COMMISSION OF INQUIRY ON HISTORIC LAND LOSSES IN BERMUDA

COMMISSIONER: Wayne Perinchief

TRANSCRIPT OF PROCEEDINGS

LOCATION OF MEETING: Warwick Camp - Dining Hall

DATE: 3 February 2021

TIME: 9:30 am to

**Chairman Perinchief** 00:00: The Commission will resume after a 15 minute break. Counselor you may carry on.

**Commission Counsel** 00:07: Thank you Chairman. Miss.Tierra could you continue reading, reviewing the penultimate paragraph of the article?

**Haley Tierra** 00:27: Okay. Being as a second favor, you failed to reflect the true position of the south boundary to Mr. Darrel's property, as also shown in the deed of confirmation previously prepared by him. Note, document 21 C 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 and John Darrell. At the same time, they erected the 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, 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 property, portions 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, triangular section of the property, both of which lay to the north of what is now lot 54 were consolidated to create what is now 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 the lot, with lot 55 and in 1982, BCEC were instrumental in that lot being conveyed to someone else to the detriment of Mr. Darrell. It was a consequence, it was as a consequence of this activity, he believes, that Mr. Summers 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 UK lawyers and a UK Queen's Counsel, but was eventually unable to get his case heard due to government's misuse of the limitation act. In 1992, the complainant’s brother requested his deeds back to use them for his own purpose, and then the BNTB converted the 12, 120,000 loan to a mortgage taking the property as outlined in the plan by, produced by Summers 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 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 bank's lawyers and Kathy Lightbourne to press the point, but a meeting was never held. In May 1998, by which time the complainant’s efforts to reclaim his land had consistently failed, the BNTB brought an action to possess Mr. Darrell's house and property in order to offset the loans 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 microfiche generated copy of the 1930, J.H. Dale plan in support of their claim, 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. All three plans are of the same area. It should be noted that plan document 22 C was redrawn by Quentin Stovell,, Public Works Department in 1970, is one which was relied on by the court in the 1979, judgment by Walter Robinson and is the one referred to in these those proceedings as the multi-colored plan. This plan shows the correctly redrawn boundary to Mr. Lightbourne's property to the west of the property in the name of Percy Dodwell. The complainant has made handwritten notations on the bottom left hand corner of document 22 C 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, which illustrates the conflict.

In 1983, the complainant's position in respect of the land which was now shown as the complainants on the BCEC plan of 1991, was governments. 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 complainants. 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 Sub, Park subdivision has to remain intact as the owners have purchased that property. He also recognizes the fact that the Riveria Estate Road has to remain where it is presently positioned. Even though it cut through his property. Mr. Crisson prepared a further plan showing how all of these properties should be rezoned not only to correct the title to land, which the complainant contends as 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 renamed 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 De Rosa from Sunnyside Park be renamed as a Emelius Drive East and c) The road inside Sunnyside Park giving access to lots 48 to 54 is renamed Emelius Drive West. This plan would need further revision to provide protection to lots 55 and 56 of the 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 in, it is this position which the complainant requests to be referred to the governor.

Mr. Darrell last visited me on the 14th of April 2001, and provided me with a letter and additional document attached outlining his claim. He arrived 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 $1,000 each from the 50s onward, would have still owned them today had he not sold them to finance his legal battle. The present day value of those homes plus interest on 75 million resulting from a poor judgment 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 UK 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 offense 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 what could drive, 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 in the plans which he desputes and to determine once and all whether he was disadvantaged by incorrect judgments in the courts, and if she should be compensated in some way by the government, Respectively submitted, Signed, Descartes, Detective Inspector, Commercial Crime Department, Fraud Unit.

**Commission Counsel** 10:16: Thank you. I was meant to take you scrolling up a bit to the top of this page. You had just read from this article, which was posted in the Mid-Ocean News. It stated at the top of the page the extreme right. In the opinion of the Detective Inspector Cartes the opinion reference, it says the complainant will also like to see a, b. c. It lists a number of things that the complainant would like to see. Is it your understanding Mrs. Tiarta or any other witnesses that this was the wish that this was a wish of the complainant, that these things are carried out?

**Donald McMahon** 11:13: Yes.

**Haley Tierra** 11:13: Yes.

**Commission Counsel** 11:15: And we fast forward to third of February 2021. Have any of these three things been carried out to date?

**Haley Tierra** 11:25: No.

**Commission Counsel** 11:26: But one of you has to answer for the record. You have to.

**Donald McMahon** 11:29: No.

**Commission Counsel** 11:30: Okay, thank you. That's Mr. McMahon. Thank you. Now, in respect of the article in the newspaper the, I want to show you a document which is the actual opinion which had been inserted in the newspaper article, it is a copy of the report I was going to show it to you, and you could indicate if this is well, you gave it to me so you could have a look at it please.

**Chairman Perinchief** 12:09: Counsel by way of a query, I noticed on the transcript of the recent report from Cart, there was at the bottom a footnote that was not, I, I couldn't see clearly. At the very bottom of the Cart report. I believe.

**Commission Counsel** 12:29: There is a note from a supervisor, a sub officer.

**Chairman Perinchief** 12:33: Yes, I was interested in looking at that.

**Commission Counsel** 12:37: Okay. Mrs. Tierra, Miss Tierra

**Chairman Perinchief** 12:39: If Miss Tierra could read that as well.

**Commission Counsel** 12:42: Just below the part that speaks about DCOP Jackson. Could you just read that part for me that ends zero one?

**Haley Tierra** 12:51: Sure.

**Commission Counsel** 12:52: At the foot the of the document and then I'll go to my question.

**Haley Tierra** 12:55: Okay. DPOC 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 I've referenced the relevance document ref, have referenced the relevant documents supporting his contention. The attached folder of documents provided by 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. Descartes, June 5th 2001.

**Chairman Perinchief** 13:30: Thank you. That was the footnote that I wanted to see.

**Commission Counsel** 13:32: Thank you. The actual opinion, which was inserted in that article, the opinion. The memorandum written by Detective Inspector Cart, you have a copy there?

**Haley Tierra** 14:11: Yes. To your left. Is that the document that you handed to us that's inserted in the article? Yes, it is.

**Commission Counsel** 14:20: I'm just going to ask, how many pages is it, please?

**Haley Tierra** 14:29: It's 7 pages.

**Commission Counsel** 14:32: And what's the date on it please?

**Haley Tierra** 14:34: 5th of June 2001.

**Commission Counsel** 14:36 I'm going to ask that..you said seven pages correct? Seven.

**Haley Tierra** 14:37: Yes.

**Commission Counsel** 14:42: So yes, seven page memorandum dated the fifth. I'm sorry?

**Haley Tierra** 14:52: 5th of June 2001.

**Commission Counsel** 14:53: Fifth of June 2001. My application Chair as a tender admitted exhibit HT 13.

**Chairman Perinchief** 15:08: Yeah, the Cart report dated fifth of June 2001, complete, consists of seven pages, be ex, entered as exhibit HT, HD

**Commission Counsel** 15:21: HT

**Chairman Perinchief** 15:22: T sorry. Not yes. What's the number again?

**Commission Counsel** 15:28: 13.

**Chairman Perinchief** 15:29: 13. So indexed.

**Commission Counsel** 15:32: Thank you. And also starting in respect of the, internal memorandum of the Office of Director of Public Prosecutions, addressed to the Commissioner of Police. No I'm sorry, addressed to the Director of Public Prosecutions from the Crown Counsel . You have that document there?

**Haley Tierra** 16:03: Yes.

**Commission Counsel** 16:06: What date is on it?

**Haley Tierra** 16:08: 8th of August 2001.

**Commission Counsel** 16:10: I'm going to ask that that memorandum which is, which had been published in the Mid -Ocean News, the full script of it, of October 25, 2002. I'm going to ask that it is tendered as exhibit HT 14.

**Chairman Perinchief** 16:31: Internal memorandum to the DDP from Crown Counsel dated 8th of August 2009, be tendered as exhibit HT 14 so indexed.

**Commission Counsel** 16:48: Just want to also show the witness a document, thank you, which is a letter, cover letter from the Office of the Director of Public Prosecutions from the Director of Public Prosecutions to the Commission of Police. Dated 13th of August 2001. You are familiar with that document madam?

**Haley Tierra** 17:24: Yes.

**Commission Counsel** 17:27: I want to ask that that document is tendered exhibit HT 15.

**Chairman Perinchief** 17:36: Cover Letter from the DPP to the Commission of Police, dated 13th of August 2001, tendered as exhibit HT 15.

**Commission Counsel** 17:47: Thank you. I'm just going to ask you to read that document for me please. Just a moment. Just before you start Please go-ahead Madam.

**Haley Tierra** 17:50: Okay. Okay. And the Office of the Director of Public Prosecutions, Global House, 43 Church Street.

**Commission Counsel** 18:27: Speak into the Microphone for us please.

**Haley Tierra** 18:28: Hamilton HM 12 Bermuda the 13th of August 2001. Commissioner of Police Attention Carlton E. Adams, Assistant Commissioner Re: Allegation of Fraud.

I refer to your Memorandum of 4th of July 2001. In closing a file on the investigation into allegations of fraud made by Mr. John Darrell. I'm 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, recommended because of the significant conclusion that the complainant has been unfairly dispossessed of land. I am of the view that 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'm 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. Please extend my thanks to inspector Cart for his work. Signed, Khamisi M. Tokundo, Director of Public Prosecutions. Enclose cc Attorney General, Permanent Secretary, Ministry of the Environment Development and Opportunity.

**Commission Counsel** 20:15; Thank you. I'm going to take you back to the PowerPoint presentation. I believe we were at page 39. Is that your recollection?

**Haley Tierra** 20:51: Yeah well you would scroll to page 40, actually.

**Commission Counsel** 20:54: Thank you, Mame.

**Haley Tierra** 21:12: Okay. So, for this section, um we decided to select a few early letters from John Darrell, because there are a large amount. Um the specific ones that we selected include government and George Darrell.

**Commission Counsel** 21:25: Slow, slow. Let's not speak so fast, please. I'm just going to ask him to turn up the microphone a bit so you could sit back and now. Yes, you may go ahead madam.

**Haley Tierra** 21:38: Okay. So these letters include government and George W. Darrell caught up into the bad dealings of David Tucker in 1948. And it's dated 1985. The second one is the Estate of the Emelious Darrell dated 1986. And it's in reference to the court case of March 1983. And then the final one that we selected was to hell with the queen, dated 1987. And it's accompanied by a copy of tax paid to the vestry as late as 1971.

**Commission Counsel** 22:13: But before we go any further, I note with interest that you indicated just now, and I use my own words that you just selected some documents, what exactly do you mean by that?

**Haley Tierra** 22:24: I mean, that John Nathaniel Darrell has sent numerous letters to government officials the Queen, other representatives that he thought would help him in support of this case. So we just selected a few of these, there are a very large number of them that we thought would,would kind of take up too much time, if we were to present them but these were just a few.

**Commission Counsel** 22:50: Right. I just wanted to not so much to have them presented, I just wanted to understand what was happening. So, just before you go further, also, over what period of time had he been sending these documents been? What what what, what period of time are we referring to?

**Haley Tierra** 23:11: Um, The earliest is probably the early 1900s all the way down to probably 2005.

**Commission Counsel** 23:19: So what was happening was, you had descendents taking up the role of writing letters or these are all letters, by

**Haley Tierra** 23:28: These are all letters by John Nathaniel Darrell.

**Commission Counsel** 23:31: And repeat, for what what period he was writing them?

**Haley Tierra** 23:34: From the early 1900s. So I'm just going off of the earliest date I see. Oh, sorry, 1985. So we're probably going to say like; there's one earlier. So.

**Commission Counsel** 23:45: Just identify yourself. Your microphone is not on, yeah.

**Donald McMahon** 23:51: Donald McMahon. Um my grandfather was writing letters too so the earliest one that I see is 1955, after the the, they said the deeds disappeared. And that's when he wrote to uh, August 5th Appleby Spurling and Kempe.

**Commission Counsel** 24:09: Microphone. Speak into the microphone

**Donald McMahon** 24:10: August 5th, Appleby Spurling and Kempe. Letter referring to Mr. George Darrell. Southampton East. When he was writing to them to inquire about this property to find the deeds and stuff, I mean boundaries and all that there.

**Commission Counsel** 24:16: You may proceed madam in respect of these supporting documents that reference is being made to. We'll start first with early letters from John Darrell. The first one is dated the 4th of August 1986. Is that correct? Okay. Uh, I, I, note but it is not anything that the cameras would pick up. That you have two suitcases full of documents that you have accumulated for all these years.

**Donald McMahon** 24:36: Yeah, so we just picked out some that would get to the correct survey.

**Commission Counsel** 24:39: Okay that's what I was just trying to get at.

**Donald McMahon** 24:42: Okay.

**Commission Counsel** 24:53: I'm going to show you a copy of this document. And as as the document is being taken to you, where did you, I know you just said that these documents cover a span of years, and they relate to letters being written by John N. Darrell. Where did you get these documents from? Please identify yourself.

**Haley Tierra** 25:13: Yes.

**Commission Counsel** 25:14: I want to show you a copy of that document. It is to the Attorney General, Saul Fromkin, Esquire, Queen's Counsel JP from John N. Darrell. The Estate of Emelius Darrell. Is that correct?

**Haley Tierra** 25:29: Yes, that is correct.

**Nathan Darrell** 25:54: Nathan Darrell. Uh, the documents were left with me from the wife of my father, John Darrell my mother, Louise, Darrell.

**Commission Counsel** 26:04: And when was this done?

**Nathan Darrell** 26:06: On his passing in 2013.

**Commission Counsel** 26:11: And you have had them under lock and key since.

**Nathan Darrell** 26:13: Yes, sir.

**Commission Counsel** 26:14: Okay. Thank you. The document Chairman dated the fourth of August 1986. As I indicated, it's to the Attorney General, Saul Fromkin Esquire, Queen's Counsel, JP from John N. Darrell. My application is that it is tendered and admitted as exhibit HT 16.

**Chairman Perinchief** 26:45: Oh, would you just repeat the date please?

**Commission Counsel** 26:47: It's the fourth of August 1986.

**Chairman Perinchief** 26:52: Letter to Saul Fromkin?

**Commission Counsel** 26:53: The Attorney General

**Chairman Perinchief** 26:55: The Attorney General Saul Fromkin? and it is from John N. Darrell.

**Commission Counsel** 27:01: Re the Estate of Emelius Darrell. Emelius E-M-E-L-I-U-S. In this case I make emphasis to spell it because as Miss Tieart had pointed out yesterday some documents that are registered have a different spelling.

**Chairman Perinchief** 27:18: Tendered as exhibit HT 16.

**Commission Counsel** 27:21: Thank you.

**Chairman Perinchief** 27:23: So done.

**Commission Counsel** 27:24: Would you read the document madam?

**Haley Tierra** 27:26: Yes. Um, 14 Fair Vale Lane Warwick 714, 4th of August 1986. To: The Attorney General, Saul Fromkin, Esquire. Queens Counsel JP, From: John N. Darrell, The Estate of Emelius Darrell. Sir, reference the court case.

**Commission Counsel** 27:47: I suggest to speak a little louder for me please.

**Haley Tierra** 27:49: Sir, reference the court case of March 1983. I, John Darrell have honored 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 years and approximately eight 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 dollars. And because the plead was not guilty, the charge was dropped to 55 dollars. In 1978, they were forced to arrange a fixed court when the defense was withheld in order for government to receive a judgment 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 ie., 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 favor 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 into 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 honored the decision of the court and I've no problem meeting government in court. And it is only government who cannot enter an honest 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 been not acknowledged the Estate of Emelius Darrell. I have been in the property dispute for 24 years, and I've used the proceeds from my 32 houses to cover costs and I have 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 number 33 and number 34 to finish this fraudulent act by government. Yours faithfully, John Nathaniel Darrell.

**Commission Counsel** 30:25: Thank you. The other document another document you wish to place reliance on is a 23rd day of October 1985, letter. Is that correct?

**Haley Tierra** 30:45: Yes, it is.

**Commission Counsel** 30:47: It is addressed to the honorable Quinton L. Edness, JP MP Minister of Works and Housing. Is that correct?

**Haley Tierra** 30:58: Yes, sir.

**Commission Counsel** 31:02: And it is another one of the letters written by John N. Darrell. It's four pages and signed. Is that correct?

**Haley Tierra** 31:14: Yes.

**Commission Counsel** 31:15: Whereas the one before was unsigned?

**Haley Tierra** 31:17: Yes.

**Commission Counsel** 31:19: By application Chairman is that this document dated 23rd October 1985, letter of John N. Darrell which is signed. It is the the subject here is government and George W. Darrell. Government and George W. Darrell caught up into the bad dealings of David Tucker in 1948. Government and George W. Darrell caught up in the, into the bad dealings of David Tucker in 1948. My application is that this document be tendered, admitted as exhibit HT 17. After it is shown to the witness.

**Chairman Perinchief** 32:12: It's a letter drafted in 23rd of October 1985.

**Commission Counsel** 32:17: Dated, dated.

**Chairman Perinchief** 32:19: Dated, dated 23rd of October 1985. To The Honorable Quinton L. Edness Minister of Works and Housing , four pages. signed by Mr. G.W. Darrell?

**Commission Counsel** 32:36: John, John N. Darrell.

**Chairman Perinchief** 32:38: John N. Darrell? Be submitted as exhibit HT 17.

**Commission Counsel** 32:46: Thank you. Do you have that document there Madam?

**Haley Tierra** 32:48: Yes sir.

**Commission Counsel** 32:50: Could you read it please Madam?

**Haley Tierra** 32:52: 14 Fairvale Lane Warwick, 715 Bermuda. 23rd of October 1985. The Honorable Quintin L. Edness JP MP, Minister of Works and Housing. Government and George W. Darrell caught up into the bad dealings of David Tucker in 1943, 1948 pardon me.

In 1978, government arranged a fixed court where they used 100% fraud intending to link claim, lay claim to the Estate of Emelius Darrell. See case number 124. Civil jurisdiction 1978 attorney Charles, Charles Vaucrosson, Vaucrosson, had no intentions, of representing the Darrells in this case. He misused their funds to safeguard government's judgment from start to finish. He intentionally withheld the Tribe Road, which was to the west of the Estate of Emelius Darrell and 20 feet of the property to the northwest of said, of the said Estate. And looking at government's plans, which were presented in this case, the Tribe Road and 20 feet of property failed to appear. He intentionally withheld the honorable 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. Wycliff 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 the government; placed government into the hand, into the De Rosa 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 northwest of the Estate of Emelius Darrell, and a very large portion of the property at the Southwest boundering 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. The same portion of property which has was placed in the name of George Arnold Williams, government has compromised in favor 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 the Emelius Darrell in care of George Darrell right up until 1971.

I have in my possession land tax receipts dated 20th of August 1976 and the 30th of 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 number 23, which was approved by the Department of Planning on the 8th of May 1981. And as it was, as it was brought to your attention in 1977, government had received tax for this property, and there is no violation of any laws. Mr. Prosecutor Robin McMillan, Crown Counsel rest the case on the strength of the documents.

I, John N. Darrell do, do carry an interest in seeing which property this, these documents fit. I would like to once again refer to the case of 1978, where Judge Robinson, knowing his involvement in this property, the Estate of Emelius Darrell, should have withdrawn himself, having given consultation on this property receipt for the same dated 15th of April 1963, when he was investigating the boundaries. His letter dated 17th of June 1963, when he stated he was continuing the searches relative to the boundaries. In 1964, he signed a forged document in favor of W. G. Brown and John Nanthaniel Darrell. This property did not come directly to myself. I acknowledge working with my father and this property was all, always acknowledged to be his property.

W.G. Brown started in 1962, investigating the property for George W. Darrell. He bypassed George Darrell and backdated to 1940. And all that was, that George Wellington Darrell received from the transaction was having the property named after him, ie., Wellington Lanes. I again refer to the 1983 case, the reason being to stand in honor 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, and because they could not bring the deeds to the court, they offered a reduction of this amount to $55. Government has intentionally misused the name of the Queen by perpetrating a fraud and knowing that their position is a cover up, a compromise and, the compromise is a double cross. Government on finding four people deceased, misused their names, ie., 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. Hersey A. Dodwell may possibly have sold government a portion of the 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 a Emelius Darrell was not sold then George Wellington Darrell's property has, has not been sold. I am asking in the interest of justice that these four deceased persons be withdrawn from this case. The Honorable George Arnold Williams did not have anything to do with the second portion of property that was stolen from 1953. When the death was brought to light in 1962, he did not stand by Mr. Stovell, by Mr. Stovell. And in 1973, 78 pardon me, he gave the second portion back to George Wellington Darrell. He stood firm on this issue.

We have not been afforded our legal rights to an honest attorney. The Honorable George A. Williams' name was misused. He was caught at a disadvantage ie., 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 number 23. under File Number 8557, which was approved before the sale of the second portion of property. There are three portions of property, the first being sold by vecery clerk consisting of government's tribe and the 20 feet Northwest, a much larger portion at the Southwest. The second portion is the smallest portion and it is in the name of the honorable George Arnold Williams. The third portion government laid claim to from 1962 backed up, backed off in 1962, came back in 1970, and could not show deeds in 1977. And this consists of the third, third portion of the Estate of Emelius Darrell and George Wellington Darrell which is acknowledged by gov., 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, 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 honor of the Queen and the four deceased persons please contact within signed. 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 and the honorable Ralph Marshall.

**Commission Counsel** 42:31: Chairman, I am afraid to ask the witness a question in relation to the last paragraph, but I'll move on I think.

**Chairman Perinchief** 42:40: For obvious reasons Counsel.

**Commission Counsel** 42:44: Yes, I'll move on but, I suppose Mr. Darrell would know if anyone contacted him. But let me move on. Now Madam, another document which you have supplied which you wish to place reliance on is a letter dated the 25th of May 1987.

**Haley Tierra** 43:18: Yes.

**Commission Counsel** 43:19: It is to His Excellency The Governor. The Viscount Don Russell, pronunciation. And it is titled," to hell with the queen".

**Chairman Perinchief** 43:39: Would you just repeat the date of the...

**Commission Counsel** 43:41: It is the 25th of May 1987.

**Chairman Perinchief** 43:51: Thank you.

**Commission Counsel** 43:55: It comprises of four pages. Consists of four pages unsigned. How many pages? Five. Six pages, I'm sorry it has some attachments, some notices. Is that correct?

**Haley Tierra** 44:28: Yes.

**Commission Counsel** 44:41: Is that a copy of the document that I just referred to?

**Haley Tierra** 44:44: Yes it is.