**A COMMISSION OF INQUIRY**

**INTO HISTORIC LAND LOSS**

**IN BERMUDA**

**CHAIRMAN**

**MR. WAYNE PERINCHIEF**

**COUNSEL**

**MR. DIRK HARRISON**

**COMMISSIONERS**

**MR. QUINTON STOVELL (Recused)**

**MS. LYNDA MILLIGAN-WHYTE**

**MS. FREDERICA FORTH**

**MS. MAXINE BINNS (via Zoom)**

**MR. JONATHAN STARLING**

**TRANSCRIPT OF PROCEEDINGS**

**LOCATION: UNKNOWN**

**THURSDAY, FEBRUARY 4, 2021**

**AFTERNOON SESSION (C)**

(Continuation of Afternoon Session (b)

**COUNSEL DIRK HARRISON** 0:01: So where the cursor is now, I don't know if you can see it.

**MS. HALLE TEART** 0:05: Yes. Sir

**COUNSEL DIRK HARRISON** 0:07: Right. So just where it has 60 that rectangle, the words are to be conveyed to Wycliff Stovell and it has 52 that's the lot number. Yes, thank you I was just indicating that that's the area that you're referring to madam?

**MS. HALLE TEART** 0:36: Yes. In terms of the area that in one of the documents John Darrell said that Wycliff Stovell acted with George Arnold Williams to benefit himself and gain a portion of that property.

**COUNSEL DIRK HARRISON** 1:22: Now, having said that, do you wish to make any comment in that regard as I had read earlier, it says plan of the land, known as Sunnyside, Park, Southampton Parish Bermuda, referred to annex indenture, survey subdivision and plans by Wycliff; I think Stovell Architect Surveyor. Do you wish to make any comment in that regard. You showed us where it says to be conveyed to Whycliff Stovell, and they said document is prepared by Wycliff Stovell. Do you wish to make any comment in regards to that.

**MS. HALLE TEART** 2:14: Yes, I think this suggests some issue by the fact that Wycliff Stovell, Robinson, Walter Robinson, George Arnold Williams all names that have been mentioned, all names that have been mentioned before. Sorry I will say again. I think that the fact that Whycliff Stovell, Walter Robinson, George Arnold Williams, all names that have been spoken to before in the previous documents provided in evidence. This speaks to some element or issue in terms of the ownership, not only a property or but also maybe dealings between the three people dealings that have been wrongly represented in court as well, because I believe this map was also used in one of the court hearings against Shawn Darrell, but it's just evidence on again to the multiple people involved in the land grab of the Darrrell Estate.

**COUNSEL DIRK HARRISON** 3:19: Thank you. Please just state your name for the record.

**MR.DONALD McMAHON** 3:24: I'm going back to the Appleby Spurling & Kempe letter dated a 5th August 1955.

**COUNSEL DIRK HARRISON** 3:29: Just a moment. Could you just hold it up so we can find that one. What is the date?

**MR.DONALD McMAHON** 4:12: 5th August 1955.

**COUNSEL DIRK HARRISON** 4:56: Witness wishes to refer to Exhibit HT24 You may go ahead Mr. McMahon.

**MR.DONALD McMAHON** 5:04: This is describing the area that Mr. Powell says belongs to the estate of Amelius Darrell. He says the land Mr. Powell was speaking to us both as the Paris Vestry Clerk sorry. He tells us that the Parish Vestry records show that a piece of land measuring approximately 100 feet by 70 feet, was in the possession of William Green Darrell 1964. in 1981, it was in the possession of Daniel Davis Darrell and in 1939 was entered in the Vestry book as being in the possession of Amelius Daniel Darrell and thereafter in your own possession. Within this long period of time, nearly 100 years, there is no record of any other land in the vicinity belonging to your predecessors entitled. Mr. George Arnold Williams confirmed the same facts to us at the time of his interview. We have today had a consultant with Peter Smith of Whitney Hallett & 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 smaller lot. Mr. Williams Deeds Show a clear title back to the year 1928 and recite a title going back to the latter part of the 19th century. On examining Mr. Williams title deed we are satisfied beyond any doubt that these deeds are in perfect, good order. And that there is no question that at least against yourself, Mr. Williams, has a good title to this track of land. Basically the land that they're describing since they put my grandfather's area in just in a small spot where they have Colonial Governor right down there runs right down to my grandfather's part. So you got George Arnold Williams owning that property. You got Colonial Government owning that property and property and you have deeds showing where my grandfather's owns that property

**COUNSEL DIRK HARRISON** 6:54: So it all cannot be true.

**MR.DONALD McMAHON** 6:57: My uncle made a statement. He says too many thieves in the pot, that the statement he made, and everybody was protecting themselves. So I'm just reading the evidence that they're saying, you know, you saw the Sunnyside Park where George Arnold Williams. The plan that we showed you just now you saw Georgia Arnold Williams on top of the hill and you saw straight across you saw Colonial Government. And I read from Mr. Powell's statement from Rabain's Deed which said to the west of him was Amelius Darrell now reading from Appleby Spurling & Kempe's letter, from Mr. Powell that Amelius Darrel just owned a small piece of property and the south of his boundary was track and owned by Georgia, Arnold Williams which went back about 100 years as he says. So I'm just saying it's three different people within a short time.

**COUNSEL DIRK HARRISON** 7:57: Thank you very much, Mr. Chairman. I think it's sufficient to cry bad light. Based on the evidence so far, what has been said and your indication earlier, as to the adjournment at this time. I think it would be sufficient time to take off the bills

**MR. WAYNE PERINCHIEF**  8:25: Yes Counsel I agree. I want to thank the witnesses for their testimony. And continuous of their claim and Counsel if I can get an indication of when we're going to resume this matter,

**COUNSEL DIRK HARRISON** 8:41: Monday morning at 10 o'clock,

**MR. WAYNE PERINCHIEF** 8:42: The witnesses if you would return Monday morning at 10 o'clock to resume your evidence. Thank you very much. Counsel any other matters before we adjourn?

**COUNSEL DIRK HARRISON** 8:53: We continue tomorrow at 10 o'clock

**MR. WAYNE PERINCHIEF** 8:58: Right? Correct. Thank you.This hearing is adjourned for the day, we return at 10 o'clock tomorrow.

**END OF TRANSCRIPTION FEBRUARY 4, 2021 (AFTERNOON SESSION C) AT 9:12**