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

**Commission Counsel** 00:01: Last Chairman, that letter consisting of six pages which includes some attachments at the end. Dated 25th May 1987, be tendered admitted as exhibit, HT 18.

**Chairman Perinchief** 00:24: A letter dated 25th of May 1987. Letter to a letter to the governor the Vicount Don Russell, titled "To Hell With The Queen" will be submitted as exhibit HT 18.

**Commission Counsel** 00:42: Thank you. Could you go ahead and read for me please.

**Haley Tierra** 00:43: Fairvale Lane, Warwick WK 09, 25th of May 1987. His excellent, his excellency the governor, the Vicount Don Russell, "To Hell With The Queen". This was the stand that 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 the property, which are the Tribe Road and the Joynes 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. Wycliff Stovell has, had misled the Department of Planning and making it appear that the government owns the property of the Emelius Darrell Estate and, also the De Rosa Estate. According to Mr. Stovell, the De Rosa Estate has been moved over into scenic heights. This is false. The government let in making a compromise in favor of W.G. Brown laid claim to the property to the far east of the Estate of Emelius Darrell, which is the De Rosa Estate by mistake, by a mistake of Mr. Wycliffe Stovell. In the Supreme Court civil jurisdiction 1978, case number 124. Before the honorable 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 De Rosa Estate. They recognized ownership of the property to the west of the De Rosa 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 prep, pressure on Mr. Vaucrosson for a defense and after seeing that Mr. Vaucrosson had no intentions of offering a defense. He asked if I, John Darrell, would agree to an interview on the property in question of which I was in favor. He also asked the Honorable Justice Robinson for an interview. This was not accepted. And 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 Darrell's were E.T. Richards, Gayous Powell and Benjamin Rego, with the sale of the 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 a compromise mentioned above in 1970, and lay no claim to the Estate of Emelius Darrell. This was the only claim the government had from 1970 to 1978. Government had no case in course, in court only because the Darrells have lost their right of an honest attorney and received these judgments under the DeRosa Estate under false pretenses.

 There is no doubt that the government was placed into the Estate of Emelius Darrell in 1948, by Wycliff Stovell and David Tucker and this was not accepted by the government vestry. The vestry further contradicts E.T. Richards recognizing government's ownership to this property in 1950. Lois Brown in a drawing of, 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 of November 1971, who is still employed by our government in The Housing Corporation. Mr. Lee has not done any favors 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 the judge, by Judge Robinson gave me the right to see every document and every plan that exists concerning these properties. I've 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. Medeiros 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 then to mention people who have been asked to help with this case, I refer to the correspondence dated 23rd of October 1985, and the 14th of May 1982. I would also like to ask the Bar Association to oblige us with one member to stand in honor 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'm 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 years and five months, we should be able to be in court in five days to settle this fraudulent act which government has perpetrated.

 Our Queen has been placed in a 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 in 1986. Because of the pressure that was applied on me, I was convicted of two speeding charges I 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 the 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 Honorable Jack Sharp 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 of Judge Robinson, the conveyance drawn by Conyers, Dill & Pearman show incorrect measurements and this is where the vestry was misused and L. W. Herbert, 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've seen that Mr. C.V. John, Jim Woolridge is an upstanding man, as there 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, signed John N Darrell. Copies to Premier J. W. Swann. Mr. I. Pearman MP, Mr. G. Simons MP, Mr. Gilbert Darrell MP, Mrs. Louise Brown Evans, MP, Mr. John Sharp MP., Mr. C.V. Jim Woolridge MP, Mr. Charles Vaucrosson Barrister, Mr. E.T. Richards, Barrister, Mr. Walter Robinson Barrister and the Human Rights Commission.

**Commission Counsel** 10:03: Now Madam, I see that some documents are attached to the letter. What are these?

**Haley Tierra** 10:10 Um, the first document is from Brown & Wade for professional services I think it's a receipt to drafting a voluntary conveyance to obtaining land, plans from surveyor and land tax clearance to registering of researching of deeds pardon me, to filing head deed with registrar. And then the second document are just the parish vestry receipts um, showing that George Darrell did in fact um, pay tax on this property up until, the receipt is for 1971. And the one on the bottom is from Emelius Darrell from 1947 um, and it still says, like the letter says, The Estate of Emelius Darrell um, under the care of Mr. George Darrell, for those receipts on the top.

**Commission Counsel** 11:00: Thank you. And as stated earlier, the reason for supplying to the Commission, proof of payment to…um, What is the purpose? Please remind us.

**Haley Tierra** 11:26: This is just to confirm ownership of the property up until this time and the fact that the parish vestry also acknowledged the ownership of this property by George Wellington Darrell evidenced by the receipts.

**Commission Counsel** 11:37: And your point being made is that they would not have accepted payment from somebody other than the owner. Is that your point?

**Haley Tierra** 11:45: Yes, and also to the fact that the maps and the plans that were made are dated before this, citing that the ownership is no longer in the care of George, George Wellington Darrell, but the receipts which have been accepted by the parish vestry, show otherwise. Meaning that the property could not have been in the ownership of anyone else, as is shown in some of the plans that were provided to the courts.

**Commission Counsel** 12:09: Thank you. Anyone else other than Emelius Darrell. Is that?

**Haley Tierra** 12:17: Anyone else other than a Emelius Darrell? Yes. And then further, George Wellington Darrell.

**Commission Counsel** 12:23: Thank you. Chairman, the, it is 12:30 now. I am proposing that we take the adjournment now. I am however, excuse me, subject to your determination, Chairman, and the availability of the witnesses, I am proposing that we continue this matter tomorrow at 1:30. We had had another matter set for this afternoon, a different matter. And the witnesses who are here for this afternoon, they are unable to adjust their schedule. So, we, my, I ask that we adjourn this matter to continue tomorrow at 1:30. We had had, we have a matter this afternoon. We have another matter for tomorrow morning.

**Chairman Perinchief** 13:18: Yes. Um Counsel at this time, and the documents that were last tendered, did you want to tender them as an exhibit? Did, did....?

**Commission Counsel** 13:30: I would...

**Chairman Perinchief** 13:31: The receipts for the taxes to the parish vestry and the document to Brown & Wade.

**Commission Counsel** 13:37: It is already there because in the six pages, there at the first four pages appears a letter and the following pages exhibited are the receipts. So, it is a part, already a part of the exhibit.

**Chairman Perinchief** 13:50: And that is HT 18.

**Commission Counsel** 13:52: That's correct it's already a part of the exhibit.

**Chairman Perinchief** 13:54: Alright I'll make the note to myself that they are together. And on the matter of an adjournment, we will adjourn now at this time.

**Commission Counsel** 14:07:

until 1:30

**Chairman Perinchief** 14:08: until 1:30.

**Commission Counsel** 14:10: An uh, I'd ask..

**Chairman Perinchief** 14:12: And would you repeat when you would like for the witnesses in this matter, the Darrell matter to return.

**Commission Counsel** 14:17: I'd ask them to return for 1:30 tomorrow afternoon.

**Chairman Perinchief** 14:21: Yes. uh, you've heard that? I've noted that the Darrell Clan. Thank you very much.um, We're going to adjourn at this time and we'll see you tomorrow at 1:30, again. Thank you very much for your testimony so far. And we will adjourn until 1:30, for the next set of matters Counsel.