See article “Queen Elizabeth commemorates coronation” captured by the Royal Gazette June 2<sup>nd</sup> 2003. These Documents confirms the 52 years reign in Authority has been a success for all people under Bermuda law.

Page 6.

The second power started in 1948 #15b. this can be seen in Minister Paula Cox's letter page 9 paragraph 3 starting with Mr. Wycliff Stovell and Mr. E. T. Richards than all others fell in behind them. Letter and files are located in the Tax Commissioner's Office and in the news media files. The second power violated Bermuda laws for 56 years. This letter demonstrates that violating Bermuda laws was no success at all and #15c stated in this same letter showed no favorable outcome either. This letter highlights the shameless, illegal removal of the Vestry Committee.

Contained in the letter addressed to Minister Paula Cox is the British Constitution #15. Also, attached to the Constitution is document #3 which discuss the Authority of the second power that includes the former Governing body of Bermuda the United Bermuda Party that misused the Authority of the Government to underhand innocent people with regards to the Estate of Emilius Darrell.

The Government, under the UBP party violated laws openly and freely. The properties already stated were allowed to be purchased by individuals under false pretense (e.g. Spring Benny Rd. and Sinky Bay) with the blessings of the Government of the day.

As a result of illegally taking and selling of properties in Spring Benny Rd. and Sinky Bay, persons who purchased under false pretense must be protected by the Governor and this matter without fail must be sent to the Commonwealth Office which will represent both parties.

Regarding the Darrell's Estate, this property has been set out to protect property owners who purchased under false pretense as set out in the PLP's memo and we must have legal rights of the Tribe Road from the Government and give Rego Realtors the Tribe Rd. on the North side of the railway and on the South side to be shared between Rego Realtors and John N. Darrell.

When we accomplish the above, we can join the Marshall & Lorton Plan to Mr. Crisson's Plan document #33a and this will protect all property owners and all surrounding boundaries. These legal rights thereafter will be protected by the Commonwealth Office.

Page 7.

The PLP memo sets out a payment that we expect to receive a part payment of \$10,000,000 and \$200,000 payment made on Wednesday March 9<sup>th</sup> 2005 to cover emergency payments.

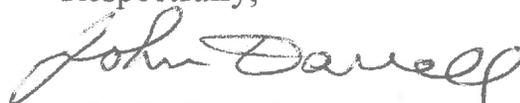
In closing, we refer back to Minister Paula A. Cox letter of February 4<sup>th</sup> 2005 first paragraph I refer to a letter dated November 26<sup>th</sup> 2004 addressed to the Bermuda Government and title "The Progressive Labor Party Government Challenges the U.K." and the challenge is found in a letter #2 addressed to Russell G. Wade, Secretary of Works & Engineering May 6<sup>th</sup> 2004 page 6.

This letter shows where Works & Engineers employees were ordered to trespass on Emilius Drive East, my personal portion of property and leveled out a pile of soil that I scrapped together on my personal property. This accumulation of soil was pulled together to highlight my claim to this property and Mr. Ward the prosecutor could not show a reason why this soil should be leveled out. The Bermuda Court refused the right to level out this soil.

Secondly, the Banks had no legal right to repossess this property because it was still in the name of Emilius Darrell and could not be repossessed. Third, Mr. Madeiros, the DPP's office and Mr. Will Francis court illegally gave a judgment on a wall on Emilius Darrell's property North of the property he received from the bank. Fourth, Mr. Walter N. H. Robinson's Deed used the Authority of the Bank to support our Government's ownership to this same property.

Finally, a stand with public Authorities and the general public will be a determination of :-(1) What is Just; what is fair; what is legal and finally what is right and (2) Public opinion on 56 years of violating Bermuda law that was never a success not even for a minute within the law.

Respectfully,



John N. Darrell

Cc: News media.

**Mr. John N. Darrell**  
**79 Sleepy Hollow Drive**  
**HAMILTON PARISH CR 02**

November 26<sup>th</sup> 2004

The Bermuda Government  
c/o The Progressive Labor Party  
The Cabinet Building  
HAMILTON, HM 20

**RE: The Progressive Labor Party Government Challenges the U.K.**

Dear Sir:

The PLP Government members are not aware that they are the City Hall and the most prominent part of a negative but potent, hurtful City Hall system that is insensitive to its most venerable residents.

The following is a series of important events that you should be aware of:-

1. In 1977, my father and I were told by a prominent resident that we were up against the system and City Hall. Also, we were informed that we will not get an attorney to represent us and recommended that we get a power-of-attorney which we carried out in 1977.
2. In 1974, there was a court case that took place without my knowledge. My parents were told that my father's property was being conveyed to Mr. W. G. Brown and Mr. John N. Darrell (myself) by the Authority of Mr. Walter N. H. Robinson, Barrister & Attorney-at-law.
3. In 1968, Mr. W. G. Brown set himself out to be the applicant without Authority from the Darrell's Estate to sub-divide the property and sub-divide the Estate Road into building lots. These actions caused a problem with the Authorities at the Department of Planning and were sent to the committee within the Department of Planning.

Page 2.

This information could be found in a letter dated October 1<sup>st</sup> 2003 and addressed to the Premier the Honorable Alex Scott. See page 2 which describes the activities of Mr. W. G. Brown. He conveyed Lots 1-12 in my name which is part of Forester Mallory Cooper's property and part of William Lightbourn's property which is South of the Railway. On the same page, paragraph 9 shows Mr. Crisson's Plan which identifies the North boundary of the Cooper's property to be the North Road that is now known as Middle Road and for your information, the North boundary of the Lightbourn's property is Alice Maud Joynes's Estate.

4. In 1970, Mr. Wycliff Stovell forged his 1953 sub-division and referred us all back to his 1943 and 1953 sub-division(s). The 1943 sub-division is attached to the 1943 Deed Document 8(a) and supports Emelius Darrell's ownership. The Deed and Plan joins in with Document 2(a) which is Mr. Gayous Powell's Deed. Document 7(a) is the Tax receipt of 1947 and supports Emelius Darrell's ownership as it appears in the 1939 Deed. Document 6(b) is the Robert H. Clark Plan which can be seen on Page 1, paragraph 1 in the same letter mentioned above. This illustrates all of the relevant Documents that join in with the Tax receipts from 1947 to 1961 and they all refer back to the Parish Vestry Act of 1929 as shown on page 1 paragraph 2. ***This is the Authority of the United Kingdom under King George V who was in Authority from 1929 until 1936; King George VI who ruled from 1936-1952 and currently ruled by Her Majesty Queen Elizabeth II since 1952 and continues in 2004 and Under Queen Elizabeth II's Authority the House of Parliament opened on Friday October 29<sup>th</sup> 2004.***
5. The 1943 Deed Document 8(a) joins in with Document 2(a) as stated on page 2 paragraphs 6 & 7 which show that the Bermuda Government fell in trouble with Mr. Wycliff Stovell who was the main contact within the system. As stated above, Mr. Stovell once again joined in with these Authorities the second time in 1970.
6. In 1948, the system violated Bermuda Laws as well as the Authorities of the U.K. These violations began with the people being deprived out of their rights to an attorney. This kind of behavior toward property owners was not only directed to my father but in later years I discovered that a number of families were also

Page 3.

affected. For the attention of the people of Bermuda, the Parish Vestry had two parts: - (1). One involves land stealing and; (2) The Parish Vestry Committee. This organization was supported by the U.K. Authorities and all that was wrongfully done in 56 years was not a success.

7. In 1962, the relevant Authorities were under immense pressure after committing a terrible mistake by placing an Estate Road over a Tribe Road which encroached onto the Darrell's property. In their judgment, the solution to this problem was to remove the Vestry Committee. In 1963, they removed the 1929 date off the Vestry Tax Receipts from 1963 up until 1971. In 1967 the Land Valuation Office was being set up to take over some of the Vestry services. This removal caused a separation from the Authorities of the U.K. and left Her Majesty Queen Elizabeth II standing alone. Then from 1972 they gave City Hall the power to take over the House of Parliament therefore it was the City Hall that removed the Vestry Committee thereby removing the U.K. of any Authority in our Island home as well.

8. In a letter brief addressing the Authorities in Bermuda dated September 19<sup>th</sup> 1997, stated that the United Bermuda Party have been misusing the authority of the Government to underhand innocent people as it pertains to the Estate of Emelius Darrell. This letter goes on to describe similar history as Detective Inspector Mr. David Cart illustrated in his comprehensive study of my case June 5<sup>th</sup> 2001. In a memo from Mr. Anthony L. Blackman, Crown Counsel dated August 8<sup>th</sup> 2001 is a confirmation of the 1888 date ownership of Emelius Darrell later passed onto George W. Darrell and it confirms that the property was duly admitted to probate in favor of John N. Darrell August 1991 and this is the correct date.

9. In a 1974 court case, the system and City Hall Authorities did not know that Mr. Stovell and Mr. George Arnold Williams was no longer a part of the system. (One has to be a Member of Parliament to reach the ranks of City Hall). Mr. Stovell joined in with the Authorities of the U.K. in favor of Emelius Darrell in 1943. Mr. Stovell's 1943 Plan joins him in with the Vestry who is supported by the above Authorities. He was attempting to make amends because he was facing charges for concealing evidence of Title to land with intent to obtain property by false pretence. See Document 14b which is his 1953 Plan. Document 14a is protecting the same theft that Mr. Stovell brought to an end in 1970 and the

system and City Hall protected this Document from 1974 and continues to be protected by the Progressive Labor Party and the opposition United Bermuda Party from 1998 to present. He set up another Plan to support Lots 48-55 that is recorded in Mr. Cart's report, Document 21c paragraph 1, page 5. This Plan is supported by the Robert H. Clark Plan of 1979 in favor of John N. Darrell. At this point City Hall committed a very serious offence when they acted against the Authority of the United Kingdom. This offence does not address itself to the 1907 Criminal Code Act but goes much deeper. The 40 years reign of Her Majesty the Queen is proven to be a success and we still have the Authority of King George V and King George VI supporting Her Majesty Queen Elizabeth II.

10. In Mr. Cart's report, he stated that in 1982, there were 2 Plans found in the Department of Planning. The first Plan was authored by Wycliff Stovell and was found to be forged in 1970 and this is the Plan that brought the land theft to an end for the second time. The second Plan was authored by the Caribbean Engineering Consultants. This Document was copied from Mr. Wycliff Stovell's forged 1970 Plan. Further, CEC included Lot 55 which was not a part of the 1970 forged Plan. This forged Plan is the only Document the Bermuda Government office of the Department of Planning can show to support their 56 years of violating Bermuda Laws. Mr. Cart's report also points out that the above Plans are in conflict with all Government Deeds, Plans and Area Maps. (Mr. Cart was not aware that the area map should have been included in his report).

11. In 1987, I caused another action to take place and used the 1885 Mortgage Deed that is registered in an Official Government Office pursuant to Bermuda Law. A Writ was filed into the Courts by the Attorney General claiming himself to be the Plaintiff. The portion of property in question is where the house of Daniel David Darrell stands and was 75ft. x 100ft... (This is part of the same portion of property stated in this letter above). The Minister of Works & Engineering prepared a Plan that was in total conflict with their own Government Title Deeds, Plans and Area Maps. This Plan was partially copied from the Caribbean Engineers Plan of 1982 and supports Lot 55 which is my personal portion of property and this is obviously a blatant attempt by the Attorney General to embezzle property. Moreover, this portion of property was not a part of the 75ft. x 100ft. property that he set himself up to be a plaintiff.

Page 5.

12. The Court Case to the above Writ started August 14<sup>th</sup> 1989 and the Honorable Judge Hull had a difficult time passing a judgment on this case. Mr. Rudy Narayan, my late London Attorney wrote a letter to Her Majesty Queen Elizabeth II bringing to her attention that the delay upon delay for her loyal subject was unfair and unjust for John N. Darrell. However, when this judgment was given as stated on page 23 of his judgment is the Robert H. Clark Plan which points out that there is no Government ownership nor is there any George Arnold Williams ownership to the Estate of Emelius Darrell. Be aware that the Robert H. Clark Plan was forged after February 1950 and there are other false names that were included in this Plan.
  
13. On page 26 of the same judgment one will find Mr. Gayous Powell's 1939 Deed and the 1959 Deed conveying from Mr. Powell to Mr. Benjamin Rego. The third Deed is a conveyance by Michael Scott "Attorney" from Brown & Wade Law Offices. Mr. Scott's Deed joins in with Mr. Rego's Deed and the West Boundary will be the Tribe Road and this Deed lays claim to Daniel Davis Darrell's property and a part of Frances Darrell's property. Mr. Rego's Deed lays claim that is similar to Mr. Scott's Deed but Mr. Rego's Deed falsely shows George Arnold William's ownership when this is the same Estate of Emelius Darrell as recorded into the 1943 Deed and the 1943 sub-division. The 1939 Deed joins in with the Deed of confirmation of 1991. This Document joins in with the Deed of confirmation and Emelius Darrell ownership to William Lighbourn's property; Daniel Davis Darrell's property; the Frances Darrell's property and the Forester Mallory Cooper's property as one portion of property. This can be seen in Mr. Crisson's Plan Document 33a, also, the Cart and the Blackman reports show these same 4 portions of property is the entire Darrell's Estate. My London contacts states that the property has been passed on to the third and fourth generation of the Darrell family. At present, John Darrell is the owner of the said property.

In closing, the same letter from my London contact shows the wrongs of the UBP Government and the PLP's memo corrects part of the wrongdoing of this former Government. My letter of December 16<sup>th</sup> 1998 addressed to Deil & Myers law offices to the attention of Mr. Mark Deil highlights a memo by the Progressive Labor Party who was at the time the loyal opposition.

Page 6.

But, following the election held November 9<sup>th</sup> 1998, the Black and White people and I, John N. Darrell joined in with the memo and the people because of the great support to her Majesty the Honorable Queen Elizabeth II rightly became the head of the fourth mandate. All the wrong that was done was corrected by the people who made an honorable stand for what they believed to be right.

Finally, the PLP became the Government but has failed to remove all the faulty Documents and Judgments. Because of this failure of not removing the said faulty Documents and Judgments they have become the head of City Hall and are protecting a debilitating system that continues to hurt 110 properties that is affected by not having this 1953 sub-division.

But, we do have the Robert H. Clark Plan of 1979 that joins in with an un-seen Plan of Mr. Stovell in 1970. This joins in with the PLP's memo and Mr. Crissons Plan that has to be accepted at this time and the Marshall & Lorton Plan joins in with Mr. Crisson's Plan then every property owner would be protected by the Vestry Act of 1929.

This property issue has been completed and there is not anything anyone in Bermuda can do on this issue. Compensation is all that is left for the Authorities to do and \$10,000,000 is the figure that has been requested and continues to be the amount needed to pay off creditors, a home for me and to cover the medical bills my family and I have accumulated.

Because of four Government Offices support of Mr. Wycliff Stovell's Plan, it is possible we could receive \$50,000 from each office (\$200,000) on Thursday December 2<sup>nd</sup> 2004. On Wednesday, December 1<sup>st</sup> we could uncover the serious problems these Offices face. Any other issues can be taken up on Monday December 6<sup>th</sup> and full compensation can be issued on Tuesday December 7<sup>th</sup> for the balance of the compensation package.

Respectfully



John N. Darrell.

Cc: All parties involved & the Media.

No 2

**Mr. John Nathaniel Darrell**  
71 Sleepy Hollow Drive  
HAMILTON Parish CR 02

May 7<sup>th</sup> 2004

Mr. Russell G. Wade "Permanent Secretary"  
Works & Engineering  
Post Office Building  
56 Church Street  
HAMILTON, HM 12

RE: John N. Darrell's Property

Dear Sir(s) Madam:

I, the undersigned John N. Darrell wish to state clearly that I am of sound mind and have provided without exception, all relevant legal and authorized Documents to the very best of my ability to prove my case.

The following briefs' read in conjunction with the attached Documents/exhibits stated in numbered sequences. Also, be aware that all references to Documents are in the Police Department's possession and referred to in the David Cart report.

- #2. Detective Inspector David Cart's report to the Commissioner of Police. This Document's historical content is extremely thorough and highlights the Darrell property from 1885 and joins in with 1888. Notwithstanding, it also brings forth the fact that the Government and the courts have made incorrect decisions on Plans and Documents that were accepted to my detriment.
- #3. Anthony L. Blackman, Crown Counsel MEMORANDUM to Director of Public Prosecutions Khamisi M. Tokunbo. This Document confirms that the property was owned by my grandfather Emelius Darrell; passed onto my father George W. Darrell then passed onto me John N. Darrell. It is also noted that the description of the property on

- the Land Tax request forms was that the property was called the “Estate of Emelius Darrell” because one E. T. Richards who was my father’s lawyer did not convey the property into his name in 1950. It is my submission that this non-act commenced the legal problems which has haunted me for many years.
- #4a. The J. H. Dale Plan (Doc. 6B.) of 1932 joins Doc. 4A and Doc. 33A four portions of property as one. It appears that Emelius Darrell was one of the founders of the Heron Bay School. The school was on the property in 1942. Emelius Darrell died in 1947 and there was no issue with the property the school occupies until 1977.
- #4b. (See Doc 33A) This is a revision of Doc. 4A (Not shown) and is a final legal zoning to support one hundred and ten (110) properties including Emelius Drive East, Emelius Drive West and Wellington Drive with the legal rights of the Tribe Road from the Bermuda Government.
- #5. The 1939 *deed* (Doc. 2A) conveyed from Joan O’Flaberty to Mr. Powell title Doc. 2A. This exhibit confirms that these three (3) portions of the property are joined together. This would be William Lightbourne’s property; Daniel Davis Darrell’s property; and Francis Darrell’s property. The George Arnold Williams in this *deed* received the second embezzlement attempt against his name. The Tribe Road that separates the Powell Property from the Darrell Property is into concealment. The Tribe Road was established in 1913. Note this Tribe Road is clearly shown in the J. H Dale Plan and joins in with the 1945 *deed*. (See Doc. 6A).
- #6. This exhibit is the 1943 *deed* (Doc. 8A) with Mr. Wycliffe Stovell’s subdivision attached to it. Also, it displays the Estate of Emelius Darrell on the same above date.
- #7a&b. These two (2) *deeds* (Doc. 6A) confirms the existence of a Tribe Road since 1913 by the J. H. Dale Plan of 1932.
- #8 a. This receipt (Doc. 7A) displays the Southampton Parish Tax for the Estate of Emelius Darrell in 1947 as provided by the Parish Vestries Act of 1929. Emelius Darrell’s ownership goes back to 1885 and note that there is a large break from 1885 to 1910. From this date until 2004 both Exhibit #2 and Exhibit #3 are in favor of Emelius Darrell.

- #8b. This document acknowledges that King George V held authority of the law from 1910, it also shows that he died in 1936. King George VI assumed the Authority of the law designation, he died in 1952. Queen Elizabeth II. succeeded and has continued to rule to this day.
- #9a. In 1948 Mr. Wycliff Stovell concealed the affording evidence of the 1943 sub-division which identifies the Estate of Emelius Darrell on the North Side of Lot 47 and on the West Side of Lots 40 – 47.
- #10a. According to the Criminal Act of 1907 and its' revised edition 1989, Title 8, Item 31, Page 187, (attached) ***this was a criminal act punishable by Law.***
- #10b. The Bermuda Government was set up to obtained the North side of property Lot 47. Mr. George Arnold Williams was set up to obtain the West Side of Lots 40 – 47. (This is the first time mention is made of the Bermuda Government and George Arnold Williams being set up to rip-off the Darrells'). Now, the Law is very specific on obtaining property under false pretense; see attached Laws of Bermuda revised edition 1989, Title 8, Item 31, Page 181 Part xx.
- #11. Exhibit #2, David Cart's report to the Commissioner of Police refers to (Doc. 7B) This Document reveals clearly that in February 1950 E. T. Richards embezzled my father's *deeds* while at the same time he was hired for performing professional services for him. In June 1950 Mr. Richards inserted Government on the North side of Mr. Lowe's *deeds* and on the West Side Lot 40 – Lot 47 he inserted George Arnold Williams. Together, the intent was to obtain property by false pretense.
- #12. Barrister & Attorney At Law Walter N. H. Robinson authored this Document. The *deeds* of 1953 shows that innocent deceased person's names and the Bank of Butterfield were used to insert George Arnold Williams name into the Darrell's Property. This Document also supports Wycliff Stovell's erroneous claim to Lot #52, which belonged to Emelius Darrell.
- #13. A plan of Land in Southampton Parish known as Wellington Lands Estate. W. G. Brown set up the following Plan in 1964. Its significance is profound. Mr. W. G. Brown fenced in almost as much of

- my father's property as my father fenced in 1954. This plan bought about the end to the 1953 subdivision, which leads us to the plan in #14, (Doc. 21C) noted in Mr. David Cart's report.
- #14. The Plan of 1955 accepts the fencing in of part of Lot #54 in favor of George W. Darrell.
- #15. (Doc. 21A) Mr. E. T. Richards's name is conspicuously silent in this letter. The reason for this silence is because of the 1885 mortgage *deed* he gave back to my father. Note that in this letter he gave back 70 ft. by 100 ft. Also, note that this is the only place one will find Mr. G. Powell's name mentioned. Reason, Mr. Powell's *deeds* confirms the above to be false. See 1939 *deed* Doc. 2A. #5 in this file. This 70 ft. by 100 ft. is registered in the Registry General's Office, further, Land Taxes was received from 1972-1973; and 1976-1977, 1974-1975 (Receipts not found). Thereafter, George W. Darrell reached 65 yrs. old and was not entitled to pay land taxes. Be aware that George W. Darrell paid Land Tax to the Parish Vestry in 1947 and 1948. Further he paid tax for the Estate of Emelius Darrell and George W. Darrell up to 1971.

In 1955 the South Part of the Property was recorded as George Arnold Williams property (Note: this is the third time his name is used). This *deed* was forged, misused the name of King George v and back dated to 1924 and Mr. Horace Cooper's name was deliberately and callously used on the South Side and Benjamin Darrell's name was used on the West Side. These acts were in conflict with the Parish Vestry Committee although George Darrell, by Vestry records owned a portion of the property. Indeed, the J. H. Dale Plan did join the four (4) properties into one (1) but, only three (3) portions of the property was reflected in the 1939 *deeds*. The issue here is that the original J. H. Dale Plan of 1932 is into concealment.

- #16. This (Doc. 8B.) (*Deed*) confirms the estate of Emelius Darrell in 1956 and supported the J. H. Dale Plan for 24 years. Also stated as (Doc. 8B.) in Mr. Cart's report. This *deed* confirms the J. H. Dale Plan. It identifies that in twenty-four (24) yrs. the property as one portion do not include the Government; Mr. W. G. Brown (Investigator); Mr. E. T. Richards (Former attorney for Mr. George Darrell); Mr. G. Powell

- (Vestry clerk) or Mr. Wycliff Stovell (surveyor) involvement with the 1953 subdivision as described in Doc. 14B can also found in Mr. Cart's report.
- #17. Copy of Judgment from the Supreme Court of Bermuda no. 48 March 7<sup>th</sup> 1974. The area map attached shows Government claimed the first portion of property North of Sunnyside Park. *The Darrell family as recorded in the 1943 subdivision and Plan owned this property.* It also shows the railway went through the property. The judgment supports Lots 48 – 54 as being Sunnyside Park and Benjamin Darrell's ownership to 80 ft. of Daniel David Darrell's property and 59 ft. of Forrester Mallory Cooper's property. This plan is in conflict of all Government *deeds* and plans and other area maps. To further, the area map failed to show 3.212 acres of George Darrell's property because it originated in the forged *deed* in 1955 that was backdated to 1924.... already established.
- #18. A letter to Premier Alex Scott dated October 1<sup>st</sup> 2003. RE: *A New Bermuda* 22<sup>nd</sup> May 2002. In the old Bermuda all the elected officials used their Authority to undermine innocent people by their failure to fairly and justly represent the people and honor the oath that they had taken to serve in Public Office.

These acts have affected one hundred and ten (110) properties and the new Works & Engineering Department Office knew and have known for many years that they were protecting a 'wrong doing' committed by the old Public Works Department Office.

Rudy Narayan (Barrister from London) in his letter to Her Majesty Queen Elizabeth II said there is absolutely no doubt that there is active, alive and seething unjust below the cosmetic surface of Bermudian politics after reading this brief.

My letter to Acting Chief Justice Mrs. Norma Wade-Miller identifies that a lot went on and it is vividly clear that there was failure to the Promissory Oaths Act 1969 as stated in Form A; Form B; and Form C.

W. G. Brown started his work for my father George W. Darrell and myself John N. Darrell in 1962 and when one studies his version of the

*Deeds*, it is clear that wrong was committed and honest money and resources were put into faulty property investments as already described above.

- #19. Letter from my London Contact. Misuse of innocent deceased person's names was freely used officially and as a result these persons have been forced to purchase properties under false pretense. This affects one hundred and ten (110) properties and the Bermuda Government continues to collect taxes from 1972 up until August 2003.

Pursuant to the Laws of Bermuda, my name John N. Darrell that is stated in the *deeds*, and the *Power of Attorney* since 1977 protects me as well as every other citizen owning a legal *deed* living in our beautiful homeland. That said, I direct you to the Crisson Plan Doc. 4A. and Doc. 33A, notice the Forrester Mallory Cooper property on the South of the Railway while John N. Darrell owns the North Boundary up to but not including the Middle Road.

Non-compliance to Bermuda Law as stated in the criminal code Act of 1907 and its' revised edition 1989, Title 8, Item 31, Page 187 is a criminal act. In 1983 I bulldozed my personal property to highlight my father's legal right to pass property down to me. Subsequently, I discovered that the Department of Planning used as an Authority two (2) faulty plans that controlled my property in the Government's favor. Notwithstanding the fact that these plans did not support Public Works Dept. *deeds*, plans or any area map. Than, I discovered that the 1943 and 1956 *deed* and plan Doc. 8A&Doc.8B respectively (also found in the Cart report) confirmed that the property belonged to Emelius Darrell (deceased) left in care of George Darrell and given to me John N. Darrell in 1954. These documents were consistent with the J. H. Dale plan of 1932 and Mr. G. Powell *deed* of 1939 Document 2A. ***This assessment is absolutely true to this date May 2004.***

Again, in 1983 I received notice to appear in Her Majesty's Supreme Court charging me with willful violation of trespassing on Government property. The charge threatened to lock me away in case mates prison. Mr.

Ward (prosecutor) met with an honest judge who requested that Mr. Ward prove to his court the reason why I should be put away. Mr. Ward failed in his pursuit to have me put away because of my need to see justice done. Thereafter, he asked the court for permission to level out the rubble but the Judge countered and refused his request.

*February 2004 Works & Engineering staff was illegally directed to trespass the John N. Darrell property Lot 1. They leveled out the same rubble the Judge refused Mr. Ward in 1983. Document 33A, the Crisson Plan can be seen clearly that this was Emelius Drive East and the personal property of one John N. Darrell. Also, high officials in your Department were aware of the Civil Jurisdiction 1978 No. 124 Minister of Public Works (Plaintiff) and John N. Darrell (Defendant) Affidavit.* (Ref. Attached). See Exhibit showing that Larry Dixon of the Planning Department had the plan of 1982 in his Department. (See Doc. 18A) This Document is in conflict with all Government Deeds and Plans that were exhibited in the Courts in the year 1978 (Court Case No. 124). This shows that the Bermuda Government had no legal right on the property. See "QBS 1" showing location of rubble.

**These actions were a serious violation of lawlessness and I (i) demand compensation of \$10,000,000 for leveling out my pile of rubble on my property;(ii) \$1,000,000 for barricading for two (2) days and up to sixteen (16) days and (iii) \$1,000,000 for every day thereafter.**

Clearly, I have invested countless hours to set the record straight, and compiled the necessary legalities to make my property legal. Fifty years has passed and, throughout this period I worked to achieve Clean legal Rights backed by Document 33A. As can be seen by studying Mr. Cart's report all surrounding boundaries will cover already identified 110 properties with one document. My thrust toward this end was made more difficult with the likes of Mr. Wycliff Stovell; Mr. E.T. Richards; Department of Planning; Public Works Department; House of Parliament; Attorney General's Office; the

Judiciary (Judges); my father's lawyer in 1974 combined acted against Bermuda law and as Mr. Cart suggested in his report to the commissioner, "If Mr. Ward had accepted that situation back in 1983 then Mr. Darrell's drawn out battle would have been unnecessary". Additionally, Works and Engineering would not have found it necessary to trespass on Mr. John N. Darrell's property.

Be advised that this package will be legalized in affidavit form, sent to the Governor of Bermuda then sent to the foreign Commonwealth Office in London.

I am,

Respectfully yours,

A handwritten signature in cursive script that reads "John N. Darrell".

John N. Darrell.

Cc: The Governor, His Excellency Sir John Vereker;  
(i) Attorney General's Chambers;  
(ii) Attorney General's Chambers for the Chief Justice;  
London Contact &  
Legal Team.