

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

**CHAIRMAN  
JUSTICE NORMA WADE-MILLER**

**COUNSEL  
MR. DIRK HARRISON**

**COMMISSIONERS  
MR. WAYNE PERINCHIEF  
MR. QUINTON STOVELL  
MS. MAXINE BINNS  
MR. JONATHAN STARLING  
MS. LYNDA MILLIGAN-WHYTE  
MS. FREDERICA FORTH**

**TRANSCRIPT OF PROCEEDINGS**

**LOCATION: UNKNOWN  
MONDAY, FEBRUARY 1, 2021  
MORNING SESSION (d)**  
(Continuation of Morning Session (c))

**MR. JUSTIN ROBINSON** 0:01: 0019 dated 1801 19 Albertha Rosetta Green and Carol Ann Louise Furbert to Kristen, Elizabeth Beasley and Rachel Lathan Rance, Trustees of the Teaghialgh Trust?

**COUNSEL DIRK HARRISON** 0:29: Thank you. Now that document deed, which is dated the 18th of January 2019 which has been given the designation by the COI of Exhibit L when it was submitted as between Alberta Rosetta Green and Carol Ann Louise Furbert of the One Part, and Kristen Elizabeth Beasley and Rachel Lita Grant in their capacity as Trustees? And I'll spell this word for fear of mispronouncing words and doing damage to the name as I have done in so many others? T.E.A.G.H.I.A.L.G.H Trust. I'm sure you would venture to try to pronounce it Madam Chair. I would raise my red flag rather than to try. We will enter it as Exhibit JR21.

**JUSTICE NORMA WADE-MILLER** 3:43: So is it a Deed or Trust?

**COUNSEL DIRK HARRISON** 3:52: It is a Conveyance Madam Chair.

**JUSTICE NORMA WADE-MILLER** 4:13: So it was conveyed to the trustees.

**COUNSEL DIRK HARRISON** 4:16: That's is what the document is indicated as

**JUSTICE NORMA WADE-MILLER** 4:24: The Deed of Conveyance, and I think it has a seal designation of Exhibit L as in Lloyd?

**COUNSEL DIRK HARRISON** 4:35: Correct Madam Chair.

**JUSTICE NORMA WADE-MILLER** 4:37: Yes. And between Albertha Rosetta, Green and Kristen. Elizabeth Beasley, in their capacity as Trustees.

**COUNSEL DIRK HARRISON** 4:52: Now there is also Rachel Lathan Rance.

**JUSTICE NORMA WADE-MILLER** 4:56: Oh and Rachel

**COUNSEL DIRK HARRISON** 4:58: Lathan Rance

**JUSTICE NORMA WADE-MILLER** 5:03: How do we spell the Rans . R A N C E. And then we have the name of this church and I won't try to pronounce it. \_\_\_\_\_Trust?

**COUNSEL DIRK HARRISON** 5:22: T.E.A.G.H.I.A.L.G.H Trust

**JUSTICE NORMA WADE-MILLER** 5:41: Trust entered as Exhibit JR21.

**COUNSEL DIRK HARRISON** 5:45: Thank you. Could you just read for us the entry at #9 based on the search results that were provided after you made your request?

**MR. JUSTIN ROBINSON** 6:30: Albertha Rosetta Green and Carol Ann Louis Furbert Conveyance of Lot C boundary adjustment between 31 and former LOD 331 Clan was dated to anyone 06 19 Alberto results are green and caravan leads to Kristin, Elizabeth beastie. And Rachel Leighton grants as trustees of the Teaghialgh Trust.

**COUNSEL DIRK HARRISON** 7:10: Madam Chair I am going to ask that this be added to list of documents that we asked the registrar to kindly assist us with. It is from exhibit JR14. It is a ninth entry on the document.

**JUSTICE NORMA WADE-MILLER** 7:53: I'm just trying to get a shortened description for the Registrar.

**COUNSEL DIRK HARRISON** 7:58: I think it's best to describe it as it is read. It is best to quote it verbatim as it appears there and return it to them and ask them to assist us.

**JUSTICE NORMA WADE-MILLER** 8:13: From Exhibit JR21 an entry on the document describes request to The Registrar. Very well,

**COUNSEL DIRK HARRISON** 8:40: Mr. Robinson I want to show you a document that you had also shared with us is entitled Heads of Voluntary Conveyance. That's what the documents that you provided to us sir?

**MR. JUSTIN ROBINSON** 9:10: Yes,

**COUNSEL DIRK HARRISON** 9:16: Madam Chair it had been given a designation of Exhibit E as an egg

**JUSTICE NORMA WADE-MILLER** 9:21: Do you want me to describe it as Heads of Voluntary Conveyance?

**COUNSEL DIRK HARRISON** 9:29: Yes, that is so. As tendered Exhibit JR22.

**JUSTICE NORMA WADE-MILLER** 9:43: What is the date of the Heads of Voluntary Conveyance?

**COUNSEL DIRK HARRISON** 9:45: Madam Chair April 25 2001. Mr. Robinson my apologies for my repetition, please the date of the passing of your father and your grandfather?

**MR. JUSTIN ROBINSON** 10:10: On August 22, 2012 and November 7, 2012.

**JUSTICE NORMA WADE-MILLER** 10:19: And it's been entered as Exhibit 22 Counsel?

**COUNSEL DIRK HARRISON** 10:30: Yes Madam Chair. Just read for us Mr. Robinson what's dated the Grantor and the Grantee please?

**MR. JUSTIN ROBINSON** 10:48: Dated 25th day of April, 2001. Grantor Tour Frederick Leonard Hendrickson of Hamilton Parish in the Islands of Bermuda; Grantee Carol Ann Louise Furbert and Albert Curtis Harris, both of Smith's Parish in the said Islands.

**COUNSEL DIRK HARRISON** 11:18: Thank you. Madam Chair I am just going to show the witness a document. And as for the purposes of the exercise prior to making an application for the designate an exhibit number, it touches on concerns Exhibit JR5.

**JUSTICE NORMA WADE-MILLER** 12:27: What are we calling this document?

**COUNSEL DIRK HARRISON** 12:29: I will just put it in the hands of the witness first and then I'll continue.  
Mr. Robinson do you recognize that as all the documents that you have added to the Commission of Inquiry Secretariat sir?

**MR. JUSTIN ROBINSON** 12:57: Yes

**COUNSEL DIRK HARRISON** 12:59: The document Madam Chair is it had been given the designation of Exhibit JR5 by the COI office Secretariat. The heading is "In the City of Virginia Beach".

**JUSTICE NORMA WADE-MILLER** 13:33: In the City of Virginia Beach.

**COUNSEL DIRK HARRISON** 13:35: Beach, in the state of Virginia, in the United States of America. I would ask that the document be tendered and admitted as JR5a.

**JUSTICE NORMA WADE-MILLER** 14:26: JR5.

**COUNSEL DIRK HARRISON** 14:32: What I was indicating earlier on I am sure that the Virginia Beach Poll of Attorney document General Attorney dated May 27, 2004. That this document bears some reference to it in terms that a Conveyance had occurred.

**JUSTICE NORMA WADE-MILLER** 15:05: So the reference was made in JR5?

**COUNSEL DIRK HARRISON** 15:10: Well, both documents have been filed and settled in the State of Virginia, it relates to a Power of Attorney. And this document refers to

a Conveyance of property by way of a Power of Attorney. I am just seeking to keep the documents together.

- JUSTICE NORMA WADE-MILLER** 15:36: I appreciate that. What is the number we're giving it here?
- COUNSEL DIRK HARRISON** 15:40: JR5a. We have a 5 already, so I am giving it a 5a.
- JUSTICE NORMA WADE-MILLER** 15:52: So entered and I have an elaborate description of it but it is here.
- COUNSEL DIRK HARRISON** 16:00: Thank you Madam Chair. Mr. Robinson, could you just read for me from to all, to whom this Present shall come just to the end of the page for me please.
- MR. JUSTIN ROBINSON** 16:20: To All Whom these presents shall come to William A \_\_\_\_\_ (I do not know what the last name is - JR) or of Virginia Beach, Virginia, USA. Notary Public to hereby certify that on the day of the date, hereof before me personally appeared Fredrick Leonard Hendrickson, known to be the person named in the deed, hereto annex marked a and initialed by me and the said Fredrick Leonard Henderson did then acknowledge before me that he has signed, sealed and delivered the said Deed as an act and deed for the purposes therein expressed and that the signature described to the said Deed the opposite. The seal thereon was the signature and handwriting of the said Frederick Leonard Hendrickson in testimony where I the said Notary Public have hereto set my hand and notary seal this 27th day of May, 2004 William A. W H E S Y. III
- COUNSEL DIRK HARRISON** 17:59: Thank you very much. Madam Chair, I am but not at this present time, but at a later time ask that a letter is written to the Immigration Authorities, I trust records will still be available in terms of the times when these documents were purportedly signed in another jurisdiction. Because persons are attesting to it, that we could find out from the Immigration Authorities

whether their records indicate whether the persons were in Bermuda at the time or they had been out of the jurisdiction at the time.

**JUSTICE NORMA WADE-MILLER** 18:50: I will make a note of that, but you say in due time, you'd like the letter to be written. You're not seeking for it to be written now or?

**COUNSEL DIRK HARRISON** 19:08: Well not this minute, but that just indicates that it's five. And finally, they made reference to the documents which were attached to and signed before particular persons. I am saying in terms of the exercise, I'm just asking that an order could be made, but let us work with regards especially to these two documents, to determine whether Frederick Leonard Hendrickson was within the jurisdiction or outside because the Notary Public and the persons who attest to it, are saying that the persons were before them.

**MR. WAYNE PERINCHIEF** 19:24: In Virginia

**JUSTICE NORMA WADE-MILLER** 20:00: So I'll just make the ordinary order that the Bermuda immigration authorities be requested to indicate whether Frederick Leonard Hendricks was outside. Is that the only person?

**COUNSEL DIRK HARRISON** 20:45: Yes that's the only person. Just generally travel records on or about that time, because on or about the time of the signing of the document. Because if the records indicate that he is in Bermuda, or otherwise it would bear some relevance and determination that is made by the commissioners.

**JUSTICE NORMA WADE-MILLER** 21:16: Out of the Jurisdiction and Counsel could you give me the timeframe, please? When was the document signed?

**COUNSEL DIRK HARRISON** 21:21: Well, it is the 27th of May 2004. So I, we just have travel records on or about the 27th of May 2004.

**JUSTICE NORMA WADE-MILLER** 21:37: Okay certainly the order Council, but I don't see the hesitation, why it can't be written now or are you waiting until you have the response of the adverse notice?

**COUNSEL DIRK HARRISON** 21:58: Well, you know, what, I was being quite particular in saying right now this minute. So that meant that I was not saying right now.

**JUSTICE NORMA WADE-MILLER** 22:09: This timeframe very well, I've made the order that the Immigration Authorities can be written to see if the travel records show if this individual was absent from Bermuda during specified time.

**COUNSEL DIRK HARRISON** 22:27: On our vote, those are the questions I have at this time, Madam Chair, what I propose is that I know the Secretariat has been quite ahead of us this time. So they have a wonderful template of the adverse notice has already been prepared for us insert the names and the addresses. So I would ask that we could utilize the system in place to ensure today Being Monday, hopefully, by Thursday or so we can get responses. And we can set dates, because we need to be setting dates for the persons to whom adverse persons or entities to whom notices have been issued. We need to be setting dates

**JUSTICE NORMA WADE-MILLER** 23:17: Secure with the assistants.

**COUNSEL DIRK HARRISON** 23:23: Myself and Pierce O'Brian. We are on top of it

**JUSTICE NORMA WADE-MILLER** 23:33: So Pierce you know what to do.

**COUNSEL DIRK HARRISON** 23:36: Those are the questions for the witness today. The witness could just be advised Madam Chair that he will be advised when we continue based on the responses to the persons or the entities to whom the notices will be issued and advise when the next date it is that we continue, hopefully within the next seven (7) days.

**JUSTICE NORMA WADE-MILLER** 24:05: So, Mr. Robinson you have heard what Counsel said you have been following the proceedings so you are quite involved in it. What has happened because of the names that have been

indicated in the proceedings, adverse notice has to be sent to them; and what that means is that in these proceedings, if someone name is called, they're given an opportunity to respond because it could cause reputational damage. And once they respond, they will be served with the transcript of what is preceded in terms of evidence that you've given and they will be given a date to appear, and then we will all come back you and them and we will move forward from there. In the meantime, remember that you're under oath, and you should go not discussing the proceedings with anyone. You know, just make sure that you keep it, and keep it to yourself. Anything else, Counsel?

**COUNSEL DIRK HARRISON** 25:19: That is it Madam Chair, there's nothing else.

**JUSTICE NORMA WADE-MILLER** 25:22: Thank you and so in the circumstances will allow you to go now. And we will call you when we are ready to proceed.

**MR. JUSTIN ROBINSON** 25:35: Thank you

**JUSTICE NORMA WADE-MILLER** 25:37: We will adjourn until tomorrow at 10 am. We adjourn. Thank you, everyone.

**END OF TRANSCRIPTION FEBRUARY 1 (MORNING SESSION d) AT 26:06**