**COMMISSIONERS:**

**Mr. Wayne Perinchief- Acting Chairman**

**Lynda Milligan Whyte, BA., B. Ed., M. P.A.., J.D.**

**Ms. Maxine Binns**

**Mr. Jonathan Starling**

**Ms. Fredrica Forth**

**TRANSCRIPT OF PROCEEDINGS**

**LOCATION OF MEETING: WARWICK CAMP, 1 SOUTH ROAD, WARWICK WK01**

**DATE: 18 March 2021**

**TIME: Morning Session(a)**

**W. Perinchief-Chairman** 00:14: You may be seated. Good morning all and good morning Counsel.

**Senior Counsel Harrison** 00:18: Good morning Chairman. Good morning, Commissioners.

**W. Perinchief-Chairman** 00:23: We are resuming a commission of inquiry, March 18. We're going to continue with case number 039. Teart/Darrell matter. We adjourned in February 4th from the other location, Willowbank. And we are going to continue to matter today at Warwick Camp. However, there are a couple of things that I have to bring to the attention of the Commission and for the record. We have another Commissioner, Mrs. Fredricka Forth on Zoom. We have a witness, Mrs. or Ms. Teart on Zoom. She's one of the witnesses. And recuse from this matter is Justice Wade-Miller and Commissioner, Quentin Stovell. So, with that, having been said and reported. Counselor you may continue, sir.

**Senior Counsel Harrison** 01:33: Thank you, Chairman. The matter at hand is, as indicated Chairman, the matter 039, claim number 039. The applicant sourced (?) applicants sought to submit and are continuing their claim with regards to the Estate of John Darrell land which they indicate that the Heron Bay Primary School now is situated on. They further allege that the government at some point well, not at some point but bulldozed and built on that property without right. And they make a number of other claims which they have advanced in respect of incorrect plans. And they, how the estate had been allocated, how the estate had been allocated. They make a number of other claims in respect of the role of the government and, they assert that there has been further encroachment by the building of homes and the establishment of the Riviera Estate right of way. I'd like to ask at this time, Mr. Chairman, that the witnesses are sworn. They're four witnesses. I'd ask that they're sworn or affirmed at this time depending on their persuasion, religious conviction or otherwise. I'd ask that they are sworn or affirmed accordingly.

**W. Perinchief-Chairman** 03:22: That, that will be carried out.

**Court Attendant-Lister** 03:29: Good morning, Ms. Teart on Zoom. I'll start with you. Would you like to give an oath or swear an affirmation?

**Haley Teart** 03:36: I guess swear an affirmation.

**Court Attendant-Lister** 03:38: Please state your name for the record.

**Haley Teart** 03:40: Haley Teart.

**Senior Counsel Harrison** 03:42: Please raise your right hand.

**Court Attendant-Lister** 03:45: And repeat after me. I do solemnly.

**Haley Teart** 03:48: I do solemnly

**Court Attendant- Lister** 03:50: and sincerely declare

**Haley Teart** 03:52: and sincerely declare

**Court Attendant-Lister** 03:54: and affirm

**Haley Teart** 03:55: and affirm

**Court Attendant-Lister** 03:56: that the evidence I shall give.

**Haley Teart** 03:58: That's the evidence I shall give.

**Court Attendant-Lister** 03:59: Shall be the truth

**Haley Teart**  04:00 Shall be the truth

**Court Attendant-Lister** 04:03: The whole truth,

**Haley Teart** 04:04: The whole truth,

**Court Attendant-Lister** 04:05: And nothing but the truth

**Haley Teart** 04:07: And nothing but the truth.

**Court Attendant-Lister** 04:08: I do solemnly and sincerely, declare and affirm Thank you.

**Cynthia Fishington** 04:20: I do solemnly and sincerely, declare and affirm.

**Court Attendant-Lister** 04:21: That the evidence I shall give shall be the truth,

**Cynthia Fishington** 04:25: That the evidence I shall give shall be the truth

**Court Attendant-Lister** 04:25: The whole truth and nothing but the truth.

**Cynthia Fishington** 04:29: The whole truth and nothing but the truth.

**Court Attendant-Lister** 04:41: Thank you.

**W. Perinchief-Chairman** 04:42: Just for clarity, could the witness re repeat Her name? Thank you.

**Cynthia Fishington** 04:47: Cynthia Fishington.

**Court Attendant-Lister** 04:48: Would you like to swear or affirm.

**Nathan Darrell** 04:48: I will affirm.

**Court Attendant-Lister** 04:48: Please raise your right hand. Thank you. I do solemnly and sincerely. Please state your name for the record.

**Nathan Darrell** 05:01: Nathan Darrell. I do solemnly and sincerely.

**Court Attendant-Lister** 05:14: Declare and affirm.

**Nathan Darrell** 05:15: Shall be the truth.

**Court Attendant-Lister** 05:15: The whole truth.

**Nathan Darrell** 05:15: And nothing but the truth. Declare and affirm.

**Court Attendant-Lister** 05:18: That the evidence I shall give.

**Nathan Darrell** 05:19: That the evidence I shall give.

**Court Attendant-Lister** 05:22: Shall be the truth.

**Nathan Darrell** 05:22: The whole truth

**Court Attendant-Lister** 05:25: And nothing but the truth.

**Senior Counsel Harrison** 05:36: Just as, I'm sorry, just as Mr. Chairman had asked, could you just have the witnesses state their names first for the record?

**Donald McMahon** 05:42: I, Donald McMahon.

**Court Attendant -Lister** 05:42: I swear by almighty God.

**Donald McMahon** 05:45: That the evidence that I shall give. The whole truth.

**Court Attendant -Lister** 05:45: And nothing but the truth.

**Donald McMahon** 05:45: I swear by almighty God.

**Court Attendant -Lister** 05:45: That the evidence that I shall give. Shall be the truth.

**Donald McMahon** 05:45: Shall be the truth.

**Court Attendant -Lister** 05:45: The whole truth.

**Donald McMahon** 05:45: And nothing but the truth.

**W. Perinchief-Chairman** 05:58: Thank you very much. Counsel?

**Senior Counsel Harrison** 06:19: Thank you very much. On the last occasion we had taken the adjournment Chairman, on the fourth of February. We had Miss Teart giving evidence we had. We had, we were at. We're going through the PowerPoint presentation. And I just indicate that we'll continue that exercise. We are at, we had concluded at page 80, slide 80. I would just ask that we return to that point and that the document will be projected on the screen. I'd ask Chairman, also that the document which is projected on the screen, which consists of 157 slides. That is your account Miss Teart, 157 slides?

**Haley Teart** 07:47: Yes.

**Senior Counsel Harrison** 07:49: I'd ask Chairman, that that document which consists of 157 slides, that it is tendered and admitted, as exhibit HT 31?

**W. Perinchief-Chairman** 08:19: You're asking that the PowerPoint presentation consisting of about 157 slides, be entered as exhibit HT 31?

**Senior Counsel Harrison** 08:31: That is correct, Chairman.

**W. Perinchief-Chairman** 08:33: So done.

**Senior Counsel Harrison** 08:40: Now madam on the last occasion, Miss Teart, you had read this document HT 30 which is indenture dated 11th March. And you had then taken us to HD 24, by way of illustration, and you had made a particular point. Would you wish now to move on from slide 80 to the next slide, madam?

**Haley Teart** 09:06: Yes, please.

**Senior Counsel Harrison** 09:09: Could you take us then, beyond this document? You may continue.

**Haley Teart** 09:44: Okay, thank you. So the following document on the screen currently is a receipt of it's 1954, um for the Estate of Emelius Darrell and how We've talked previously about how ownership was continued within the Daniel Family during 1954. And that's evidenced by the receipt here from the Southampton Parish. And this was a bill that was payable on demand and signed by RC Burroughs. Again, this is evidence that the land was in the Darrell Family possession during 1954.

**W. Perinchief-Chairman** 10:30: Uh, Counsel and witness if you could speak a little louder.

**Haley Teart** 10:39: Pardon me.

**W. Perinchief-Chairman** 10:40: Yes, a bit, bit louder. So that we can hear better, thank you.

**Senior Counsel Harrison** 10:56: Now, the actual hardcopy of this receipt, madam. Where is the hardcopy of this receipt?

**Haley Teart** 11:07: Um, I believe that the hardcopy is within, on the documents that Nathan Darrell has.

**Senior Counsel Harrison** 11:14: Okay, so what we're going to ask is, Mr. Nathan Darrell, as we go through each to present each document to the Secretariat, so that we may make it an exhibit even though it forms a part of the exhibit HT31. We'll just give him some time. You could just indicate by raise of hand when he has located it. Could I just ask the Secretariat to scroll up to date. It's the date on the document is October 1, 1954. What we'll do, we'll just move on until that document is found. We will come, we'll just make a note to return to it. What we just ask that in terms of the slide presentation, Mr. Darrell, you could just line up the documents as we go along but, we'll returned to it shortly. You may continue Mam.

**Haley Teart** 12:27: Thank you. Um. Are we on the next slide?

**Senior Counsel Harrison** 12:31: Please.

**Haley Teart** 12:33: Okay, on the next slide is another two bills up the top payable to Mr. Reginald Burroughs again, for this Estate of Emelius Darrell. The one on the left is from 1949 October, it appears to be 18th. And then the one on the right is September 10, 1950. Again, just making the Darrell's claim to the land during this period of time, um, which contradicts you know, some of the previous claims to the land during this time period and also um, claim via Maps that other persons have made. And then at the bottom of the page,

**Senior Counsel Harrison** 13:13: But That's too fast. Please don't be too fast.

**Haley Teart** 13:15: Pardon me.

**Senior Counsel Harrison** 13:16: Just indicate what slide are we now on? Slide number?

**Haley Teart** 13:20: Slide 90.

**Senior Counsel Harrison** 13:22: Slide number 90. And you're indicating that these two receipts are proof of ownership of Mr. Darrell. And it is, it contradicts you say, my word. The fact the ownership claims that are being made by other persons.

**Haley Teart** 13:39: Yes, that's correct.

**Senior Counsel Harrison** 13:42: Thank you, you may proceed madam.

**Haley Teart** 13:45: Thank you. And at the bottom of this page, again is a receipt from E.Y. Richards for four pounds and four shillings for professional services. These receipts dated 1953 and 19.

**Senior Counsel Harrison** 14:02: Sorry, just a moment. Could you please go back to the receipts, please? Yes, you're referring to these receipts?

**Haley Teart** 14:10: Yes, I am.

**Senior Counsel Harrison** 14:14: Yes. And your, could you please repeat the point in respect of professional services and Mr. E.T. Richards please?

**Haley Teart** 14:23: Yes. So um, E.T. Richards was contracted by, I believe it was George Darrell to convey the land into his name after Emelius Darrell passed. And that was not done. So, these are receipts. I'm talking about the professional services that were supposed to be done, but we're not actually completed. And this is just evidence of the contractual relationship between E.T. Richards and George Darrell.

**Senior Counsel Harrison** 14:51: Okay. And you made reference to uh, receipts for four pounds but there's another one. Could you just, could we see receipts at the same time please, Secretariat?

**Haley Teart** 15:01: The second receipt is the 2nd of February, I believe, 1950. Um. And it is the sum of one pound and 12 shillings. Again, for professional services from, received from George Darrell to E.T. Richards.

**Senior Counsel Harrison** 15:19: Now, could you just share this. What's the significance of you, highlighting here by way of the receipts from E.T. Richards to the final. What's the point that you wish to make here.

**Haley Teart** 15:30: So previously, we made the point that E.T. Richards had been contracted by George Darrell to convey the land into his name, which has not been done, which is still why the, this estate...

**Senior Counsel Harrison** 15:41: Too fast. Slow down please.

**Haley Teart** 15:43: Pardon me, which is why the estate is still called the Estate of Emelius Darrell, because that conveyance was never done. Additionally, we've also presented documents that show E.T. Richards having dealings and affairs in that same area, whether it's conveying other people's land, um in the, which was seen in the indenture document. That was the evidence before this one. And other dealings with people who were also involved in the Darrell Family Land Grab.

**Senior Counsel Harrison** 16:15: Okay. Now, these, these receipts also, Mr. Nathan Darrell also has in his possession? Yes, Mr. McMahon?

**Donald McMahon** 16:32: I just want to add that on the receipt that has E.T. Richards on it too, there is a receipt for Walter N. Robinson, when he done work for the Darrells. There is another receipt there. So you can see that too.

**Senior Counsel Harrison** 16:43: I'm just going to ask you to repeat that and speak slowly.

**Donald McMahon** 16:46: Okay I'm sorry. And on the same page that has receipts from E.T. Richards..

**Senior Counsel Harrison** 16:52: Slide 90.

**Donald McMahon** 16:55: Sorry, I didn't...

**Senior Counsel Harrison** 16:57: Slide 90 on the same slide 90. then...

**Donald McMahon** 16:59: Yeah, slide 90, yeah. There's there's also a receipt for Walter N. Robinson, showing that he had done work for the Darrell family too. We're paying him. So there's some, a receipt on there with his name too.

**Senior Counsel Harrison** 17:10: Okay. Could you just point us to that I'm, I'm.

**Donald McMahon** 17:13: Okay. It's this slide. Right here. Right at the top.

**Senior Counsel Harrison** 17:20: Could you just assist? With the cursor. Probably the cursor could assist to..

**Donald McMahon** 17:30: It looks like it's cut off on the slide, but we have the original right here.

**Senior Counsel Harrison** 17:36: I was going to ask you to share it with a member of the Secretariat and it could be. Okay. Just repeat for us the, the name, the date and the amount.

**Donald McMahon** 17:49: Okay. It's Walter N. H. Robinson. The date is April 15, 1963. Received from George Darrell, the sum of one pound, one, shilling. And it's for 15/4/63. That's on the stamp.

**W. Perinchief-Chairman** 18:15: Is that 5,3 sir?

**Donald McMahon** 18:17: Fifty-three, yeah. five, three yeah.

**Cynthia Fishington** 18:32: May I speak to uh, E.T. Richard's receipt?

**Senior Counsel Harrison** 18:36: Sorry, just one moment Mrs. Fishington. The document that you, the document is now in the possession of the Secretariat?

**Court Attendant -Lister** 18:52: Yes Counsel, I have it. I'm sharing it with you now.

**Senior Counsel Harrison** 19:01: We'll come back to your shortly Mrs. Fishington. I'm just finishing this point. So, Mr. McMahan you, you mentioned the receipt, on the receipt with the letterhead of Walter N.H. Robinson dated April 15,1963?

**Donald McMahon** 20:26: Yes.

**Senior Counsel Harrison** 20:28: Indicating that one pound, one shilling was received from Mr. George Darrell?

**Donald McMahon** 20:37: Yes. It says for something in writing letter. I can't make out the first word but it says in writing letters.

**Senior Counsel Harrison** 20:50: Mr. Chairman, I'm just going to ask that that receipt on the which bears the name Walter N.H. Robinson, dated April 15th 1963. That it is tendered and admitted as Exhibit DM...

**Donald McMahon** 21:20: I'm just looking at the receipt. It looks like it says consultants and writing letters, consul..consultation and writing letters.

**Senior Counsel Harrison** 21:27: Thank you very much. I crave your indulgence Chairman.

**W. Perinchief-Chairman** 21:33: Yes, would you repeat Counsel? You wish to make the receipt made out to Walter N. H. Robinson, dated the 15th of April 1953.

**Senior Counsel Harrison** 21:47: 63.

**W. Perinchief-Chairman** 21:51: As exhibit DM, What number?

**Senior Counsel Harrison** 21:54: I am trying at this time, Mr. Chairman, just to recall what was the last exhibit we had for DM. I'm just searching my records now. Could I just ask you to,.I crave your indulgence for a moment.

**W. Perinchief-Chairman** 22:08: You said the secretary could do that, research quickly so we can give this exhibit a number for Donald McMahon.

**Court Attendant -Lister** 23:31: Counsel as far as the Secretariat can tell, and I believe another one of the other Commissioners, we do not have any exhibits entered underneath Mr. McMahon's name.

**Senior Counsel Harrison** 23:41: I'd ask that this be DM 1, Mr. Chairman,

**W. Perinchief-Chairman** 23:50 Yes, you wish for this exhibit , the receipt to Walter Robinson to be made as exhibit DM 1?

**Senior Counsel Harrison** 23:58: Yes, Chairman. Yes. Thank you.

**W. Perinchief-Chairman** 24:00: So, so recorded. Receipt made out to Walter N.H. Robinson, dated April 15, 1953, uh be recorded as exhibit DM 1.

**Senior Counsel Harrison** 24:19: Could I, just before we go further, Mrs. Fishington, you wish to say something?

**Cynthia Fishington** 24:24: Yes sir. The receipt from E.T. Richards. Uh, There's a question like you would say. What was it for? Because he himself has said there were no deeds. I told my father that the deeds got burnt. And then he has given my father a receipt. And what I would like to know; what was it for if he never handled the deeds? And that's the question I would like to leave with you.

**W. Perinchief-Chairman** 24:59: Uh. Perhaps if the witness could repeat that. Give your name and just repeat that statement one more time, please.

**Cynthia Fishington** 25:07: Cynthia Fishington. I was saying that E.T. Richards acted as if he had no dealings with my father, because he said there were no deeds. And that was to be registered the um, case paul (?) and people like him. And he told my father, that the deeds burnt in the hotel fire. And , we have a receipt saying that he did have dealings with my father because he was saying there were no deeds, so the question I would like to ask is, what was he giving my father a receipt for if he never had his hands on those deeds? And that's my question.

**W. Perinchief-Chairman** 26:07: Yes. Thank you very much, Madam. I'm certain that, that. That was noted, and uh, when we get further into the evidence that we'll come to some conclusions on the statement that you just made based on that receipt that E.T. Richard's attended to your father. Thank you. Now Counsel? You wish to comment on that?

**Senior Counsel Harrison** 26:32: No, definitely no Chairman, no. I, no Chairman. Miss Teart? Well, I'm sorry. If I may Chairman, the documents that we were asking Mr. Nathan, Darrell to locate first have you now located them, sir?

**Nathan Darrell** 27:10: Yes

**Senior Counsel Harrison** 27:14: Could we go back then to the receipts? Do you have the 5th of August 1953? I'm sorry. that's the 31st of August, 1953 receipt? I'm sorry, could you turn on your microphone Mr. McMahon?

**Donald McMahon** 27:52: Sorry. You said the 3rd of August 1953?

**Senior Counsel Harrison** 28:00: Well, what is projected on the screen, there're receipts and we had, I had just asked Miss Teart in respect to the receipt, she had indicated that Mr. Nathan Darrell has there with him. So, I'm now just going back to them because I like to attend them as exhibits.

**Donald McMahon** 28:19: Yes, we have the 3rd of August 1953 right in front of me. I have it right in my hand.

**Senior Counsel Harrison** 28:23: You have to speak into the microphone, please.

**Donald McMahon** 28:27: Yes, we have the 3rd of August 1953. I have it in my hand. That's received from E.T. Richards that's for 4 pounds, 4 shillings.

**Senior Counsel Harrison** 28:35: Yeah. Mr. Chairman, and just to confirm Mr. McMahon, and I just asked the Secretariat to enlarge the, this receipt with numbers 7289 so I can actually see the date. You use. You have it as the third? That is the 3rd of August and not the 31st . The 3rd of August, correct?

**Donald McMahon** 29:17: Yes. I think it might be the thirty first. Yeah, it looks like a S-T on it. It's probably the thirty first.

**Senior Counsel Harrison** 29:37: Yeah, so the receipt dated the 31st of August 1953, Chairman, which has at the top left hand corner number 7280, received from George Darrell. The sum of four pounds four shillings. It's a receipt bearing the name E.T. Richards. I'd ask that it is tendered admitted as Exhibit DM 2.

**Court Attendant -Lister** 30:10: Counsel? Ms. Lister here.

**Senior Counsel Harrison** 30:13: Pardon me,?

**Court Attendant -Lister** 30:14: Just a point for clarity. Uh, the document that Mr. McMahon has is not an original document. It is a scanned copy, which is the one displaying on the screen here now. So, all of them are displaying on one sheet.

**Senior Counsel Harrison** 30:32: Um, Chairman, if I, if I may.

**W. Perinchief-Chairman** 30:37: Yes Counsel.

**Senior Counsel Harrison** 30:44: The document copy which is displayed on the screen now, which I ask that it could be minimized. Could I see all the items that appear on the document. There are five receipts that appear on this sheet of paper Chairman, with a copy for ease of reference. And so that we will be able to follow at a later date. I'm going to ask you to consider my application now. Previously Chairman we had indicated that the receipt which bears the name of Walter. I'm sorry, I'm not seeing it clearly. Of Walter.

**W. Perinchief-Chairman** 32:10: N. H. Robinson

**Senior Counsel Harrison** 32:10: That that was designated as DM 1.

**W. Perinchief-Chairman** 32:14: Right.

**Senior Counsel Harrison** 32:15: But in light of the fact that there are other receipts on this said page, I would like to just go through each. I'd like the entire document to remain as DM 1 but, I would just like to note to be made that it has four other receipts projected on it. So, if the Secretariat could add to, just go through to magnify each so that I could speak it into the record and have the, yourself and the Commissioners noted that these five receipts are on DM 1. I will then ask the witnesses to indicate what each is so that the record will be clear. Could we then have the starting clockwise? Could we have the receipt that is in the right corner. Not rotating it but just to thank you. The receipt to Mr. George will indicate...

**Court Attendant -Lister** 33:37: Sorry Counsel. I'll try to make it as big as possible for you. Give me one second.

**Senior Counsel Harrison** 33:40: Sure, thank you. It is on the...

**Court Attendant -Lister** 33:55: Okay.

**Senior Counsel Harrison** 33:56: Thank you. It is on the invoice, the receipt of a Mr. Reginald C. Borrows and it is a, that it evidences that Mr. George Darrell paid a hundred pounds. Sorry, no paid. I'm sorry. Is that four shillings Chairman?

**W. Perinchief-Chairman** 34:38: Um, my eyesight is not that great, but I'll ask the witness to clarify that. Mr. McMahon can you tell us what that exact amount is please sir? Looks like 100 dash zero, dash zero. And underneath it says..

**Senior Counsel Harrison** 35:00: I'm not hearing, I'm not hearing.

**Donald McMahon** 35:04: Okay, the top one says one hundred. There's a dash in between a zero. Another dash and a zero, then underneath is dash four, zero four.

**Senior Counsel Harrison** 35:15: Yes, for that, I believe this document is showing the assessment for 1949. But then below it, it shows the amount to be paid, which is also different. Miss Miss Teart are you able to assist what this document purports to represent?

**Haley Teart** 35:34: Yeah, I believe that the total is the total amount due for..

**Senior Counsel Harrison** 35:44: Right, but I'm not concerned about the, at this time the total. What this document purports to be what you had relied on it in proof of George N.

**Haley Teart** 35:54: Oh, just evidence of ownership of land because they're paying for the land.

**Senior Counsel Harrison** 36:00: Okay,

**Haley Teart** 36:01: The taxes or..yeah.

**Senior Counsel Harrison** 36:04: Thank you. Chairman, next exercise I'm going to just repeat, is just a list of the various receipts that appear on what I asked to be DM 1. The first one, and I just I'm asking the witnesses to identify each so we have that on the record. It is dated October 18th.

**Donald McMahon** 36:24: That is correct.

**Senior Counsel Harrison** 36:26; Sorry?

**Donald McMahon** 36:27: That is correct, October 18, 1949.

**Senior Counsel Harrison** 36:30: Nineteen, forty-nine and it's evidence is Mr. George Darrell Payne to the Southampton Parish. Could I have the next receipt numbers 473? To the right?

**W. Perinchief-Chairman** 36:46: Counsel, just a suggestion. Would you want to give that a subheading, perhaps DM 1a? And, then go through each receipt on that exhibit?

**Senior Counsel Harrison** 36:58: I would..

**W. Perinchief-Chairman** 36:58: Would that be a strategy?

**Senior Counsel Harrison** 36:59: I would prefer not to. I would prefer not Chairman because it's all on one page.

**W. Perinchief-Chairman** 37:09: Yes, correct.

**Senior Counsel Harrison** 37:14: That's why I just wish to, we could list the items that appear on DM 1 Chairman.

**W. Perinchief-Chairman** 37:22: We will continued like that.

**Senior Counsel Harrison** 37:24: Thank you. The second. The third item is no, a receipt number 473 which is evidence, is a payment of 16 shillings by the Estate of Emelius Darrell to the Southampton Parish Vestry. It's dated to the 10th of September 1950.

**Donald McMahon** 37:50: Yes. That's correct.

**Senior Counsel Harrison** 37:54: To be continued clockwise.

**Donald McMahon** 37:54: And the one under that is number 3160. That's receipt received from E.T. Richard's which is the of February 1950, which is 1 pound 12 shillings;

**Senior Counsel Harrison** 38:14: Thank you very much.

**Donald McMahon** 38:16: for professional services. And the next one is 7289, 31st of August 1953. That's from E., received from E.T. Richards for 4 pounds, 4 shillings for professional services.

**Senior Counsel Harrison** 38:32: Thank you. Could we have it minimized please on the screen.

**W. Perinchief-Chairman** 38:43: Counsel, a Commissioner Starling would wish to make a comment

**Senior Counsel Harrison** 38:48: Very well.

**Jonathan Starling** 38:51: Hi. Good morning Counsel. Just a questioning whether receipt 473 is for 16 shillings or 16 pounds. I'm reading the printed bit that which says 4 divided by 100 pounds so that should be four pounds for each hundred , And 4 times 4 is 16. So, that's the way I'm reading it. I think you have it down to 16 shillings?

**Senior Counsel Harrison** 39:13: Um, I did. I, I am not certain Commissioner Starling I had been utilizing what seems to be the approach that in terms of the writing of the receipts, in terms of the totals are there. For want of a better term there are three columns of pounds, shillings and, pence. And I had just made the assumption based on how it's written even above where it has 400 dash zero dash zero. I had just assumed but I, I really should not assume.

**Donald McMahon** 39:50: I think it's 16 pounds, zero shillings, zero pennies.

**Senior Counsel Harrison** 39:55: Very well. Thank you.

**Jonathan Starling** 39:57: Anyone else gotta? I don't know.

**Donald McMahon** 39:58: I think that must be before my time so, I'm not too sharp on that but, looking a the um. It says at 4 dash on the 100 pound for the following partials purposes. So, I'm assuming something. I'm not too familiar with that so, it could be right. Maybe 400.

**Senior Counsel Harrison** 40:21: Thank you, Commissioner Starling. For the record, Chairman and Commissioners just to indicate that Exhibit DM 1 consists of five receipts which have been, which the witnesses have spoken to it for the convenience. On this occasion, they're on one sheet. I just asked her that notice is made Chairman and Commissioners.

**W. Perinchief-Chairman** 40:48: Right. And Uh, Counsel. I'm not the brightest one in the room. But if we could go through very rapidly, how the five receipts that are on that sheet just for clarity.

**Senior Counsel Harrison** 41:04: Very well Chairman. Could I just have it reduced again so that I can see the one at the bottom left hand corner. So, our DM 1 consists Chairman of five receipts, the first one dated April 15, 1963. on Walter H. Robinson. A Walter H. Robinson receipt indicating payment by Mr. George Darrell. The second receipt is a payment by Mr. George Darrell to Southampton Parish Vestry, dated October 18 1949.. The third receipt number 473. a payment by the Estate of Emelius Darrell, the Southampton Parish Vestry is dated September 10, 19...

**Donald McMahon** 42:07: Fifty.

**Senior Counsel Harrison** 42:07: N Nineteen fifty. Thank you. The fourth receipt is number 3160. dated the…

**Donald McMahon** 42:17: The 3rd of February The 3rd of February 1950. Thank you Mr. McMahon. On the, a receipt from E.T. Richards indicating payment by George Darrell Esquire. Sum of one pound 12 shillings no pence, dated, I'm sorry we had the date. The fifth receipt, Chairman, is number 7289, a receipt from E.T. Richard's dated the 31st of August 1950 Three.

**Senior Counsel Harrison** 42:54: Thank you. Evidence in payment by George Darrell. Sum of 4 pounds, 4 shillings, no pence for professional services. All consisting of Exhibit DM 1.

**W. Perinchief-Chairman** 43:10: Thank you Counsel.

**Senior Counsel Harrison** 43:10: Your welcome. Miss Teart, you can continue.

**Nathan Darrell** 43:21: Nathan Darrell.

**Senior Counsel Harrison** 43:22: Nathan Darrell? Please go ahead.

**Nathan Darrell** 43:27: I would just like to add that we also have the same parish back receipts for 1947 and 48.

**Senior Counsel Harrison** 43:44: You have another set of receipts for 1947 and 1948?

**Nathan Darrell** 43:50: That's correct, sir.

**Senior Counsel Harrison** 43:51: And they are all together. Well, what am I going to ask you to do? Are they a part of the presentation that is ongoing? Are they embedded in the presentation? sir?

**Nathan Darrell** 44:06: No they're not.

**Senior Counsel Harrison** 44:08: I was going to ask you to give it, let the member, the Secretariat have it and when they have it and they're able to copy them. Then we'll return to that to have tendered as an exhibit for 1947, which will be scanned together. and 1948 scanned together; separately both separately. Separate years. Thank you Mr. Darrell, you could just indicate once. The Secretariat will indicate after that process is completed. Miss Teart, please, please continue.

**Haley Teart** 45:02: Okay. Thank you. Um. So, the next slide...

**Senior Counsel Harrison** 45:06: And I was going to ask to call a slide number each time we

**Haley Teart** 45:09: Okay. So, slide number 91. This is a letter written on, from the London contact for and on behalf of John Nathaniel Darrell. And it is dated September 19, 1997. And it is titled, "The Misuse Of the Name, Benjamin Darrell".

**Senior Counsel Harrison** 45:41: Okay. Could we have the documents minimized, please? Thank you. Do you have the hard copy of this document, Mr. Nathan Darrell? Okay. You have it there? You wish to rely on this document, Miss Teart?

**Haley Teart** 46:01: Yes, I do.

**Senior Counsel Harrison** 46:06: Now, could you just have it enlarge again. So to cover the names sorry. Just go back. Yes, thank you. Uh, Chairman, the document which the witness has reference. Letter dated September 19, 1997, Written by John N. Darrell and it's titled, Misuse of Name of Benjamin Darrell. The letter is, I'm just going to ascertain if it's signed or unsigned. Could we scroll on please. It is unsigned. I'm going to ask that it is tendered and admitted as Exhibit DM 2.

**W. Perinchief-Chairman** 46:59: Counsel, you request to have letter dated September 19, 1997. Penned by John Darrell a misuse of name of Benjamin Darrel, tendered as evidence as Exhibit DM.

**Senior Counsel Harrison** 47:38: That's correct. Chairman.

**W. Perinchief-Chairman** 47:42: So done.

**Senior Counsel Harrison** 47:49: Could you go ahead and read the document.

**Haley Teart** 47:55: Okay. Um, September 19, 1997, five months only mailbox work F/A/O Mr. John Nathaniel 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 Riveria 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 versus George Darrell The Crown versus John Darrell, respectively. Out of the various court actions, The Crown versus John Darrell, many deeds and plans were brought to the, 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, August 14th, during yet another court hearing, a plan prepared by the Ministry of Works and Engineering Plan showed conflicts with all the titles, deeds and documents. These are totally fabricated by the government and still remains untrue. With all due respect, we suggest that in 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 pretense by the government. In its wrongful misconduct and undue influence in making such persons believe that their purchases really were carried out. This has caused Mr. Darrell a great deal of trauma undue stess 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 your urgent attention in dealing with this matter. Yours faithfully, London Contact for an on behalf of John Nathaniel Darrell.

**Senior Counsel Harrison** 50:33: Thank you, madam. Did you ever receive a response to this letter? Well, not you but I mean, did the estate or the family, based on your presentation. Do you have any evidence whether a response was received?

**Haley Teart** 50:48: Um, I'm not sure if a response was received, but the compensation has not been received.

**Senior Counsel Harrison** 50:55: Thank you. You may proceed madam.

**Haley Teart** 51:00: Okay, and then on the slide 92. We have a letter from Mr. John Nathaniel Darrell, of 79 Sleepy Hollow Drive, Hamilton Parish CR 02 um, to Butterfield Bank.

**Senior Counsel Harrison** 51:15: Just a moment mam. Do you have the hard copy of that document, Mr. Nathan Darrell?

**Nathan Darrell** 51:30: Yes, sir.

**Senior Counsel Harrison** 51:32: Okay. I'd ask Chairman at the letter which is projected on the screen, on the letterhead of Mr. John Nathaniel Darrell, dated June 5, 2004, that it is, tendered and admitted, excuse me, as DM 3.

**W. Perinchief-Chairman** 51:57: Yes, Counsel. You request that a letter penned by John Nathan Darrell, dated June 5th 2004. John Nathaniel Darrell, dated June 5th 2004, be recorded as exhibit number T, hang on.

**Senior Counsel Harrison** 52:23: DM, DM 3

**W. Perinchief-Chairman** 52:25: DM 3

**Senior Counsel Harrison** 52:27: Thank you Chairman . Addressed to Butterfield Bank.

**W. Perinchief-Chairman** 52:30: DM 3.

**Senior Counsel Harrison** 52:32: Thank you. Pease, please proceed.

**Haley Teart** 52:40: Um, Butterfield Bank had office 65 French street Hamilton, HM19. I believe I forgot to say the date. It's June 5. 2004. Re: The Case Judgment. Dear Sir or, Madam, Please see letter of May 30th, addressed to His Excellency, The Governor Sir John Vereker first page that describes 56 years of violating Bermuda's laws and showing no respect towards King George VI nor, Her Majesty Queen Elizabeth II, 52 year reign. This reference pertains to Emelius Darrell's Estate only. Please see documents 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 1954, supports the bank's deed of confirmation 100% against the Bermuda government. Since 1992, a seri, serious double standard has existed at both banking institutions. You will find one such experience described in my letter of May 21, 2001, addressed to Mr. George Jackson, Assistant Commissioner of the police service Bermuda Police Services. See orange tag Title G, page 2, Item 6, which shows that both banks financed me on 70 feet by 100 feet of property, established in a letter from Appleby Spurling and Kempe. And both banks saw the mortgage deed which showed that the actual footage was 75 feet by 100 feet 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. Dill plan, the 1939 deed and the 1943 deed and, the 1956 deed, to produce the Deed of Confirmation. This deed of confirmation brought an end to all wrongdoing to the Emelius Darrell Estate and affected persons involved as far back as 1962. In 1992 the major players were still alive and Miss Cathy Lightbourne requested to put a mortgage on a 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 out, laid by the Government 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 of a friend, Chief Justice Austin Ward who gave him a favorable judgment on a case. Chief Justice Mr. Ward claimed that he heard both sides of the cake case, but he lied in this judgment in favor of the bank that I've been made to understand it's 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, 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, 2004, addressed to Russell G. Wade Permanent Secretary, Works and Engineering, page 7 shown compensation from the Bermuda government that will be deposited in equal parts to both banks. Monday morning June 7, I will call on you to discuss the matters above. In conclusion, we share with you the following list of parties involved. Mr. Phil, Phillip Perinchief's gripped with the Judge Cole's judgment is scheduled for an interview Tuesday June 8. Attorney, Arthur Hudson legal representative to lots 55 and 56, Sunnyside Park soon to be a Emelius Drive West,will also be on Tuesday June 8th. Mr. W Bounes scheduled for Tuesday, June 8th. Will deal with the forged deeds in 1955. Mr. Neville Darrell will advise his party and will bring these matters above to the attention of the general public, Tuesday June 8th. 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 the Queen Elizabeth II um, January 18th, 2000. Also on Wednesday, Mr. Bourne will set out a pleading or a part compass, compensation of 7 million to me. Wednesday, June 9th Mr. Philip Perinchief's writ along with page 23 and 26 of Judge Cole's judgment will show that a judgment was given on the Darrell property. We are hopeful that this long hardball and painful ordeal will be brought to a close. Most sincerely John Nathaniel Darrell, Signed, John Darrell, cc the Bank of Butter, Bermuda Limited, HSBC, Butterfield Bank, Attorney General Office for the Chief Justice, Mr. Neville Darrell, Attorney, Arthur Hudson and the media. And the following article was just the article that was mentioned above. Speaking to the lesser crime. Pardon me. Speaking to the judgment of Mr. Ward and the lady who was found guilty of a lot lesser crime.

**W. Perinchief-Chairman** 58:43: Counsel. In view... In view of the witness mentioning one Phillip Perinchief being involved in this matter, that person is identified as my brother and I would suggest that we have a short adjournment to discuss whether that impacts my ability to be neutral in this matter. So, I would like to have a short sidebar with you sir. Chairman.

**Senior Counsel Harrison** 59:08: Very well Chairman.

**W. Perinchief-Chairman** 59:19: So at this point.

**Lynda Milligan Whyte** 59:20: Counsel, before we close, before we adjourn. Mr. Arthur Hudson is a colleague of mine at Apex Law Group as well.

**Senior Counsel Harrison** 59:30: Sorry, I'm not hearing what I'm not. I'm not sure who is speaking but, I'm not hearing the speaker, Chairman.

**Lynda Milligan Whyte** 59:41: Counsel, this is Lynda Milligan Whyte. I'd like to point out I have the same problem as the Chair this morning. Mr. Arthur Hudson's name was mentioned as acting in connection with this matter. He's a partner of my firm.

**Senior Counsel Harrison** 1:00:04: Thank you, Commissioner Milligan Whyte.

**W. Perinchief-Chairman** 1:00:06: Uh, Commissioner Starling wishes to make a comment.

**Jonathan Starling** 1:00:14: Don't worry, I don't have any conflicts. But I was more wondering whether we need to serve adverse notices to some of the people named. I'm thinking uh, was it Austin Ward, is mentioned, and Justin Williams, although I know he's in custody in Florida, right now, Just thought I'd, but seeing we're going into break, we can discuss that, too.

**Senior Counsel Harrison** 1:00:35: Yes um, The Attorney General's Chambers, Commissioners had been given prior notice. And these are matters that properly speaking, they could attend to in terms of treating with. They could just be notified, because they could properly, based on the arms of the separation of powers. But generally, how the chambers would operate, they could be notified and they could properly speak and treat with the matters that touch on concern and arm of, one of the arms of. One of the arms. Thank you.

**W. Perinchief-Chairman** 1:01:23: Uh, Counsel, could you just repeat that last part?

**Senior Counsel Harrison** 1:01:28: I'm indicating Chairman, that, and Commissioners, that in light of the fact that we had previously given notice to the Ageis Department who had indicated, and I had on the record so indicated, that they were watching proceedings, even though they had been invited to attend. I'll just indicate that they could be now notified. And in respect of any notice that could be sent, I'm suggesting that we may not need to do so because the Attorney General's Chambers could properly represent any interest of an arm, of one of the three arms of; especially the then Chief Justice who was named by the claimant. They properly could be advised and they could properly indicate their posture to represent that office.

**W. Perinchief-Chairman** 1:02:32: Yeah, Counsel, I'm requesting that we have a 15 minute recess to discuss the other matters concerning Ms. Milligan Whyte, Commissioner, and myself so that we could clarify the issue?

**Senior Counsel Harrison** 1:02:48: Very well Chairman.

**W. Perinchief-Chairman** 1:02:49: Uh, witnesses we, not having prior notice about some of the persons named is acting ither for or otherwise, yourselves in this matter. I need to on behalf of the Commission have a slight recess to discuss the matter with our Counsel. So, we'll take a 15-minute recess, at which time, we'll deliberate and we'll pull you back inside. So, the Commission should rise everyone. And we'll sit with Counsel to make some decisions. So, thank you very much.

**END OF TRANSCRIPTION MARCH18 (MORNING SESSION a) at 1:07:40**